

PLANNING BOARD MEETING MINUTES

August 13, 2020

PRESENT: Steven Strojny, Elmer Clegg, Daniel Doucette, Lou Gallo, John Carroll, Jeanne Azarovitz, Sandra Goldstein, Elizabeth Brown, David O'Connor, William Meier (alternate)

Staff: Coreen Moore, Jennifer Copeland, Tim Lydon

Public: Chris Timson, Louis Costa, Todd MacDonald, Sam Lorusso, Keith Vellante, Don Haes, Celine Mulligan, Mark Cornentti, Daniel Serber, Carl Gehring, Phil Cotto and other member of the public

Chairman Strojny called the meeting to order at 7:00pm.

This meeting was conducted by Zoom access.

Minutes: 5/9/19, 6/11/20, 6/25/20, 7/9/20

Ms. Brown made a MOTION to approve all, seconded by Ms. Azarovitz. Roll call vote as follows:

Ms. Brown – yes	Ms. Azarovitz – yes	Ms. Goldstein – yes
Mr. Carroll –yes	Mr. Gallo –yes	Mr. Clegg – yes
Mr. Doucette – yes	Mr. O'Connor – abstain	Mr. Strojny – yes

Informal Presentation: Tim Lydon. Complete streets

Bourne rail trail, bike plan. Worked with the CCC. Similar when compile a bike plan. Money available to towns that adopt a policy. \$50,000 for technical assistance, if approved, a project could get \$400,000 for construction. Gaps in the bike trail, sidewalk. Help safety and accessibility in town. Use complete street when designing roads and maybe when subdivisions are created. Limitations when reassess a tract, won't be for every street.

- Capital investment plans
- Roadway plans
- ADA assessment

Chm. Strojny: I'd support moving forward.

Mr. Carroll: Warm to everything in this. Valuable to Bourne. Fits well and willing to work on it.

Ms. Brown: Does this incorporate walking trails as well?

Tim: More roadways, congestion, pedestrian traffic, safety of bikers.

Mr. Clegg: 24' width roadways approved in many subdivisions, is that adequate?

Tim: No. A bike lane is 4-6', may be in cross section in subdivision regulations. Trying to include bike paths on major roadways.

Mr. Clegg: What is the width of Kendall Rae? Has a sidewalk.

Coreen: Don't know, it's commercial so it's wider anyway. Wise to adopt the policy then any changes can be adopted in a subdivision.

Mr. Clegg: When we approve a roadway, should we approve a sidewalk and bike lane?

Tim: Case by case basis. CCC plan was approved in 2012.

Mr. Clegg: Senior Care Overlay District in Sagamore, should we have considered a sidewalk along Hunter's Brook Rd? Looking for guidance. Put in sidewalks when putting in commercial area when abuts residential?

Coreen: Talked about road network and off-site mitigation. A 2-3 lot subdivision may not be based on the road network surrounding the area. But some areas, look into sidewalk or bike path. Look at the whole picture. Where go, can public access, get there from here? Connecting to a wider network and should we consider it? Don't want sidewalks and bike paths to nowhere.

Ms. Goldstein: Remember Calamar just beginning of a huge conglomerate on Perry Ave. How are people going to get out? Say county Rd. or Shore Rd. gets busy with the convenience store, VFW events, under special permit, could be granted. Bad in road, safety situations. If someone wants to put a multi-family building there, many more cars, attract more and more stuff. Have DOT or DPW come out and fix the problem. Busy intersection by changing the way it was.

Tim: I've only explored the merits of this primarily to protect pedestrians and bikers. Create bike trail and create paths to get to the rail trail. Incorporate bike paths to redevelop our road system to accommodate pedestrian and bike users the best we can. Sometimes just paint a line. People will explore outdoors more now. We're going to do a prioritization plan. Crashes, dangerous intersections, etc. There are a lot of different things we can do. Wide spectrum of projects we can focus on. Bike plan is one aspect of this.

Ms. Goldstein: Understand bike path and rail trail. This is broader than that. Other avenues assigned here that might not like the changes. What plan do you use to fix it? Change everything until it's overkill. Unintended consequences because of bikes.

Mr. Clegg: Complete streets about feasibility transportation, need improvements on bus stops, if my wife and I go to the beach on a bike (Barlows Landing Rd), taking lives in our hands. Sidewalk is only 3' wide. People drive 40mph in a 30. Take advantage of development projects that come before us, surrounding neighborhoods.

Mr. O'Connor: Performance standards, as a basis of a master plan. Make a case for all the roads, paint lines and narrow the travelled way, sends a message to drivers they are not alone on the road. Rail trail making Gray Gables market a mini village area.

Tim: Section 5 – evaluation effectiveness. It's us making an effort. Analyzing what's best for us. Make best educated decisions.

Coreen: Do a certificate of vote when go for grants, they like to see support. Tonight or wait until policy is adopted.

Chm. Strojny: Think will wait, this is informal. Want to go deeper and have more questions. Very good components to this program.

Public Hearing for Site Plan Review #505: Louis Costa. 25 Main St. Buzzards Bay. Construct a 12'x27' one level addition on the west side.

Chris Timson, attorney for Louis Costa: Louis emigrated from the Azores and is a retired laborer. He purchased this property in the late 70's and has done a number of renovations. He lovingly cares for the landscaping. This proposed addition is 440sf with a roof deck. Has had difficulty keeping a tenant, feels this will have a better success for longer term. The deck will overlook the water. Has been to DRC and ConCom (has order of conditions). Asking for a waiver to stripe the parking lot. Fence and rail there are assigned numbers for every tenant and some customers. Visible and accessible, feels it would with what he has there. Ample landscaping, the trees closest to the building, only one that may have a potential to be harmed if gets damaged, he will replace. It's about four feet from the sidewalk, the others are two feet. The cost to move the leaching field would be \$5-\$10,000 range. More cost effective not to move it. Hope the Board won't make him move it. Cost would push over the edge of feasibility. The three trees meet the requirement.

25 Main St. Buzzards Bay: Cont'd:

Mr. Doucette: This has been going on since February. Have been working with the applicant and Jen. Save the tree or replace in case of its death. He will install a bike rack. This addition would soften the entrance to downtown.

Jen: All outstanding issues have been addressed.

Mr. Clegg: Addition will be office? Rentable?

Chris: Yes.

Mr. Clegg: Rear parking, 21 spaces, how many required?

Chris: 8.

Mr. Clegg: Sign on the lot renting to Maritime Academy?

Louis: Yes. I allow some students to park there. I have designated parking for tenants. The National Guard recruiting office parks there sometimes.

Mr. Clegg: If I'm a customer, am I allowed to park?

Louis: Yes. More than enough spaces available.

Mr. Carroll: Is it a septic or stormwater leach field?

Mr. Doucette: It's stormwater.

Ms. Goldstein: How do you enter the unit?

Chris: Use existing entrances, front and back. This addition will be part of TLC and the roof will only be accessed by the second floor tenant. The deck will be in two colors to compliment the building.

Mr. Clegg: Increasing by 30%, need additional sewer allocation?

Jen: In my letter, he's not adding bathrooms.

Chris: We have a letter from the Buzzards Bay Water District dated 7/15/20 giving approval.

Mr. Clegg: The Water District is water supply, the Sewer Commissioners give sewer allocation. Think you're ok but need to get clearance from them. Put as a condition.

Mr. O'Connor: Good job, nice project. Think the tree closest to the building is toast. The leach field excavation is more than the area, the reason if start in the middle and work towards the street, when the roots are 2" then hand excavate.

Coreen: The leach field is an after the fact location, it's in a location not previously approved by the Board.

Mr. Doucette made a MOTION to approve subject to the following conditions:

- This permit is subject to all Rules, Regulations, & Bylaws of the Town of Bourne.
- All findings, terms and conditions of the previous Special Permit #09-2010 shall remain in effect unless revised and approved by the Planning Board.
- All work authorized under this approval shall be in accordance with the application, supportive materials and testimony of the owner and its representative.
- If the existing trees are not preserved during construction, they shall be replaced with a 3" caliper tree of the same or like species and maintained for at least three years following installation.
- One bicycle rack shall be provided in accordance with section 2852(d).
- Clearly define parking spaces, handicapped space, and loading area with striping in accordance with section 2852 (g).
- New signage requires Design Review Committee review and permits.
- Confirmation from the Conservation Agent that the proposal meets conservation regulations.
- Emergency access and vehicle turnaround as per the Fire Department.

25 Main St. Buzzards Bay: Cont'd:

- Prior to the issuance of an occupancy permit, an As-Built plan with a seal or stamp affixed must be submitted to the Planning Board showing all appurtenances above and below ground.
- Confirmation from the Sewer Commissioners that the allocation is adequate prior to issuance of building permit.

Coreen: These documents aren't recorded at the Registry.

Mr. O'Connor:

The MOTION was seconded by Ms. Goldstein.

Add a condition – excavation of leach field at 4" tree done by hand if encounter significant roots. Mr. Doucette is ok with that addition.

Mr. Clegg: Need a special permit for change of leach field location from previously approved site plan? Did they have a special permit from before?

Jen: Last time was a site plan review only.

Coreen: If just SPR, this takes the place of the last one. There was a special permit for a flea market but zoning has changed and its void as it's expired.

Roll call vote as follows:

Ms. Brown – yes

Ms. Azarovitz – yes

Ms. Goldstein – yes

Mr. Carroll –yes

Mr. Gallo –yes

Mr. Clegg – yes

Mr. Doucette – yes

Mr. O'Connor – yes

Mr. Strojny – yes

Public Hearing for Site Plan Review #507: Cont'd from 6.25.20. 0 Scenic Hwy, Bournedale. Next Grid Inc.

Redevelopment of site for a photovoltaic ground mounted system with associated drives, stormwater.

Chm. Strojny: Town Counsel asked us not to take further action on this now. Read a letter from Bob Troy into the record. Continue to 9/24/20 if there are still outstanding issues, we can continue then. Not going against the advice of Counsel.

Mr. Clegg: We said no action until written authorization from ZBA, BOS and Building Inspector at the last meeting.

Coreen: The building inspector needs to make his recommendation to the ZBA and BOS saying the restoration is complete. Vote from these Boards upon his recommendation. It's in the works.

Roll call vote as follows:

Ms. Brown – yes

Ms. Azarovitz – yes

Ms. Goldstein – yes

Mr. Carroll –yes

Mr. Gallo –yes

Mr. Clegg – yes

Mr. Doucette – yes

Mr. O'Connor – yes

Mr. Strojny – yes

Public Hearing for Site Plan Review/Special Permit #04-2020: Cellco Partnership dba Verizon Wireless. 169 Clay Pond Rd. Install wireless communications facility pole with accessory ground equipment including stand-by generator.

Carl Gehring, Verizon: This will be an unmanned, unoccupied, stand-alone pole. Once a month someone will go check on it. Filling a gap in the area. Normally 130' antenna centerline. We are proposing 80' for a very specific coverage gap. Two-way radio, more people on their phones = less coverage, it's called footprint shrinkage. This will fill in the gap between Buzzards Bay and Pocasset. Prohibition of health effects, this is 4% broadcast out which is well below the FCC recommended output. The end result will be less than that. We are just another wireless device. The FAA has no issues, no light is required. There is a generator in case we lose power this keeps it going. Test once a week during business hours. Real estate values, so low, stealth sleep pole. Commercial area, no measurable impact on surrounding properties. Steel mono pole, surrounded by fiberglass shroud, antennas.

Mr. Clegg: Pocasset is not a stealth pole and has external antennas. This is just one pole?

Carl: We have a lease for one pole.

Mr. Clegg: Closest residence to the west?

Carl: 14 Westerly Dr which is 82' to the lot line, the house is a couple hundred feet, we are 328' from the road.

Mr. Clegg: Only concern I can see is that area is ripe for future development and turnover.

Carl: We have a 20-25 year lease.

Mr. Doucette: In the past, repeaters for public safety were put on poles, would you consider that?

Carl: Not sure if would work here as all antennas are inside and that would dampen the signal. Spoke to the Fire Chief and Deputy, they didn't raise an issue of that.

Alex Fenton, 167 Clay Pond Rd: Concerned about radiation. Don't want to put myself or customers in any danger.

Carl: We submitted a health report saying 4% worst case scenario of FCC. Could build 25 more of these and still be compliant.

Alex: Hope the Board considers all the other houses in the area.

Cecile Mulligan, 169 Clay Pond Rd, manager: Tenants have expressed the need for better service. All reception on Westerly Dr is terrible. All the people I've spoken to in that area want this.

Mr. O'Connor made a MOTION to approve subject to the following conditions:

- This permit is subject to all applicable Town of Bourne, State, and Federal rules, regulations, and bylaws.
- All documents/plans submitted to the Planning Board shall be incorporated into this decision and is subject to use as enforcement of this decision. Any deviation requires resubmittal and approval by the Planning Board.
- All work authorized under this approval shall be in accordance with the application, supportive materials and testimony of the owner and its representative.
- Emergency vehicle access plan as per the Fire Department prior to the issuance of a building permit.
- Knox box or Knox padlock required to ensure Fire Department access to the property.
- The propane storage requires a permit from the Bourne Fire Department.
- The applicant shall repair and/or replace the fence around the facility and maintain said fence in good condition in perpetuity.
- Removal required within one year of facility disuse.

169 Clay Pond Rd: Cont'd:

- An As-Built plan must be submitted to the Planning Board showing all appurtenances above and below ground within one year of construction.
- This decision shall be recorded at the Barnstable County Registry of Deeds/Land Court Registry and a copy returned to the Planning Department prior to the issuance of a building permit.

The MOTION was seconded by Mr. Carroll.

Mr. Clegg: Facility limited to a single 80' stealth monopole. To ensure come back before if any other additional poles installed.

Chm. Strojny: If they try to put another pole over 40' they have to come back, that's stated in the bylaw.

Coreen: The approved plan only shows one pole.

Roll call vote as follows:

Ms. Brown – abstain	Ms. Azarovitz – yes	Ms. Goldstein – yes
Mr. Carroll –yes	Mr. Gallo –yes	Mr. Clegg – yes
Mr. Doucette – yes	Mr. O'Connor – yes	Mr. Strojny – yes

Mr. Doucette made a MOTION to adjourn, seconded by Ms. Goldstein. Roll call vote as follows:

Ms. Brown – yes	Ms. Azarovitz – yes	Ms. Goldstein – yes
Mr. Carroll –yes	Mr. Gallo –yes	Mr. Clegg – yes
Mr. Doucette – yes	Mr. O'Connor – yes	Mr. Strojny – yes

With no further business before the Board, the meeting was adjourned at 9:45pm.

Respectfully submitted,
Ann Gutterson