

PLANNING BOARD
MEETING MINUTES:
SEPTEMBER 9, 2021

Reviewed: 10/14/21

Approved: 10/14/21

PRESENT: Daniel Doucette, Sandra Goldstein, Christopher Farrell, Elmer Clegg, John Carroll, Louis Gallo, Jeanne Azarovitz, David O'Connor

ALSO PRESENT: Coreen Moore, Jennifer Copeland, Zachary Basinski, Kevin Ralph, Richard Curcuru, Theresa Ahern, Jeff Modroso, James Sullivan, Ken Brady, Kevin Sullivan, Joan Junquerra, Kooper Brooks, Eliza Cox, Stuart Clark, Greg Siroonian, and other members of the public.

Daniel Doucette called the meeting to order at 7:00PM.

1. Lot Release:

Lot Release A: 4 & 6 Forest Park Drive: Zach Basinski, Bracken Engineering, Asking for the release of lots 3 & 6.

Current Lots are under construction. Mr. Clegg: When the construction of the lots is done, what will you do? What is the cost to complete?

Zac: The cost is \$76k. We will clean up and fix the area previously under construction.

A letter from Town Engineer Tim Lydon was read by Mr Doucette stating that the cost to complete is sufficient and that with the plans in place, it is adequate to release the lots.

Zac: The area left to be cleaned is a small road. Mr. Farrell: A small road won't have many problems.

Confusion on lots, speaker is asked to clarify the lots in question. Zac: lots 3 & 6.

Motion made my Mr. Farrell to release the lots. Issue with bond type, motion fails.

Cash bond preferable, but there are multiple options.

Mr. Clegg: What is the duration of the bond and what is the expiration? 2 year bond type.

Clegg continued: What happens if not completed in 2 years? Coreen: Bond is null and void.

Discussion on bond continues. Compromise is offered that if the construction and cleaning of the road is not done in 2 years, they can renew the bond as a compromise.

Mr. Farrell: Believes cash bond is the most appropriate option agreed by Mr. Clegg.

Mr. Clegg: Uncomfortable with the town not being covered for 2 years.

Corinne: Cash bond is best security.

Mr. Doucette made a motion to release the lots with the following agreement:

-In the Future, as each lot in Forest Park Drive comes before the board to be released, a bond must be valid and in place.

Seconded by Mr. Farrell. Roll Call as follows:

Daniel Doucette: yes

Sandra Goldstein: yes

Christopher Farrell: yes

Elmer Clegg: yes

John Carroll: yes

Louis Gallo: yes

Jeanne Azarovitz: yes

David O'Connor: yes

Lot Release B: 43 Tara Terrace, Lot 54

Coreen: Request research if other lots released were released properly. Must assume that other lots were not formally released. At last meeting lawyers were asked to be here to answer questions on these lots. Lawyers not there due to a family matter.

Motion made by Mr. Carroll to schedule discussion on this to next meeting on September 23rd, seconded by Mr. Farrell. Roll Call as follows:

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Daniel Doucette: yes
Elmer Clegg: yes
Jeanne Azarovitz: yes

Sandra Goldstein: yes
John Carroll: yes
David O'Connor: yes

Christopher Farrell: yes
Louis Gallo: yes

Site Plan Review & SP #09-2021: 10 St. Margaret's St. Kenneth Brady "To the Rescue Training." Overnight dog housing and training.

Mr. Brady Discussed his plan with the business: house 8-10 dogs, train 4 weeks at a time with owners and dogs, therapy dog training, puppy development, not a doggy daycare, overnight dogs are locked in a kennel, the dogs are always training or in their kennels. Ms. Copeland: applicant wants to put in more parking spaces and a fenced in area in the southern side of the parking lot.

Farrell: Why a fence? Brady: outdoor off leash training. More discussion on the type of fencing, and what off leash training constitutes. Main worry expressed by Mr. Farrell and Mr. Brady is the church playground next door. Discussion continued about the waste and storage of animal waste. Brady: Waste will be picked up weekly, bagged, and put into barrels to be disposed of.

Clegg: Unclear on engineering plans, questions if there is a motion grant an engineering waiver on the plan with no fence.

Corrinne: if spaces are being added they need an engineering plan. Goldstein: Is there an engineering waiver? Azarovitz: Only if looking to approve the outside fenced in area and adding the extra parking spots.

Motion made by Jeanne Azarovitz to approve, seconded by Mr. Gallo. Roll Call as follows:

Daniel Doucette: yes
Elmer Clegg: yes
Jeanne Azarovitz: yes

Sandra Goldstein: No
John Carroll: yes
David O'Connor: yes

Christopher Farrell: yes
Louis Gallo: yes

Special Permit #11-2021: 3 Forest Park Dr., Richard Prevett, 7,200 sq. ft. contractor bay/warehouse in a Water Zone District & Water Recharge Area.

Speaking is Zach Basinski, Bracken Engineering. Wants to construct a warehouse, requiring 2 special permits for an increase in lot usage from 18% to 40%. They need to clear up to 90% of vegetation, trees must be cut to clear an area to fill in a hole in the lot. There will be better storage with additional pavement aids to prevent ground contamination from spills.

Copeland: Water superintendent is ok with the project. Azarovitz: Asking to remove more vegetation than allowed and impervious areas allow possibility of contamination. Water district is confident that there can be site visits and that the impervious areas can be coated to prevent groundwater seepage. Questions why there are so many parking spaces.

Clegg: Doesn't like the number of spaces and the lot usage percentage.

Mr. O'Connor: Questions on drainage: function, age, durability, quality, public nuisance? Requests the town engineer does a high media compliance test due to amount of water drained.

Zach: Drainage is new system good for 100 years before some minor fixes. General process of water filtration and drainage is explained. Does not foresee any public problem. Drain is newer version that can take in and filter larger amounts of water.

Gallo: Confident in system and its ability to handle large storms. Formal maintenance can be a problem.

Goldstein: can scheduled maintenance be formalized and reported to town? Zach: can do.
Goldstein: believes there is a lot being forced onto one lot. Finds project to be inconsistent with current Town of Bourne Zoning bylaws due to the removal of 90% of vegetation, the increase in impervious ground, the lack of a guarantee that there won't be a problem with the town, and doesn't believe the current storm system is enough.
Zach: Preventing spills and cleanup is main concern. Asks for a continuance after debate to reconcile differences with the client, minimum 30 days.
Mr. O'Connor makes a motion to grant 30 day continuance. Seconded by Gallo. Roll call as follows:

Daniel Doucette: yes
Elmer Clegg: yes
Jeanne Azarovitz: yes

Sandra Goldstein: yes
John Carroll: yes
David O'Connor: yes

Christopher Farrell: yes
Louis Gallo: yes

Special Permit #12-2021: Gosnold Inc. Changing use from special service facility to a hospital.
Richard Curcuru speaking on behalf as president with lawyer, Eliza Cox.

Curcuru: Offering this new service changes it's classification to a hospital, triggering a special permit. Offers a general overview of the business and the new service. Large on cape employer offering detox programs helping the addicted population. Treatment is focused on more acute services dealing with co-occurring dual disorders. Beds reduced due to the need of more space.

Aliza, Gosnold Inc.: Building footprint stays the same with some minor outside changes: fencing, canopy, screened dumpsters, minor upgrades and additional parking spaces.
Farrell: What is the reason for the change to the hospital?

Corinne: Change of program changed the classification under zoning bylaws.
Clegg: What is the use of the sheds on the property? Curcuru: supplies, belongings, and other personal effects. Clegg: With the increase in spaces theirs is a concern with the storm water runoff. Behind the building are cranberry bogs and other waterways.

After discussion there is an agreement to enhance the drainage in the back of the lot.
Clegg: Concern expressed with the security of the building. Project is consistent with the zoning bylaws.

Motion to approve by Mr. Clegg, seconded by Sandra Goldstein. Roll Call as follows:
Daniel Doucette: yes
Elmer Clegg: yes
Jeanne Azarovitz: yes

Sandra Goldstein: yes
John Carroll: yes
David O'Connor: yes

Christopher Farrell: yes
Louis Gallo: yes

Article Discussion for Special town Meeting:

Coreen: Changes proposed by Zach Basinski, Bracken Engineering, change upland definition for town.

Zach: Reword the definition of "upland" to exclude coastal banks, flood zones, and wetland areas. Due to this definition, there are many non-conforming lots. If not done: subdivides are subject to appeal, many lots are unbuildable or need a special permit to become buildable.

Coreen: if sponsored by the board, there's a public hearing then formal discussion. Can consider at next meeting September 23rd, 2021.

Clegg: How many permits have been denied due to this definition should be explored.
Goldstein: Downside of not changing definition? Zach: Special permits would be needed for every project in a floodzone.

Doucette: Negative to changing definition is it takes the special permit power away from the ZBA. Zach: still goes before the board. Clegg: Expressed concern that this desire to change is due to a current project in Bourne. O'Connor: are we alone in this definition? Comparable to other towns? Is this due specifically to our definition. Zach: This is due to Bourne's definition.
Goldstein: Benefits to the town? Zach: no lawsuits due to proper interpretation.
Coreen: the current upland definition's slope requirements might include uplands that are considered wetlands due to our definition. O'Connor: This could add real benefits.
Further discussion agreed upon.
Motion to adjoin made by Mr. Doucette, seconded by Mr. Carroll. Roll call as follows.

Daniel Doucette: yes
Elmer Clegg: yes
Jeanne Azarovitz: yes

Sandra Goldstein: yes
John Carroll: yes
David O'Connor: yes

Christopher Farrell: yes
Louis Gallo: yes

Bill C. Davies