

PLANNING BOARD MEETING MINUTES

August 13, 2015

PRESENT: Christopher Farrell, Daniel Doucette, Elmer Clegg, Vincent Michienzi, Robert Gendron, Steven Strojny, John Howarth, Louis Gallo
ABSENT: Joseph Agrillo Jr.
STAFF: Tim Lydon Engineering Tech
PUBLIC: Michael Rausch,

Ann Gratis, Recording Secretary

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

Mr. Strojny made a MOTION, seconded by Mr. Howarth to approve the minutes of 6/25/15 with all in favor.

ANR: 150 MacArthur Blvd. 3 lots

Don Bracken represented the applicant. There is an old wood lot from MacArthur Blvd to Waterhouse Road and we'd like to create two residential lots with frontage on Waterhouse Rd. There is a guard rail across the frontage. There will be a shared driveway. We may be able to get state approval first. This property is not designated as no access. WE need MA DOT for a driveway and to bring in fill. No bylaw requires to take access from the frontage. Would like to try and get the endorsement tonight as we can't get a curbcut without a signed plan from the Planning Board. There are other options for this site, back lot subdivision, etc.

Tim: Echoed case law. Does it have adequate safe access?

Chairman Farrell: The State won't grant usually. Would a letter to the State help approve a curbcut? We can't conditionally approve an ANR.

Don: I can provide an engineered plan with the driveway, etc. Want endorsement first.

Chairman Farrell: want to stand legally.

Tim: a proposed easement plan or mitigate the area with DOT.

Don: I would like to withdraw the application without prejudice.

Mr. Howarth made a MOTION to accept the withdrawal. The MOTION was seconded by Mr. Michienzi with all in favor.

43 Fieldwood Dr/64 State Rd. 4 lots

Don Bracken: Reconfiguring lots. Both lots will conform, buildings will be shifted. This is a land court plan.

Tim: all set.

Mr. Doucette made a MOTION to approve. The MOTION was seconded by Mr. Clegg with all in favor.

Public Hearing for Site Plan Review/Special Permit #03-2015: Bayview Campgrounds. 4 & 6 Dornick Rd. For storage of materials, lighting and fencing for the campground.

Joel from Holmes and McGrath: There are two vacant lots, most of it is wooded. The project is to expand the existing maintenance area for equipment and materials. There will be a 50' wooded buffer to the Brookside property. The rest of the lot will be cleared and leveled. The gate on Dornick Road is to stay and the main access will be through the campground. Lighting will be similar to the rest of the campground.

Bayview Campground Cont'd

Tim: Outstanding items: Stormwater certification, need a special permit for alternative surfacing, no filing with National Heritage yet, no dumpster noted on the plan, no lighting plan submitted, no dedicated storage areas shown on the plan.

Joel: We have filed with National Heritage, no response yet. Lighting (submitted at this meeting). It's an expansion of an existing use. It's not a priority to pave the entrance. Individual storage areas are accessed mainly through the south side.

Mr. Doucette: There is a road to the south shown on the land court plan.

David Richie, owner: That was an old road that ran through the campground to Valley Bars Rd. It was changed to Brookside Road and some as Dornick Road (formerly Herman Perry Road). Boats, trailers (transient), tables, leaves, etc. have squared off areas. Once filled, it's picked up. It's more of a holding area. The current area is getting tight.

Mr. Clegg: Dornick Road is private?

David: It belonged to Brookside originally, now I don't know. Lighting: we have been replacing with LEDs. We don't want to flood light everything, keep it low key just so people can see where they are going.

Mr. Clegg: Access to campers? Free?

David: Yes. People will leave their vehicles and they have 24/7 availability.

Chairman Farrell: I'm familiar with the site. There is a buffer provided. The LEDs are dimmer and only affect the campers. The buffer is more than what we require.

David: We are a registered tree farm.

Chairman Farrell: I suggest approval, it fits with what the campground has done in the past.

Maryann Freeman, abutter: We are dealing with the methane gas mess, what will we see from this?

Chairman Farrell: There is lots of scrub pine there.

Joe Dealy, representing the owners of Brookside Golf: What will be stored? Will it have a visual affect on the golf course?

Chairman Farrell: This seems to be a sufficient distance from the course with 50' of natural cover for a buffer. Not sure how it will visually impact the golf course but the storage was explained.

David: There will be no garbage at all. Wood chips that get used back in the campground, there is nothing changing in regards to storage.

Ann Pretti, abutter: Is Dornick Road involved at all?

There will be a gate for access on the northern portion, but the main access will be the existing entrance.

Mr. Doucette: his current storage s preexisting non-conforming and will extend onto these two new lots to cover the proposed area. Need to properly address the Dornick Road gate. If we continue until they file a special permit, look at to inspect Dornick Rd and Brookside Rd.

David: The gate on Dornick Rd has been used since it was put in.

Marie Noonan, abutter: I have experienced the fires, smoke, music, etc. Will we see from out back decks?

David: it's an open lot. The closest condo is on Brookside Rd.

Chairman Farrell: They are leaving at least a 50' buffer. I don't see any visual impact from this. The original permit was from 1966 and it was left carte blanche what they could do. The law at the time it was created carries forward. Not sure how much restriction we can put on this property. We've granted open storage in the past for other projects in town. I'll leave it up to the Board. We understand the neighbor's concerns. This was in existence prior to Brookside. I always say "buyer beware". It's your responsibility to see what abutting properties can become. Zoning allows certain things on

Bayview Campground Cont'd

residential and commercial. Just because something isn't there doesn't mean someone can't utilize their rights. Example: water view lots. Doesn't mean that might not change in the future.

Mr. Michienzi: The golf course sold the property to Subaru, they sold it to the campground. The homeowners at Brookside didn't know this was going to happen. We should do a walk-through with the campground and golf course.

Mr. Doucette: We can take a fresh look at this property, if it needs a special permit, I concur we look at it. This should be continued so it's done right.

Mr. Gallo: The 50' buffer is more than generous and the gravel drive is a continuation of what's there now. This will help the area.

Joel: the 14th green only has 1 row of trees now, we want 50' buffer there.

Chairman Farrell: The Board should do a site visit, it will be beneficial to us.

Dave: You're welcome any time.

Tim: There is a 1'-8' retaining wall, can you provide a cross section? Ok.

Mr. Clegg: A new special permit will be applied for. Will this plan result in an increase in traffic on Brookside Road from Dornick Road?

David: The existing gate on the end of Dornick Road is the back entrance. I don't expect it to change. The new entrance will be for a secondary access but the majority will go through the existing gate.

Mr. Clegg: can the Brookside Rd. gate be limited to emergency access only.

David: I don't want people using it. It's safer for trucks to go down the back entrance they've always used.

Mr. Doucette made a MOTION to continue to 9/24/15 with the application of the special permit for alternative surfacing. The MOTION was seconded by Mr. Clegg with all in favor.

- *Update: This has been continued to 10/8/15 with the new application for the special permit.*

Public Hearing for Amended Site Plan Review/Special Permit #05-2014A: 124 Waterhouse Rd. Atlantic Subaru. For expansion of service/showroom and parking on adjacent lot.

Levon, Brian from Horsley & Witten. We received approval last fall to expand the service department, expand parking and build a large wall. I had the opportunity to purchase abutting property. Subaru told us our facility is 15 years old and will no longer be considered an approved site over 14 years unless upgrades are made. Cost will be about \$3 million. We are one of the last dealers to do this, everything is controlled by them. It will improve our business, customer experience and ease of parking.

- Service area: 8 bays
- North side: drive-thru with 2 lanes. Service customers will be greeted by an advisor then go to the waiting room or a loaner car.
- Customer lounge: fire place, feature wall, internet
- Some showroom expansion
- Parking: is currently non-existent for a long time. One lot we will develop 21,000sf, grade it for parking. Due to constraints, we are only doing 75 spaces.
- New larger septic system
- Gravel overflow lot in the back is still on the table. Will come back prior to completion/occupancy with a special permit or re-vegetation.

Chairman Farrell: The town feels your pain. The unfunded mandate. Tells us how to do something with no monetary support.

Mr. Doucette reviewed this plan. It was a pleasure working with the applicant and the Planning Dept. and he meets just about everything.

Brian: the septic we are just relocating and reconstructing, not expanding the size.

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

- One additional handicap parking space must be shown on the plan.
- Prior to the issuance of the occupancy permit the gravel parking lot at the rear of the building must be either permitted through a special permit for alternative surfacing or revegetated and restored to a grassy lawn area. . If a parking area is to remain either gravel or bituminous the portion that is encroaching onto the right of way of Dornick Way must be removed and restored.
- Display vehicles shall only be parked in approved marked areas.
- The Storm water plan must be signed and certified by a professional engineer stating that it was prepared in accordance with standard engineering practices and meets or exceeds all requirements of the Massachusetts Stormwater Handbook or the Subdivision Regulations of the Town of Bourne.

Mr. Gallo: will the lighting affect the campground?

Levon: No, it's on the opposite side.

Dave Ritchie, Bayview Campground: His LEDs have cut the glare to us, what he has said he'd do, he has done.

The MOTION was seconded by Mr. Gendron. Roll call vote as follows:

Mr. Clegg – yes	Mr. Doucette – yes	Mr. Michienzi – yes
Mr. Howarth – yes	Mr. Gallo – yes	Mr. Gendron – yes
Mr. Strojny - yes		

Public Hearing for a Modification to a Definitive Subdivision: Lamborghini Heights. Vacant lot 6, to make buildable.

Atty. Ben Lasardo, Wayne Lamborghini, owner of lot 6.

In 1991 it was a gravel pit and has since ceased removing gravel. From lot 3 you can still see the san cliff. Lot 6 is not used for anything. Lot 3 is used for boat storage. It is R40 zoning and no long being used industrially. The road was approved at 20' wide for service up to 10 houses. The road was extended to service two houses at the end.

Mr. Gallo: Wasn't lot 6 a stump dump?

Wayne: Stumps were stored there during removal of gravel. Going to grind the stumps.

Mr. Howarth: Lot 6 is a complete stump dump.

Tim: I did a site visit on 8/6/15 (pictures were passed around) It appears to be still in use. It couldn't be developed as it was being mined at the time.

Mr. Gallo: Read notes from the Town Planner's office. It was a 4 lot subdivision, no further soil removed, slope stabilized. Need investigation on our part. Can it be cleaned or not?

Joe: We can research to see what needs to be done.

Chairman Farrell: My concern about revising something a previous Board approved that was never built upon. Now trying to change. Have to go back to what was originally approved for that lot. Still looks like its being mined, mitigated?

Joe: the road was built for 10 lots.

Lamborghini Heights: Cont'd.

Wayne: Originally a road, then moved when it was a gravel operation. The last 10 years storing loam/leaves. Would like to make buildable so we can do something with it.

Mr. Gendron: Was this permitted through the DEP?

Mr. Gallo: This was started in the 1950's prior to zoning.

Mr. Howarth: Originally a sand pit, now a stump dump.

Joe: Will find out from Landry why it's not buildable.

Mr. Doucette: The pictures: is all the soils on the surface? Were stumps buried?

Wayne: Just the stumps on top.

Mr. Doucette made a MOTION to continue to 9/24/15. The MOTION was seconded by Mr. Gendron with all in favor.

Fee Schedule change: Add: General Public Hearing \$50 + \$5.25 per abutter

Ann explained there are some things coming up that will require a general public hearing and we don't have it in our schedule.

Mr. Doucette made a MOTION to approve. The MOTION was seconded by Mr. Gendron with all in favor.

Election of Officers

Mr. Howarth made a MOTION to approve the current slate of officers: Christopher Farrell, Chair; Daniel Doucette, Vice-Chair; Vincent Michienzi, Clerk. The MOTION was seconded by Mr. Strojny.

Mr. Clegg: Studies show continuation of serving leads to an abuse of power and often corruption. Orderly transition of leadership. The Selectmen change their Chair's yearly. I will vote against.

Chairman Farrell: Would you like to offer an alternative?

Mr. Clegg: I have no desire to serve in that position.

VOTE: 7 in favor, 1 opposed.

Chairman Farrell: For discussion at a future meeting: Definitions of restaurants. This has come to light with the change from IHOP to Dunkin Donuts. Break it down: sit down, take out, etc. Modify our rules and regulations to look at that. Should be a good discussion. The Board is in favor of that.

If anyone notices anything else in the Bylaws you think need tweaking, let us know.

Mr. Doucette made a MOTION, seconded by Mr. Michienzi to adjourn with all in favor.

With no further business before the Board, the meeting was adjourned at 8:40pm.

Respectfully submitted,
Ann Gratis