

# ***Town of Bourne Zoning Board of Appeals***

## ***Meeting Minutes***

Town Hall Lower Conference Room

24 Perry Ave., Buzzards Bay, MA 02532

October 16, 2019

### **I. Call to order**

Chair Amy Kullar called to order the meeting of the Zoning Board of Appeals at 7:00 PM on October 16, 2019. Ms. Kullar explained under M.G.L., Section 40A, all appeals must be filed within 20 days of the filing of the decision with the Town Clerk.

Ms. Kullar announced the meeting was being recorded and asked if anyone in the audience was recording the meeting to please acknowledge such to the board. He noted Carol Mitchell was recording the meeting.

**Members Present:** Amy Kullar, John O'Brien, Wade Keene, Kat Brennan and Associate Members, Deb Bryant and Jim Beyer.

**Members Excused** – Harold Kalick and Associate Member Chris Pine.

**Also Present:** Roger Laporte, Carol Mitchell, Paul Lorusso, Dave Peterson, Paul Gately and Ken Murphy.

*Amy Kullar will be writing the Decisions.*

### **II. Agenda Items**

**1. Approval of Minutes** – Ms. Kullar entertained a motion to approve the minutes of the October 2, 2019 meeting. **Mr. Keene moved, Ms. Brennan seconded to approve the minutes of the October 2, 2019 meeting.** The motion carried. 5-0-0.

*Sitting on the hearing; Amy Kullar, John O'Brien, Wade Keene, Kat Brennan and Jim Beyer.*

**2. 665 Scenic Highway**, Revision of Bond, #04-23, Adjust bond amount required for site closure.

*Materials:* *Aerial Photographs.*

**(Continued from September 18, 2019)**

Dave Peterson along with Paul Lorusso were present to discuss the restoration progress of the gravel pit at Cape Cod Aggregates. Mr. Peterson presented two aerial photographs for comparison. One was taken in preparation for the September 18<sup>th</sup> meeting, the other was taken on October 5<sup>th</sup>. Mr. Peterson explained, in the past month, there's been a considerable amount of work done; stockpiles have been reduced, the water tower has been removed, loam has been spread, slopes have been seeded and only one piece of the plant remains. Mr. Peterson feels optimistic over the progress that's been made.

Board Comment – Ms. Kullar asked what the timetable for completion is. Mr. Peterson said it's difficult to gauge due to potential inclement weather. The plan is to loam and seed as much as possible now and then work to shape throughout the winter in preparation for future seeding that will occur in the spring.

A brief discussion transpired regarding the dismantling of the plant.

Ms. Kullar asked what the estimated cost to complete the restoration is. Mr. Peterson estimated the remaining cost to be between \$250,000 and \$350,000. He feels at this point, the current bond amount is sufficient. To increase the bond amount will cost the company money unnecessarily.

Ms. Kullar stated she is pleased with the restoration progress. She asked the representative how the restoration costs have been spent. Mr. Peterson explained the bulk of the cost was associated with the regrading of the slopes, hydroseeding and trucking loam to the site.

Ms. Brennan discussed the regrading of the site.

Mr. Beyer questioned whether the retention ponds will remain. Mr. Peterson discussed which drainage ponds will be maintained to control water runoff.

Mr. Peterson discussed the company's commitment to restore the site to prepare it for future redevelopment.

Mr. Peterson discussed the cost associated with providing aerial photos of the site. He asked that the board allow quarterly aerials be submitted rather than monthly. Ms. Kullar thought that was a reasonable request particularly since she did not think there would be a benefit of drone footage in January or February. The board agreed.

Mr. Keene opened a brief discussion regarding the process to eliminate some of the retention ponds.

A brief discussion transpired regarding the areas that are proposed to be hydroseeded.

After a brief discussion regarding whether to require an increase in the bond amount and a schedule to revisit the site, it was decided that the board will allow the bond to stay at \$250,000, that the building inspector will visit the site on a monthly basis and will inform the board of the continued progress until the next site visit in the spring.

Public – None.

Ms. Kullar entertained a motion to close the public hearing. **Mr. O'Brien moved, Mr. Beyer seconded to close the public hearing.** The motion carried. 5-0-0.

Ms. Kullar entertained a motion. **Mr. Keene moved, Mr. O'Brien seconded to maintain the bond at \$250,000, the site will be monitored monthly by the building inspector and will report back to the board on the restoration progress, a site visit will be performed by the board in March 2020 and aerial/drone photographs will also be submitted with action taken in March if necessary.** The motion carried. 5-0-0.

**Old Business** – The matter of 10 Harbor Way will be before the board on November 6, 2019. Ms. Kullar stated an Executive Session may be held prior to that meeting. Chase Estates will also be before the board on November 6<sup>th</sup>.

**New Business** – None.

**Public Comment** – None.

### **III. Adjournment –**

**Mr. O'Brien moved, Ms. Brennan seconded to adjourn the meeting.** The motion carried 5-0-0. The meeting adjourned at 7:32 PM.

Minutes Submitted by: Carol Mitchell