

MINUTES OF MEETING OF WAREHAM PLANNING BOARD

Date of Meeting: August 22, 2016

I. CALL MEETING TO ORDER

The meeting was called to order at 7:00 P.M.

II. ROLL CALL

Members present: George Barrett, Chair
Mike Fitzgerald
John Cronan
Bob Reed
Alan Slavin, bos liaison

Also present: Ken Buckland, Town Planner

III. PRELIMINARY BUSINESS

A. Approval of meeting minutes: July 11, 2016, July 25, 2016, August 8, 2016

MOTION: Mr. Cronan moves to approve the minutes of July 11, 2016 with corrections.
Mr. Reed seconds.

VOTE: (4-0-0)

MOTION: Mr. Reed moves to approve the minutes of July 25, 2016 as written. Mr. Cronan seconds.

VOTE: (3-0-1)

MOTION: Mr. ^{Cronan} moves to approve the minutes of August 8, 2016 with the correction noted. Mr. Reed seconds.

VOTE: (3-0-1)

B. ANR - 13 & 15 Sunset Avenue – Butler – Reconsideration

Present before the Board: John Fitch, attorney

Mr. Fitch states that the applicant has been before the Board previously. The Board did not wish to endorse the plan due to zoning violations. Mr. Fitch states that the Planning Board's responsibility is not to enforce zoning, and has provided the Town Planner with information regarding the terms of ANR approval. Mr. Fitzgerald brings up his concerns again about when the shed was built and if it is affixed.

MOTION: Mr. Reed moves to approve the plan as presented. Mr. Cronan seconds.

VOTE: (4-0-0)

IV. PUBLIC HEARINGS

A. Form C – Sandy Pines – Chris Piazzai – Definitive Subdivision and Special Permit Extension

Present before the Board: Jan Wolverton, attorney
Chris Piazza
Denise Cameron, Woodard and Corran

Jan Wolverton states that he was under the impression that the Special Permit was renewed in 2012, but it was renewed in 2011. Mr. Piazza returned before the Board in 2015 and the extension was retroactive to February 18, 2016. Mr. Wolverton states that 40A Section 9 established that if the applicant commences substantial work on the project during the validity of the Permit then the Special Permit does not lapse but is deemed to be complied with and extended. Mr. Wolverton describes the work Mr. Piazza has completed and maintained on site. Mr. Wolverton states that Mr. Piazza had attempted to contact someone before his extension required and that no one contacted him until his extension had already expired. Mr. Piazza is intending to subdivide the property to install solar panels.

Present before the Board: Abutter

The abutter states he has seen the woods be used as a dump site, caught people hunting back there, and is in favor of the solar farm being installed.

Discussion ensued.

The Board would like for Town Counsel to review the e-mails sent by Mr. Piazzai to see if that sways counsels opinion of the expiration; the Board would also like to review the Special Permit, which has not yet been found.

MOTION: Mr. Fitzgerald moves to continue the public hearing until September 12, 2016 at 7:00p.m. Motion is seconded.

VOTE: (4-0-0)

V. CONTINUED PUBLIC HEARINGS

A. Site Plan Review – 6 Recovery Road – Kevin Oliveira – c/o G.A.F. Engineering, Inc.

Present before the Board: Bob Rogers, G.A.F. Engineering, Inc.

Mr. Rowley highlights his review of the project. The Board discusses the grade change, dumpster location, lighting, stairs, and the basement use. Discussion ensued.

MOTION: Mr. Fitzgerald moves to close the public hearing. The motion is seconded.

VOTE: (4-0-0)

MOTION: Mr. Reed moves to approve the Site Plan with the following conditions: the basement shall be used for storage only; the applicant will comply with the requirements and recommendations of the Wareham Fire District; exterior lighting shall be adequate and not impact the neighbors; the sign will comply with the Town of Wareham Sign By-Law; any changes to the landscape plan will be submitted; all other Boards and Commissions conditions shall apply; there will be 2 years until completion; the Town Engineer will perform the inspections; the applicant will need a sign off before a CO is issued.

VOTE: (4-0-0)

B. Form C – 9 Cahoon Street – Melvin Gauley – Covenant Extension

Mr. Gauley had called the Town Planner and informed him his financier is out of the country at this point and is not able to get the sign off for the covenant extension at this time.

MOTION: Mr. Fitzgerald moves to continue the public hearing until September 26, 2016. Mr. Cronan seconds.

VOTE: (4-0-0)

VI. REFERRALS

VII. ANY OTHER BUSINESS/DISCUSSION

VIII. NEW BUSINESS (This time is reserved for topics that the Chairman did not reasonably anticipate would be discussed)

IX. CORRESPONDENCE

A. See correspondence in packets.

X. EXECUTIVE SESSION

A. Bay Pointe Club Mediation

MOTION: Mr. Cronan moved to enter into Executive Session for the purpose of discussing Bay Pointe mediation proceedings and to not return to regular session. Mr. Reed seconded.

Roll Call Vote: Bob Reed - Yes
John Cronan - Yes
George Barrett - Yes
Mike Fitzgerald - Yes

VOTE: Unanimous (4-0-0)

XI. ADJOURNMENT

XII. DOCUMENTS

Date signed: 9/12/16 3-0-1

Attest: George T. Barrett
George Barrett, Chairman
WAREHAM PLANNING BOARD

Date copy sent to Town Clerk: 9/15/16