

MINUTES OF MEETING OF WAREHAM PLANNING BOARD

Date of Meeting: May 23, 2016

I. CALL MEETING TO ORDER

The meeting was called to order at 7:02 P.M.

II. ROLL CALL

Members Present: George Barrett
Michael Fitzgerald
Robert Reed
John Cronan
Michelle Fernandes, associate member

Also Present: Ken Buckland, Town Planner

III. PRELIMINARY BUSINESS

A. Approval of meeting minutes: October 19, 2015

MOTION: Mr. Fitzgerald makes a motion to approve the minutes of October 19, 2015, as written. Ms. Fernandes seconded.

VOTE: (4-0-1)

IV. PERMIT MODIFICATION

A. Extension of Time: S&H Realty- Walmart at Seth Tobey Rd and Rt. 28

Present before the Board: Howard Robinson
Scott Robinson

The applicant has been waiting for agreements to come to fruition between themselves and a corporation, but has been unable to do anything concrete. The applicant is requesting a 2 year extension.

MOTION: Mr. Fitzgerald motions to accept the 2 year extension request for S&H Realty. Mr. Cronan seconded.

VOTE: (5-0-0)

V. PUBLIC HEARINGS

VI. CONTINUED PUBLIC HEARINGS

A. Canning Realty, Inc. – 81 Charlotte Furnace Road – Site Plan Review

The applicant has requested to withdraw the application without prejudice.

MOITION: Mr. Reed motions to close the public hearing. Mr. Cronan seconded.

VOTE: (5-0-0)

MOTION: Mr. Cronan motions to accept the letter from Mr. Canning to accept his letter requesting to withdraw without prejudice for 81 Charlotte Furnace Road. Mr. Fitzgerald seconded.

VOTE: (5-0-0)

VII. REFERRALS

VIII. ANY OTHER BUSINESS/DISCUSSION

A. Revised Plan – 364 Onset Avenue

Present before the Board: Attorney Perry

There were two houses on one lot, the applicants were entitled to split them. At the previous hearing the correct wording was not on the plan. The plan has been revised and is ready to be endorsed.

MOTION: Mr. Cronan motions to endorse the plan. Mr. Reed seconds.

VOTE: (5-0-0)

B. Staff Report

Mr. Buckland has presented a staff report to inform the Board of what is happening in the Planning Department. The first item highlights the discussion between the Building Inspector and Nazih Elkallassi concerning possible zoning change amendments that will be presented at Town meeting; some things include the solar By-Law, specific uses within the By-Law, wind energy By-Law, etc.

The Jonathan Estates and Maplewood Builder release required the Town to release checks to Maplewood Builders and to the Marceau's. However, the Town does not hold or receive the money, so a process was worked out between the Planning Department, Mario DiBona and Merchants Bank to release the funds in accordance to the stipulation.

The Woods at Great Neck has reached a point where the road has been approved for release of the Covenant and has been pushed in a process to be accepted by the Town. One issue was the

ownership of the road. Charlie Rowley pointed out that if they follow state law you would have to specifically say in your deed that you would extinguish the rights of access of ownership in the right of way in order for it to take effect. If it doesn't say that in the deed then essentially you own the portion of the right of way that's beside your lot. Mr. Buckland checked with the Town Attorney, Rich Bowen, about the status of that regulation and what affect it would have on the acceptance of the street. Rich Bowen stated the state law doesn't have any particular effect on street acceptance in Wareham because the Selectmen don't take ownership of the right of way, they just accept the road as a Town Road. Mr. Barrett states that the Town would have to specify what it is accepting, whether it's the roadway, or the drainage, etc.

Mr. Barrett states that the Board needs to re-vote to keep him as the Planning Board representative for the Community Preservation committee.

The Board votes to keep Mr. Barrett as the representative for Community Preservation.

VOTE: (5-0-0)

Mr. Reed states he would like to go into executive session concerning Bay Pointe.

Mr. Barrett looks for a motion to go into executive session for the purpose of discussing court ordered mediation concerning Bay Pointe, not to return to open session.

MOTION: Mr. Reed motions to go into executive session. Mr. Cronan seconds.

Roll call vote:	Mike Fitzgerald	yes
	Bob Reed	yes
	John Cronan	yes
	George Barrett	yes
	Michelle Fernandes	yes

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

X. CORRESPONDENCE
See correspondence in packets.

XI. ADJOURNMENT

Date signed: 8/8/16 5-0-1

Attest: George Barrett
George Barrett, Chairman
WAREHAM PLANNING BOARD

Date copy sent to Town Clerk: 8-9-16