

WAREHAM PLANNING
MINUTES OF THE MEETING

Monday January 10, 2022

Time: 6:00 P.M.

Place: ONLINE MEETING

Connection: <https://us02web.zoom.us/j/83909031924>

One tap mobile: +13017158592,,83909031924# US

WAREHAM TOWN CLERK
2022 JUN 21 PM4:26

1. **CALL MEETING TO ORDER AND ROLL CALL**

Members Present

Richard Sweson

Carl Schulz

Sam Corbitt

Jane Gleason

Ken Buckland, Director of Planning & Community Development

Aaron Shaheen, Assistant Town Planner

Charles Rowley, Consulting Engineer

2. **PLANNING BOARD NEWS**

3. **PRELIMINARY BUSINESS**

Meeting Minutes – July 12, 2021, July 26, 2021, August 9, 2021, August 23, 2021 and November 22, 2021

Motion to approve all five meeting minutes by Sam C., Second by Carl S., Vote 5-0-0

Spring Ave – Bond Release; \$10,000 – Sheridan Builders

Ken B. states Dave Menard, Director of Municipal Maintenance, has inspected the site and he reports it is satisfactory.

Motion to approve the bond release of \$10,000 to Sheridan Builders by Sam C., Second by Carl S., Vote 5-0-0

4. **PUBLIC HEARINGS – FOR CONTINUANCE**

The following subdivisions are submitted solely for the purpose of freezing zoning to protect development opportunities. They will be considered at a future meeting under a procedure approved by legal counsel.

Richard S. discusses the purposes of filing subdivision plans to freeze zoning prior to Wareham Town Meeting on June 12, 2021. Richard S. explains the ongoing process to save time and resources of the town to approve these subdivision plans with the requirement that the applicant must come back for a full review by the Planning Board for any development. Carl S. asks if the attorneys from all of the applicants have been contacted. Ken B. states they have. Ken B. states they have all agreed to continue their public hearings to the next meeting until there is a discussion with Town Counsel. Carl S. asks if this is subject to Attorney General approval. Ken B. states it does not. Charles R. asks if there is record of when the projects were filed. Charles R. states the timeline for subdivision approvals is not 65 days from the close of the public hearing. Richard S. agrees with Charles R that they have 90 days from the date of filing to render a decision.

1. #40-21 Definitive Subdivision Plan – 140 Tihonet Road – A/D Makepeace Company, c/o G.A.F. Engineering – Map 111, Lot(s) 1000-F, 1000-H1, 1000-H2 – Three Lot Subdivision

Motion to open the public hearing by Sam C., Second by Carl S., Vote 3-0-0

Motion to continue the public hearing to January 24, 2022 by Sam C., Second by Carl S., Vote 3-0-0

2. #41-21 Definitive Subdivision Plan – 150 Tihonet Road – A/D Makepeace Company, c/o G.A.F. Engineering – Map 111 & 112, Lot(s) 1000-B, 1000-C & 1000 – Three Lot Subdivision

Motion to open the public hearing by Sam C., Second by Carl S., Vote 3-0-0

Motion to continue the public hearing to January 24, 2022 by Sam C., Second by Carl S., Vote 3-0-0

3. #42-21 Definitive Subdivision Plan – 27 Charge Pond Road – A/D Makepeace Company, c/o Beals and Thomas, Inc. – Map 110, Lot(s) 1015, 1016 & 1024 – Three Lot Subdivision

Motion to open the public hearing by Sam C., Second by Carl S., Vote 3-0-0

Motion to continue the public hearing to January 24, 2022 by Sam C., Second by Carl S., Vote 3-0-0

4. #43-21 Definitive Subdivision Plan – 0 Maple Springs – A/D Makepeace Company, c/o Beals and Thomas, Inc. – Map 111, Lot(s) 1010, 1011, 1012, 1013, 1014, 1015, LC6 – Three Lot Subdivision

Motion to open the public hearing by Sam C., Second by Carl S., Vote 3-0-0

Motion to continue the public hearing to January 24, 2022 by Sam C., Second by Carl S., Vote 3-0-0

5. #44-21 Definitive Subdivision Plan – Rocky Maple Lane – Brett Meredith, c/o Beals and Thomas, Inc. – Map 104, Lot(s) 1049A, 1049B, 1049D, and 1050A – Three Lot Subdivision

Motion to open the public hearing by Sam C., Second by Carl S., Vote 3-0-0

Motion to continue the public hearing to January 24, 2022 by Sam C., Second by Carl S., Vote 3-0-0

6. #45-21 Definitive Subdivision Plan – 370 County Road – Entero Energy, LLC., c/o Prime Engineering, Inc. – Map 64 & 65, Lot(s) 1006, 1008, 1009, 1010 & 1000A, 1000B, and 1001 – Two Lot Subdivision

Motion to open the public hearing by Sam C., Second by Carl S., Vote 3-0-0

Motion to continue the public hearing to January 24, 2022 by Sam C., Second by Carl S., Vote 3-0-0

7. #46-21 Definitive Subdivision Plan – 1-13 North Carver Road – LSE Tucana, LLC., c/o Prime Engineering, Inc. – Map 103, Lot(s) 1037, 1038, 1039 – Two Lot Subdivision

Motion to open the public hearing by Sam C., Second by Carl S., Vote 3-0-0

Motion to continue the public hearing to January 24, 2022 by Sam C., Second by Carl S., Vote 3-0-0

8. #47-21 Definitive Subdivision Plan – 91 & 101 Fearing Hill Road – Wareham MA 3, LLC., c/o Atlantic Design Engineers, Inc. – Map 91 & 74, Lot(s) 1000 & 10007– Two Lot Subdivision

Motion to open the public hearing by Sam C., Second by Carl S., Vote 3-0-0

Motion to continue the public hearing to January 24, 2022 by Sam C., Second by Carl S., Vote 3-0-0

9. #48-21 Definitive Subdivision Plan – 36, 44, 48 North Carver Road – LSE Hydra, LLC., c/o G.A.F. Engineering, Inc. – Map 104, Lot(s) 1046, V/B, and V/C – Three Lot Subdivision

Motion to open the public hearing by Sam C., Second by Carl S., Vote 3-0-0

Motion to continue the public hearing to January 24, 2022 by Sam C., Second by Carl S., Vote 3-0-0

5. CONTINUED PUBLIC HEARINGS

1. #21-21 Site Plan Review – Wareham MA 3, LLC – 91 & 101 Fearing Hill Road – Map 91 & 71, Lot(s) 1000 & 1007 – Ground-mounted Solar Energy Generation Facility

Richard S. states the applicant requested to talk about the ancient ways, tree inventory, report from the Conservation Commission and hydrogeologist study all in one meeting when the hydro report will be ready.

Motion to continue the public to February 28, 2022, for project 21-21 by Carl S., Second by Sam C., Vote 3-0-0

2. #31-21 Site Plan Review - LSE Hydra, LLC. - 36, 44, 48 North Carver Road, Wareham, MA - Map 104 Lot 1046, V/B & V/C - Ground-mounted Solar Energy Generation Facility

Applicant Representative: Bob Rogers, Engineer

Bob R. states they are working with the Conservation Commission to sort out there issues.

Motion to continue the public hearing for project 31-21 to February 14, 2022, by Carl S., Second by Sam C., Vote 3-0-0

3. #32-21 Definitive Subdivision Plan - RESI, LLC - 36, 42, 48 Robinwood Road, Map 4, Lots A, B, & C – Seven Lot Subdivision

Applicant Representative: Tom Gay, Attorney
Bob Rogers, Engineer

Tom G. states there was minor cutting completed on Robinwood Road for safety. Tom G. states they have implemented yard drains on the site to alleviate flooding concerns and impacts on abutters. Tom G. states the topography of the site causes abutters to push water onto their site. Tom G. states they completed a shade analysis

to determine the impact on Mrs. Aron's solar panels. The findings show there will be no impact. Richard S. states they will hold off on the vote for waivers until there is a full board. Richard S. is concerned with the Applicant's ability to run sewer pipes along private roads. Tom G. states the deeds from the subdivision plan that includes their property and the properties along the abutting roads gives access to the applicant to use the ways for installing utilities along, as it is not detrimental to others. Tom G. states they will have to go through the permitting process with the sewer condition to ensure it does not affect the abutters. Richard S. asks if the work will be done on private properties. Tom G. states the work will only be done within the street layout. Carl S. asks if there will be mature trees cut in the work being done along Robinwood Road. Bob R. states he met with Dave Menard, Director of Municipal Maintenance, and confirmed maybe mature 12-18 inch dbh trees that have been topped by power lines. Bob R. believes they can trim and clear unhealthy trees to open up the roadway. Bob R. states Dave Menard had no objection. Carl S. asks if the Bob R. or Tom G. have responded to citizen comments about snow removal. Tom G. states the snow will be pushed to the end of the cul-de-sac. Carl S. asked if the Road Commissioners have discussed concerns with Robinwood Road. Ken B. states it has not been discussed with the Road Commissioners. Carl S. asks about the issues with the lot circles on the wetlands. Richard S. states the Conservation Commission does not find this to be an issue as long as lines of delineation are noted on the plan and in the field. Carl S. asks Tom G. if all of the waivers have been addresses and are no longer needed. Tom G. states they are still requesting waivers. Richard S. asks Tom G. if they can submit an updated list of waivers for the project. Tom G. states they will submit a new waiver letter along with updates to the plan. Tom G. states they have their first Conservation Commission meeting on the 19th and will have comments from that meeting. Charles R. states he not in agreement with the Tom G. about the rights to construct utilities on private ways. Tom G. states he will provide Charles R. with the information that shows they are able to construct and connect to utilities on private ways. Charles R. is concerned with approving the project without knowing if they can connect to the utility line. Charles R. says he will work with the applicant and review the documentation from Tom G. Richard S. asks if Tom G. has spoken to the Sewer Commissioner. Tom G. states they said they have the capacity. Charles R. is concerned about the surface runoff.

Public Comment

Marlene Aron is concerned with stormwater runoff on Robinwood Road, development shading her solar panels, if a new traffic study will be completed in July rather than the wintertime, and time of construction.

Richard S. states the open issues

- Updated waiver letter
- Update on initial Conservation Commission meeting
- Tom G. will supply Charles R. with sewer documentation
- Waivers will be included in the resubmitted plans
- Lot Shape Factor circles

Motion to the continue the public hearing to January 24, 2022, by Carl S., Second by Sam C., Vote 3-0-0

- 4. #33-21 Site Plan Review - Wareham PV I, LLC - 0 Route 25 - Map 115 Lot 1000 – Ground-mounted Solar Energy Generation Facility - Extend continuation agreement with Attorney Betsy Mason**

Applicant Representative: Betsy Mason, Attorney

Richard S. states the project is on hold until the Attorney General makes their findings on using an ANR as a zoning freeze. Betsy M. states the project has been in front of Conservation Commission and they did not see many issues with it. Betsy M. suggest meeting with Ken B. and Town Counsel to answer the question regarding using an ANR as a zoning freeze.

Motion to continue the public hearing to January 24, 2022, by Sam C., Second by Carl S., Vote 3-0-0

5. #36-21 Modification to Special Permit/ Site Plan Review – Bay Pointe Club, LLC, Phase IV – 19 Bay Pointe Drive– Map 9, Lot(s) 1004B & 1004A-1 – 7 New 8-Unit Town House Buildings

Richard S. asks to work with Carl S. to develop a list of open issues with Bay Pointe.

Motion to continue to January 24, 2022, by Sam C., Second by Carl S., Vote 3-0-0

6. #37-21 Definitive Subdivision Plan – Tobia Way – Christian E. Tobia – Map 40, Lot(s) 1002, 1020, 1021, & 1022 – 2 Lot Subdivision

Applicant Representative: Christian Tobia, Owner

Richard S. and Christian T. discuss the remaining points of Charles R. peer review. Charles R. states he is satisfied with the project. Carl S. asks Aaron S. to work with the Applicant to develop the findings of fact and draft the covenant.

Public Comment

No Comment

Motion to continue close the public hearing by Sam C., Second by Carl S., Vote 3-0-0

7. #38-21 Definitive Subdivision Plan – 69 Great Neck Road – David Andrade – Map 41, Lot(s) 1019 – 6 Lot Subdivision

Aaron S. states he will provide Charles R. with updated materials from the Applicant.

Motion to continue the public hearing to January 24, 2022, by Carl S., Second by Carl S., Vote 3-0-0

8. #39-21 Site Plan Review – 59 Main Street – Warren QOBZ, LLC. – Map 47, Lot(s) 1124, 1125, 1126 – 6500sf restaurant, 26x60 pavilion, 1500sf commercial/retail space

Motion to continue the public hearing to by Carl S., Second by Sam C., Vote 5-0-0

6. PUBLIC COMMENT ON MASTER PLAN; Updates and New Initiatives

7. WPB LIAISON UPDATES

1. Solar Bylaw Committee (Carl Schulz)

Carl S. states the Solar By-law Committee is working toward developing a new solar by-law for Spring Town Meeting.

2. Community Preservation Committee (Sam Corbitt)

Sam C. states the first meeting is on Wednesday.

3. Capital Planning Committee (Sam Corbitt)

4. SRPEDD (Michael King)

8. STAFF REPORT

Charles R. states the public can submit letter about any projects or upcoming projects to the board.

9. REFERRALS

10. MEMBER COMMENTS

11. ADJOURNMENT

Motion to adjourn by Sam C., Second by Carl S., Vote 3-0-0

Approved by Clerk:  _____

Date submitted to Town Clerk: _____

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