

**WAREHAM PLANNING BOARD  
MINUTES – May 2, 2022**

- I. **ROLL CALL:** The meeting was presented in the Multi-Service Center and via zoom as a hybrid meeting.

**Present:** Chairperson, Michael King, Mr. Corbitt, Mr. Schulz, Mr. Baptiste and Ms. Gleason

**Absent:** Ms. Quirk

Planning Director, Ken Buckland was present in the room.

5-1-0

Mr. Rowley was also in attendance.

**II. PUBLIC HEARINGS**

**III. CONTINUED PUBLIC HEARINGS:**

1. **For Hearing and Possible Vote: #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**

Mr. King opened the continued public hearing.

Timothy Fay, Manager of Bay Pointe Club was present along with Chris Henderson, architect; Chris Reynolds (Stonestreet Corporation); Bill Rosa and Tom Principe (legal counselor)

Mr. Fay Speaker gave a history of the property at 19 Bay Pointe Drive.

Mr. King asked if there was a potential issue with the pump station that is maintained by them and if it fails, would the residents of Bay Pointe Village, be responsible.

Mr. Fay stated that Bay Point Club, LLC maintains the pump station currently that includes the clubhouse, pavilion, and Phase one village currently and would maintain the pump station.

Board members asked questions regarding the sidewalk and lighting plans. It was conveyed that there would be major streetlights and lighting on the road.

The engineering team for Bay Pointe Club LLC, Bill Rosa and Karen Beck reviewed their comments/answers to Mr. Rowley's letter, received in late April. Ms. Beck took the lead to review the revised plans and stated they addressed all of Mr. Rowley's comments to the best of their ability. She said there were no changes to the plans and the changes there were proposing were minor. She said it was the applicant's choice to build the retaining wall to keep the existing woodland.

Mr. Rosa reviewed the landscaping features.

Mr. Rowley gave his point of view on street regulations under the bylaw. He stated that he was absolutely aware that Bay Pointe Drive was a private way, but it does have access to the public and utilities. He said the lot currently that is part of their plans is not owned by them yet and needs to be identified by the layout.

Mr. Rowley reviewed the layout of the road and stated his concerns.

Mr. Fay stated they were going to reconfigure the sidewalk layout.

Ms. Peck reviewed the site plan, referencing page 3 with the proposed access drive and a short section in the right of way, between the proposed landscape, which is currently between Bay Pointe Drive and a private parking lot. She said they want to continue to maintain that vegetation and add to it a landscape buffer that is in the right-away easement.

Mr. Rowley stated the parcel by not being owned by them, even if a conceptual parcel, does not become part of "Bay Pointe" unless they redescribe the parcel and incorporate it to the parcel they own. He said they do not own it, and until they do they shouldn't be including it in plans.

Mr. Rosa argued that the layout of the road is owned by Bay Pointe and is a private road.

Mr. Rowley stated his concern was the use of the layout.

A discussion occurred of the review of the road, the right of way and the layout on the plans. Mr. Buckland also reviewed the right of way for further clarification. He also stated that the Planning Board had the right to waive any of the right of way regulations.

Mr. Rosa explained how they viewed the roadway.

Mr. Rowley expressed frustrations as this was his fifth report with Bay Pointe on this project. He said he disagrees with comments that are being made tonight, about what and why things can't or shouldn't be done. He said he has done all he can and will leave the decisions up to the board.

Ms. Peck stated they have expressed and made every effort to respond to all of Mr. Rowley's comments and concerns.

Mr. Rowley further stated that he had concerns only on the outside and the non-compliant ADA sidewalks.

Mr. Fay reviewed why they haven't purchased the lot in question as of yet. He said it was a complicated site and a complicated title, but they do have every intention of closing soon on the lot.

Mr. King opened it up for public comment.

A Resident of Bay Pointe Village, Sheila Hastings asked about the drainage, and sewer system.

A resident of 39 Bay Pointe Drive asked about the pumping station. He also asked about a punch list that still needs to be addressed from Phase one. He also asked that something be written up about any golf ball damage and who would be responsible.

Resident, David Mcvey stated there are major issues that they are just learning regarding the irrigation; and it's just another thing that is wrong with Phase one.

Another resident stated they would like to see Phase four be approved with a contingency for the sidewalks to be improved first.

Paula Sheiner of 46 Cahoon stated she had safety concerns as well as drainage concerns.

Joanne Carreiro stated she would also like to see the sidewalks completed. She said her husband is not very steady on his feet and now they have to walk in the street, versus the sidewalks.

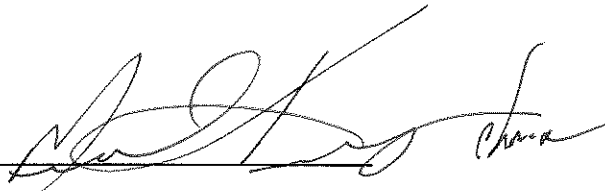
Mr. King asked if there was anyone on Zoom that wanted to speak, and there was not.

Mr. Schulz asked Mr. Buckland to request a formal copy of Section 15.51 letter of determination from Conservation as they should receive that before their next meeting of May 9, 2022.

Ms. Gleason made a motion to continue Bay Pointe Club, LLC until May 9, 2022, and was seconded by Mr. Corbitt. The motion passed unanimously. (5-0-0).

The meeting was adjourned.

Approved by Planning Board Clerk: \_\_\_\_\_



Date submitted to Town Clerk: \_\_\_\_\_

WAREHAM TOWN CLERK  
2023 FEB 22 PM 4:43