

MINUTES OF MEETING OF WAREHAM PLANNING BOARD

Date of Meeting: Monday, May 13, 2019

I. CALL MEETING TO ORDER

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

II. ROLL CALL

Members Present: George Barrett
Mike Baptiste, Jr.
Marc Bianco
Mike King

Also present: Ken Buckland, Town Planner
Charles Rowley, Town Engineer

I. PRELIMINARY BUSINESS

A. Meeting Minutes – February 11, 2019 (previously approved, not signed), March 25, 2019, April 8, 2019

The minutes are not approved at this meeting.

II. PUBLIC HEARINGS

A. Form C – Ted & Margaret Staples – 0 Broad Street (Sign language interpreter requested)

Present before the Board: Ted Staples, 0 Broad Street

Mr. Staples is proposing to create access to Lot 1025A5 and Lot 1025A7 with water and sewer connections to the lot. This plan was previously approved in 2009. The drainage on the plan has been revised. The width of the road is proposed to be 16 feet, which is what the Board has requested in the past.

The proposed fire hydrant will be about 550' from the proposed building pad.

Mr. Rowley comments that he had created the first plan in 2009 for Ted Staples. G.A.F. has made changes to the plan, as they have the right to do, but Mr. Rowley requests that they remove Mr. Rowley's name from the plan.

Present before the Board: John Browning, Wareham Land Trust
Nancy McHale, Wareham Land Trust

Ms. McHale asks if the road will be banked to or away from the vernal pool for drainage. Mr. Staples states the road is banked away from the vernal pool with drainage.

Mr. Browning requests that the entire right of way not be clear cut outside of the roadway.

Mr. Barrett asks if there will be a single family residents on the lot. Mr. Staples confirms that is accurate.

Ms. McHale requests that the lot be a single-family lot in perpetuity and not be further subdivided.

Ms. McHale does not want the Wareham Land Trust to be responsible for any of the costs incurred with this construction. Mr. Barrett asks if the Wareham Land Trust would utilize this extended drive, how the Land Trust would be absolved of costs. Ms. McHale states that the easement on this property grants the Land Trust pedestrian access.

Present before the Board: Susan Mann

Ms. Mann states her mother owns property abutting Mr. Staples property. Ms. Mann states she hoped this property would be preserved and hopes the Board would place a restriction on the property to keep it natural.

Mr. Rowley confirms that the lot is pitching away from the vernal pool and the Land Trust property. The runoff is angled toward a trench on the other side of the road.

Mr. Barrett asks if the plan can be revised to remove Mr. Rowley's name, and to keep the road as close to the westerly edge as possible.

B. Site Plan Review – Factory Five Racing – 7-9 Tow Road

Present before the Board: Bill Madden

Mr. Madden states in 2016 Factory Five acquired a piece of property adjacent to theirs. Factory Five is proposing to construct a new 12,400 s.f. warehouse building. It is proposed to have 2-4 warehouse building that are existing employees. There is not a proposal to increase employment. The sole intent of the warehouse is to store products and vehicle construction. A portion of the driveway will be built over the sewer easement, the applicant will need to obtain approval from the sewer department for this.

Mr. Rowley is concerned if there are others that have rights in the easement and if they would be affected having the structure in the easement.

There is currently some rock piling on the property abutting Factory Five, which interfered with the engineering and calculations of the grade of the proposed sloped retaining wall.

Mr. Rowley states for the most part he and Mr. Madden are in agreement.

C. Site Plan Review/Special Permit – Bay Pointe – Onset Avenue – Phase II and III

Present before the Board: Tim Fay, Bay Pointe
 Christopher Reynolds, Bay Pointe
 Tom Principe, Principe Engineering

Mr. Fay states they are before the Board to review changes of the previously approved plan. Mr. Principe states the large modifications being made is to Starboard Drive. The modification to Starboard drive is that it has shifted 12 feet to the North to create additional separation distance between the fairways and the back of the proposed homes. There is a shared driveway off Starboard drive that was proposed to be named, which is proposed to be Anchor Way. The number of units proposed has not changed. The homes are more spread out to reduce density. An additional drainage basin has been proposed. Anchor Way will be displacing a wooded area.

Mr. Principe also discusses phases II and III where there are duplexes proposed as well as additional visitor parking.

Mr. Rowley comments that the Board would need to review the distance between the proposed dwellings as well as some other specifications as listed in the previous decision.

Mr. Principe states that they have already had discussions with the sewer department regarding the pump station.

Mr. Barrett reads a letter into the record from Patricia MacCleod. Ms. MacCleod is concerned with construction vehicles travelling down Cahoon Road.

Mr. Fay states that in Phase II the entrance is from Bay Pointe's main entrance. Mr. Fay states he believes they have believed that they have policed the access to the site from Cahoon Road very well. Mr. Fay states that GPS systems will direct vendors and contractors to use Cahoon Road, but the Site Manager has been diligent in directing contractors and sub-contractors to utilize the Bay Pointe entrance.

Mr. Rowley recommends noting the CEDA owned property shown on the Phase II and III plans as owned by CEDA and not listed as a parcel.

Mr. Rowley will need time to review the revised plans.

MOTION: Mr. Baptiste moves to continue the public hearing until June 10, 2019. Mr. King seconds.

VOTE: (4-0-0)

III. CONTINUED PUBLIC HEARINGS

A. Special Permit/Site Plan Review – Wareham Retail Management – 1 Seth F. Tobey Road

Present before the Board: Lindsey Wilson
Derek Redgate, Highpoint Engineering
Sean Kelly, Vanasse Associates

Mr. Wilson reviews the public hearing process up until this point. There are revised plans based on the initial peer review comments as well as review further potential revisions. Mr. Wilson has presented a draft decision to the Board.

Mr. Redgate states they revised the plans per Mr. Rowley's comments. The significant changes removed two rows of parking, or 26 spaces, which allowed the access to the site to be moved more to the top of the site. Building 1 to the lower left corner was moved 20-30 feet and moved the parking. There was a crosswalk connecting the sidewalks on the site to the intersection crosswalk at Tobey Road that had been removed but they would like to include them in the plans.

There was at one point a proposed one-way entrance into the site, that is being proposed as two-way traffic based on Mr. Buckland's comments. Mr. Buckland felt the one-way would be violated frequently and the entrance is wide enough to be two-way.

The applicant would not like to agree to have the building signs interior facing, as that is a design comment.

Comments are made that the applicant should be considering traffic control at Tobey Road.

Mr. Redgate states that they are respectfully before the Board for this singular project, and although traffic at that intersection should be reviewed, does not feel it is necessarily the responsibility of this permit.

Mr. Bianco argues that the intersection should be updated.

Mr. Redgate states that this development was contemplated and approved with the Walmart traffic study.

Discussion ensued regarding the draft decision.

IV. REFERRALS

- A. ZBA Referral #13-19 – 2416 Cranberry Highway, LLC – Maxi Gas**
- B. ZBA Referral #18-19 – 4, 8, 10 Cranberry Highway – Onset Fire District**

V. ANY OTHER BUSINESS/DISCUSSION

- A. Recommendation for appointment: Richard Swenson**

Mr. Swenson is before the Board for an Associate Member position.

- B. Covenant Release – Frank Utano**

Present before the Board: Derrick Fernandes, Attorney

Mr. Fernandes states that they are before the Board to request a release from the covenant for lot shown as R-14 on a plan from Charles Rowley prepared for Frank Utano. 13 lots of this subdivision have been released. This lot was listed as an unbuildable lot and it is intended to remain that way.

MOTION: Mr. Baptiste moves to release lot R-14 from the Covenant. Mr. King seconds.

VOTE: (4-0-0)

C. Beaver Path Subdivision Modification – HOA replacement with developer and drainage easement

Present before the Board: Bill Bachant

It is determined that the Board must hold a public hearing in order to modify the decision to require a drainage easement in lieu of an HOA.

D. Bond Release 53G – Bill Bachant – Beaver Path

E. Partial Release – Bay Pointe

Present before the Board: No one is present at this time.

Mr. Rowley recommends a partial release in the amount of \$94,728.00

MOTION: Motion made and seconded to release \$94,728.00.

VOTE: (4-0-0)

VI. STAFF REPORT

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

VIII. CORRESPONDENCE

A. See correspondence in packets

IX. EXECUTIVE SESSION

A. Old Stage Coach Road

VI. ADJOURNMENT

MOTION: Mr. Daskalakis moves to adjourn the meeting. Motion seconded.

VOTE: (4-0-0)

Date signed: 5/20/19 4:01

Attest: *[Signature]*

WAREHAM PLANNING BOARD

Date copy sent to Town Clerk: _____

RECEIVED

JUN 06 2019

TOWN OF WAREHAM
TOWN CLERK