

WAREHAM PLANNING BOARD
MINUTES OF THE MEETING
Multi-Service Center
54 Marion Road, Wareham, MA 02571
Monday, June 27, 2022

The following record pertains a meeting held by the Wareham Planning Board at 6:00PM local time. A video recording of this meeting is available for viewing. The record for the proceedings includes the videotape of the meeting, the resolutions passed, and any document presented during the course of the meeting.

I. CALL TO ORDER

Chair King opened the meeting and proceeded to call the roll.

PRESENT MEMBERS: Michael King
Carl Schulz
Jane Gleason
Mike Baptiste
Sherry Quirk, Associate Member
Sam Corbitt

ALSO PRESENT: Aaron Shaheen, Assistant Town Planner
Charles Rowley, Consulting Engineer
Monique Baldwin, Assistant Town Planner
Kenneth Buckland, Director of Planning and Community Development

ABSENT: -

II. PRELIMINARY BUSINESS

1. Meeting Minute Approval – June 13, 2022

MOTION – Move to approve minutes.

MEMBER	MOTION	SECOND	VOTE
M. King (Chair)			AYE
J. Gleason			AYE
C. Schulz		X	AYE
S. Corbitt	X		AYE
S. Quirk			AYE
M. Baptiste			AYE

Seconded and passed without dissent. 6-0-0

2. #15-22 – 3127 Cranberry Highway (ANR) Applicant: Peter Koulours - Map 8, Lots 1022A & 1023C

Bill Madden, GAF Engineering

The proposal concerned creating a new parcel by dividing existing lots 1022-A and 1023-C.¹ A new 30,481 sq. foot lot for the existing building on the property would be created. The remaining area, known as Parcel B would be 15,881 sq. feet and not considered a buildable lot. B. Madden believed two parties had agreed to create an easement for Parcel A access. B. Madden noted that Lot A's parcel was possibly planned to be conveyed. J. Gleason expressed concern about the easement size. M. King agreed.

MOTION – Move to approve.²

MEMBER	MOTION	SECOND	VOTE
M. King (Chair)			AYE
J. Gleason			AYE
C. Schulz			AYE
S. Corbitt		X	AYE
S. Quirk			-
M. Baptiste	X		AYE

S. Quirk was ineligible to vote.

Seconded and passed without dissent. 5-0-0

3. #16-22 – 738 County Road (ANR) Applicant: Robert Krystofolski Jr. – Map 98, Lot 1037.A

Bill Madden, GAF Engineering

The proposal concerned creating a separate buildable parcel of land.³ The Planning Board expressed concern regarding the frontage. K. Buckland stated that the applicant's adjustments addressed these concerns.

MOTION – Move to endorse #No.16-22 – 738 County Road (ANR).⁴

MEMBER	MOTION	SECOND	VOTE
M. King (Chair)			AYE
J. Gleason			AYE
C. Schulz			AYE
S. Corbitt	X		AYE
S. Quirk			-
M. Baptiste		X	AYE

¹ ANR Submission. (2022, June 8).; and ANR Stamped Plan of Land (2022, June 3).

² Decision. (2022, June 27).

³ ANR Submission. (2022, June 14).; and ANR Stamped Plan of Land (2022, June 14).

⁴ Decision. (2022, June 13).

S. Quirk was ineligible to vote.
Seconded and passed without dissent. 5-0-0

III. CONTINUED PUBLIC HEARINGS

1. #12-22 - 91 & 101 Fearing Hill Road - Site Plan Review. Wareham MA 3, LLC; proposing ground-mounted Solar Energy Generation Facility - Map 91 & 71, Lot(s) 1000 & 1007

Bill Madden, GAF Engineering

The applicant submitted a written request to continue Site Plan Review to July 7, 2022.⁵

MOTION – Move to continue #12-22 - 91 & 101 Fearing Hill Road - Site Plan Review Site Plan Review until July 7, 2022.

MEMBER	MOTION	SECOND	VOTE
M. King (Chair)			AYE
J. Gleason			AYE
C. Schulz	X		AYE
S. Corbitt		X	AYE
S. Quirk			AYE
M. Baptiste			AYE

Seconded and passed without dissent. 6-0-0

IV. OTHER BUSINESS

1. #39-21 - 59 Main Street - Modification of Site Plan Applicant: QOBZ, LLC

Bill Madden, GAF Engineering
D. Warren, Applicant

The project, previously approved, concerned the construction of a 6,500 sq. foot restaurant with a deck, an open pavilion, a 1,500 sq. foot commercial/retail space, and attendant site utilities, parking, and landscaping.⁶ Several changes proposed were presented to the Planning Board.⁷ The applicant increased building coverage on the lot. The drainage operation and maintenance schedules were revised to aid in stormwater management. A river stone infiltration trench was replaced with a continuous trench drain, which will end in a deep-sump manhole, so pre-treatment will be provided prior to the underground infiltration beds. The Water Department expressed the applicant should utilize existing service connections on the site and make water distribution from there. This was noted on the Existing Conditions Plan. A 1200 sq. foot building and 20x20 patio was removed and replaced by a Connex box. A 26x44 pavilion was replaced

⁵ Request to Continue. (2022, June 21).

⁶ Site Plan. (2021, November 22).

⁷ Memo, Re: Changes. (2022, June 23).; and ASAP Engineering Design CO Plans. (2022, June 22).

with a 26x60 marina office and pavilion structure. Dumpster locations were also moved, and landscaping was modified in that location. The Fire Department had expressed concern about site access, and requested the applicant depress the curb and ensure landscape features be drivable. The applicant added ridged concrete that will be flush with the curbing to address the issue. The front walkway was removed, and pavers were proposed. These changes resulted in adjusted front elevation.

C. Schulz confirmed with B. Madden that the look and feel of the buildings would be different than originally planned proposed. K. Buckland suggested the Planning Board condition the approval of the phasing of the project, where reviews could be made of future phases in the construction process.

B. Madden stated he submitted a letter to the Sewer Department asking for sewer flow for the site, prior to the applicant filing with the Planning Board. C. Schulz requested a letter from Guy Campina, from the Sewer Department.

C. Schulz questioned if the dumpster pad was located in the site yard. He requested further information. J. Gleason noted that the labeling of the Connex building was backwards.

C. Rowley expressed concern regarding the TSS removal. As a trench drain is typically shallow, and potential buildup of sediment could plug it up. He suggested raising a curb line by a walkway by six inches which would act as a gutter. This would allow for water quality units and remove the basin. B. Madden responded that the trench drain would not be a problematic maintenance issue, as the facility will be managed year-round. The sump would provide adequate storage for potential sediment. C. Rowley requested still discussing the issue further with the applicant.

A brief discussion ensued on the clarifying details of modifications, including the heights of buildings, which had been lowered. The height listed on the presented plans did not match the applicant's proposal, and there was need for further clarification.

D. Warren stated that if the public hearing continued beyond the evening's meeting he would withdraw the project completely that night and put the property up for sale immediately. He stated he had four more days to order one of the buildings, or he would have to wait another 15 to 20 weeks. M. King responded that the Planning Board had previously understood the time constraints previously, and changes were again presented.

K. Buckland suggested the creation of a Task Order Work Plan. D. Warren stated if the Connex building proved to stall the hearing, he would remove it. C. Rowley commented that any adjustments made were minor in scope as they did not change the overall scheme of drainage on the site. He suggested separating the issues to allow D. Warren to order the building and address the other modifications at a later date.

B. Madden questioned if the approval could state that the building height shall not exceed that required by zone. J. Gleason clarified the zoning requirements. C. Schulz and M. King both expressed frustration with the pressure to approve the modifications.

MOTION – Move to vote to consider the modifications minor modifications, based on the main structure only, and that the building height meets zoning requirements which is no more than 40 feet from the average grade.⁸

MEMBER	MOTION	SECOND	VOTE
M. King (Chair)			AYE
J. Gleason			AYE
C. Schulz			NAY
S. Corbitt		X	AYE
S. Quirk			AYE
M. Baptiste	X		AYE

Seconded and passed with dissent. 5-1-0

2. Master Millwork Project – Review for Compliance

C. Rowley communicated he had completed a site visit and had been in contact with a representative from Master Millwork. The work that is to be completed imminently includes: landscaping and hydroseeding, seeding area of the area between building and fire area, grading of slope in the northeast corner, and staking of trees by the old entrance, installation of stockade fence. Master Millwork agreed to send pictures as work is completed.

C. Rowley reiterated he would make no statements with respect to compliance for any of the pavement. He had still not received results of core testing. At the location, he noted trenches and alligator cracks. There was no request for C. Rowley to inspect the base of the pavement. An official letter was planned to be sent at the end of the temporary extension.

3. Wareham Retail Management – Project Review for Compliance

Jordan Chapman, Wareham Retail Management

J. Chapman presented resolutions to Planning Board concerns. C. Rowley stated that there were a number of issues that have gone unaddressed. The drainage basin between Cranberry Highway and Chipotles had eroded, and exposed sprinkler pipes had been broken. The transformer pad near Starbuck's had an opening under it that water could get under. He had discussed the dumpsters with Wareham Retail Management's engineer but had heard nothing from the company since. Stone edging in the parking lot needed to be leveled. M. King requested a plan of action from Wareham Retail Management.

C. Rowley further noted that the roadway leading to Cranberry highway had flooded on no less than two instances. He believed this was due to Wareham Retail Management's decision to put filter fabric under the catch basins. M. Baldwin stated he had been in contact with Walmart and the engineering company handling the basin, and they conveyed they would make immediate efforts to address the issue.

⁸ Request for Modification. (2022, June 28).

MOTION – Move to request Wareham Retail Management a written plan of action on addressing the concerns in writing no later than 30 days from June 27, 2022 and the execution of the corrections no later than 60 days from June 27, 2022.

MEMBER	MOTION	SECOND	VOTE
M. King (Chair)			AYE
J. Gleason			AYE
C. Schulz			NAY
S. Corbitt	X		AYE
S. Quirk			AYE
M. Baptiste		X	AYE

Seconded and passed without dissent. 6-0-0

4. **BYLAW REVIEWS**

The Planning Board, C. Rowley, and K. Buckland discussed approaches to reviewing the bylaws and the current state of their personal reviews and revisions.

Zoning By-Law Article 4: Stormwater Overlay

J. Gleason questioned if a consultant should be hired, to which S. Quirk confirmed that doing so would likely be most appropriate. M. King requested an off-cycle meeting workshop to address changes to bylaws.

S. Quirk stated that following Planning Board discussions, an environmental lawyer should be brought in to ensure all changes were in compliance with the law.

Zoning By-Law Article 6: Density & Dimensional Regulations

J. Gleason reviewed her comments and changes.

- a) Section 620. Clarification of language, “there’s a difference from this to this.”

The Planning Board and C. Rowley discussed inconsistencies in language, specifically pertaining to ‘Not Applicable.’ C. Schulz stated that the table of uses in Section 320 should also reflect changes to improve consistency.

- b) Sec. 590. Should be a non-residential use in the R-30 and R-60 districts.
- c) Sec. 622. Organization of language of the first nine lines needs reorganized. C. Rowley noted that the headings also do not align with the headings in Section 320.
- d) Sec. 626. Correction of inconsistencies between Sec. 626 and Sec. 620.
- e) Sec. 624. Inclusion of calculation of floor area ratio.
- f) Sec. 625 and Sec. 628. Formatting adjustments and inclusion of definition for ‘average alignment.’

MOTION – Move to adopt the changes as presented and schedule a public hearing and move to submit it for inclusion.

MEMBER	MOTION	SECOND	VOTE
M. King (Chair)			AYE
J. Gleason			AYE
C. Schulz	X		AYE
S. Corbitt			AYE
S. Quirk		X	AYE
M. Baptiste			AYE

Seconded and passed without dissent. 6-0-0

V. AJOURNMENT

MOTION – Move to adjourn.

MEMBER	MOTION	SECOND	VOTE
M. King (Chair)			AYE
J. Gleason			AYE
C. Schulz			AYE
S. Corbitt	X		AYE
S. Quirk		X	AYE
M. Baptiste			AYE

Seconded and passed without dissent. 6-0-0

The meeting was adjourned at approximately 9:20PM local time.

Approved by Planning Board Clerk: _____



WAREHAM TOWN CLERK
2023 APR 11 AM 9:12

Date submitted to Town Clerk: _____