

MINUTES OF MEETING OF WAREHAM PLANNING BOARD

Date of Meeting: Monday, February 10, 2020

I. CALL MEETING TO ORDER

The meeting was called to order at 6:00 P.M.

II. ROLL CALL

Members Present: Mike Baptiste, Sr., Vice Chairman
Richard Swenson, Associate Member
Mike King, Member

Also present: Ken Buckland, Town Planner
Charles Rowley, Engineering Consultant

III. PRELIMINARY BUSINESS

A. Meeting Minutes – January 13, 2020 and January 27, 2020

No meeting minutes present.

B. 34-19 ANR - Map 105, Lot(s) C-1, C-2, C-3, and 1002-A – 0 Charlotte Furnace Road – Sarajon Realty, LLC., c/o J.C. Engineering, Inc.

Mr. Buckland states that this is being withheld until the decision is made on the Special permit and will be brought up on the next meeting

C. Establish Surety for Pattersons Brook Road Subdivision – Coastal Cultivars

Mr. Buckland states that the Engineer from G.A.F. Engineering has asked for a continuance.

IV. CONTINUED PUBLIC HEARINGS

A. 35-19 – Special Permit - Map 105, Lot(s) C-1, C-2, C-3, and 1002-A – 0 Charlotte Furnace Road – Sarajon Realty, LLC., c/o J.C. Engineering, Inc.

No parties present

V. PUBLIC HEARINGS

VI. REFERRALS

VII. ANY OTHER BUSINESS/DISCUSSION

A. Zoning Articles for Spring Town Meeting

Mr. Buckland asks if the Board has received the drafts for the Articles for Town Meeting and upon confirmation he reviews them. He mentions that the articles are:

Under Article 3, Amend Section 340.4, to clarify the definitions of multi-family dwellings.

Under Article 11 Signs, amending the article in accordance with State Attorney General's recommendations.

Under Article 2, Section 222 and Article 4, Section 420, update the references to the FEMA Flood Insurance Rate Maps and amend the Flood Plain District overlay bylaw.

The Board discussed the articles that are scheduled for a public hearing on February 24, 2020

B. Review and approval of town meeting resolution for Spring Town Meeting regarding 2020 master plan update

Mr. Swenson states that this is a Town Meeting article for a referendum asking the Town to vote to accept the resolution and endorse the 2020 Master Plan. Mr. Swenson gives a little bit of background on what he has done. He has spoken to a few people to see how to go about this given that the Planning Board is the approval authority but he wants to go to Town Meeting to give everyone a chance and voice their opinion. He mentions that Attorney Bowen has reviewed the plan and suggested that the Board does a resolution. He also adds that the Town Moderator has looked at this giving him advice to be sure what needs to be submitted in the warrant is legal, accurate and appropriately written. Discussion ensued regarding the process.

He mentions that this has been submitted to the Board of Selectmen and it will be discussed tomorrow at their meeting if the Board approves this tonight due to deadlines. Mr. Swenson says that it has also been suggested that a workshop should be held before town meeting and advertise it on social media to present the Master Plan similar to the presentation done before with the Board when he went over the mission statement and vision plans along with the specific goals. He just emphasizes that this needs to be done in order to get in the warrant.

Mr. Rowley asks if the adoption of the resolution the same as the Town meeting which states that "this is the bible by which we will adopt all our regulations going forward until such time" and Mr. Swenson states that it is an endorsement. Mr. Rowley asks if it has the affect of law to where by Planning Board, Zoning Board, Board of Health or Conservation Commission could use as a backup document and Mr. Buckland says that the answer is yes, because the adoption has already occurred with the Planning Board approving the Master Plan in accordance with State Law and the Master Plan was filed with the DHDC, the state as well so it will be the official document that can be used as the Master Plan.

MOTION: Mr. Swenson moves forward with the town article submission and to take it to the Board of Selectmen tomorrow night (February 11, 2020) and ask them to include it in the warrant for the Spring 2020 Town Meeting with the plan to do a public workshop in March prior to Town Meeting and with a four-page handout of the goals and strategies of the Master Plan at the town meeting with six slides to present. Seconded

VOTE: (3-0-0)

C. Review of town meeting presentation for master plan resolution

VIII. STAFF REPORT

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

MOTION: Mr. Swenson moves to authorize Ken to talk to Town Counsel as soon as possible to help the Board to come up with the best way to communicate the issue with Aspen Dental. Mr. King seconds

VOTE: (3-0-0)

X. CORRESPONDENCE

A. See correspondence in packets

XI. ADJOURNMENT

MOTION: Mr. Swenson moves to adjourn the meeting. Mr. King seconds.

VOTE: (3-0-0)

Date signed: FEB 23 2020

Attest: Michael A. Bennett

WAREHAM PLANNING BOARD

Date copy sent to Town Clerk: _____

WAREHAM TOWN CLERK
2020 FEB 25 PM 01:36

MINUTES OF MEETING OF WAREHAM PLANNING BOARD

Date of Meeting: Monday, January 13, 2020

I. CALL MEETING TO ORDER

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

II. ROLL CALL

Members Present: George Barrett, Chairman
Richard Swenson, Associate Member
Mike Bianco, Member
Emanuel Daskalakis, Member
Mike King, Member

Also present: Ken Buckland, Town Planner
Charles Rowley, Engineering Consultant

III. PRELIMINARY BUSINESS

A. Meeting Minutes – December 9, 2019

MOTION: Mr. Daskalakis moves to approve the minutes of December 9, 2019. Mr. King seconds.

VOTE (5-0-0)

B. 34-19 – ANR - Map 105, Lot(s) C-1, C-2, C-3, and 1002-A – 0 Charlotte Furnace Road – Sarajon Realty, LLC., c/o J.C. Engineering, Inc.

Present before the Board: John Churchill, JC Engineering

Mr. Churchill says to Mr. Barrett if he wants to hear the Special Permit simultaneously since the ANR is contingent upon the approval of that Special Permit on the agenda this evening under the Public Hearings section. Mr. Barrett says that they can do that if it doesn't have an impact on his plans, and Mr. Churchill states that it does not. Mr. Barrett states that they table the ANR and take it at that same time as the Special Permit. Mr. Churchill appreciates his attention to the matter.

C. Cahoon Ave/Bay Pointe Dr. Information Session

Mr. Buckland states he introduces this by stating that the Planning Board has a Special Permit Site Plan Review and Subdivision approval of the Baypoint Drive, Winward Pines project and as part of that project there was discussion about the access onto Cahoon. The Board, in its decision on the project had approved the restriction of construction vehicles on Cahoon but did not take it further than that. What is being proposed is the closure of Cahoon with emergency

access only to Baypoint Dr. Ext. and potentially to Bay Pointe Dr. as well. There has been a lot of discussion, Mr. Buckland says. There has been a long review of Cahoon Ave./Bay Pointe Dr. as part of the condominium project. One of the restrictions in the original approval was that the Zoning Board of Appeals said that it was a right turn only, and they wanted a sign at the entrance of Bay Pointe Dr Ext/Cahoon Ave. Mr. Buckland states that he pulled a memo from the file that was done in 1997 by the Chairman of Board of Appeals who was also on the Board in 1987 when the approval was made for Bay Pointe Village. Mr. Buckland mentions that the Chairman noted again that the "right turn only" coming out was a standard that had not been challenged. In preparation for the newest plan, there has been some discussion with the Developer, Tim Fay, and they have prepared the road configuration on the plans being displayed in tonight's meeting.

Present before the Board: Tim Fay, Developer with Stonestreet Development

Mr. Faye introduces himself. He states that they are looking to advance the conversation and the concept of addressing the conditions that currently exist that many people are not happy with. He states, first, Cahoon Road off of Onset Ave has a certain level of traffic and that the residents on that portion of the road are unhappy with. There is distinction between Bay Pointe Village Condominiums that have been there for many years and the new development. Mr. Faye states that originally in the approval concepts, there was perception of restriction from people on the side of Cahoon Road turning left and using Cahoon Road onto Onset Ave as of means of egress from the property. He states that over the years the traffic has increased with the activity of the Golf Course as well as the development of Winward Pines. Mr. Faye states he is looking for some input from tonight's hearing that is a benefit to the Onset Ave. to Bay Pointe Gold Course property residents as he believes they welcome limited access to that road while continuing to provide emergency service into the Bay Pointe Village and Winward Pines Development. He states there would be a section of the road that would be abandoned and he gets up to show the Board the exact location and plan. Mr. Barrett asks Mr. Faye if he knows the overall length of Cahoon Road be and Mr. Faye states that it is continuous right now and doesn't know but Mr. Buckland states that on Google maps, the distance on Cahoon Road is about 2000ft. Mr. Barret confirms that he has heard the complaints from the residents on Cahoon Road and he has an equal amount of testimonies from the Bay Pointe Village residents opposing the procedure.

Mr. Swenson asks for Mr. Faye to explain a little bit more on the emergency access capabilities from the cul-de-sac and Mr. Faye explains further in detail. Mr. Faye states that tonight's meeting is informational so he welcomes the questions and input.

Mr. Bianco states that a lot of this can be corrected with a conversation with google so it prevents GPS users from taking Cahoon Road to access the club. Mr. King agrees with Mr. Bianco, although it could take years with Google to reevaluate the road and realize it's not a viable access to the club.

Conversation ensued regarding the ideas and concerns.

Mr. Faye states that it is about traffic and safety but also to create a different look and feel to Baypointe and Winward Pines development which will also add value to the gated community with emergency vehicle access. Mr. Buckland states that the concept will provide quieter neighborhood for those on Cahoon and a better Golf Course for Winward Pines. He thinks that

the people that will be most impacted negatively are those from the Bay Pointe Village and their ability if moving east or north to take a left turn and go down Cahoon onto Onset Ave.

Present before the Board: Mike Tobin

Mr. Tobin states that years ago one of the stipulations when you came out of Bay Pointe Dr. and took a right turn only, signage never went up. He doesn't agree with the gate and thinks signage will work that states "emergency access only". He agrees that Cahoon Road cannot handle the traffic and the biggest concern is safety. He states that the initial intent was for Cahoon Road to not be used so He likes Mr. Faye's plan.

Present before the Board: John (unknown last name), Bay Pointe Village

John states he has lived at Bay Pointe Village for 16 years and that there has never been any signage. In the master deed, he states that it references a "right turn only" as you are leaving the Bay Pointe Dr. Ext but there has never been any signage. He continues to say that section has been changed in 2001 by a vote with the condominium owners and recorded with the master deed at the registry of deeds. He suggests Town Counsel to look at it. He states that it is in fact an issue. He does not like the Tim Faye's plan.

Conversation ensued with the Planning Board members and Tim Faye.

Present before the Board: Karen Oulette, Bay Pointe Village resident

Ms. Oulette states she is new to Bay Pointe Village. She is curious in knowing how many people have complained from Cahoon Road, and Mr. Barrett states that it is unknown at this time. Mr. Buckland states that he has received five (5) letters at this time. Mr. Barrett states that most complaints have been due to traffic since construction. She also asks if there has been any fatalities and Mr. Barrett states none that he is unaware of. She states her biggest concern is the safety, and in the two months she has lived there she has witnessed a few ambulances, and is concerned with the elderly and the ability for emergency vehicles come through. She agrees the road is narrow, but doesn't agree with the gate. Mr. Faye states that safety is definitely his priority and intention.

Mr. Barrett suggests the path of community outreach being the best resort. Mr. Swenson asks about the next step to move forward after tonight's informational meeting and Mr. Barrett mentions the Road Commissioner path.

Mr. Buckland states that there are two aspects to this. One is the modification of the Special Permit - Site Plan Review and the Subdivision that the Planning Board is responsible for and the other is the abandonment of the right-of-way which is essentially the opposite of taking of a town road which means the Board of Selectman have to put the warrant article on Town Meeting action and town meeting has to vote the change of the right-of-way.

IV. CONTINUED PUBLIC HEARINGS

MOTION: Mr. King moves to open the public hearing. Mr. Daskalakis seconds.

VOTE: (5-0-0)

V. PUBLIC HEARINGS

**A. 35-19 – Special Permit - Map 105, Lot(s) C-1, C-2, C-3, and 1002-A – 0
Charlotte Furnace Road – Sarajon Realty, LLC., c/o J.C. Engineering, Inc.**

Present before the Board: Present before the Board: John Churchill, JC Engineering

Mr. Churchill states he is representing the Applicant. He states that what is in front of the Board is a request for a special permit for the Cluster Development Subdivision located off Charlotte Furnace Road. He mentions that it is possible to create 10 conforming lots by means of a conventional development, however he is proposing 10 cluster development lots with an open space parcel that is greater than 50% of the entire tract of land and an access parcel to gain entrance to the solar farm located directly behind the property from Charlotte Furnace Road. He adds that the proposed lots will meet all zoning requirements.

Mr. Daskalakis is looking for a more desirable plan than what is presented. Mr. Buckland reads the comments from different departments regarding the project. Mr. Barrett states that there are some things that need to be approved by Town Counsel regarding opened space and mentions other things regarding the Corporation.

Mr. Swenson mentions that the Board requires more time to contemplate what conditions need to be put in place for the Developer and also that the Board has a better understanding of the proposal and is familiar with the By-Laws and Zoning regulations as far as the Cluster Development concept. He suggests tabling it until the next session.

Mr. Buckland recommends a site visit to see what the impact of the Solar Field is to the development of the property. Mr. Churchill is in agreement with it and directs the Board where the field is exactly.

Conversation ensued regarding the Solar Farm, and the project. Mr. King does not seem to be in agreement regarding the impact of the Solar Farm having anything to do with the cluster development.

MOTION: Mr. Swenson moves to continue Special Permit to 1/27/2020 public hearing and be prepared to present the conditions in conjunction with the ANR. Seconded.

VOTE: (5-0-0)

MOTION: Mr. Daskalakis moves to not make any decisions without visiting the site. Seconded.

VOTE: (5-0-0)

VI. REFERRALS

VII. ANY OTHER BUSINESS/DISCUSSION

A. Wareham Master Plan - Review and Possible Approval

Mr. Swenson recaps the status of the Master Plan to the Board. He states that they have been through workshop meetings, discussed it as a Board, Public sessions, edited and made changes and had the last five weeks for review. He mentions that he believes the next step would be to discuss any final changes or any additional changes that the members may feel need to be done. He is concerned that Mr. Baptiste is not present in tonight's meeting in the event a vote is to be made.

Mr. King and Mr. Daskalakis confirm that they have read it a number of times. Mr. Daskalakis states that in the first two goals, there are eleven (11) responsibilities amongst the Planning Board amongst other things, and other Boards but he states that he is concerned and feels that it will be difficult to implement the recommendations of the plan but he adds that his biggest concern are the mechanics. He feels that meeting twice a month will not cut it. Mr. Barrett adds his input. Conversation ensued regarding such mechanics and Mr. Swenson further explains his strategy regarding the goals.

Board determined to be prepared to vote on the adoption of the Master Plan next meeting.

B. Schedule Proposed By-Law Hearings

Mr. Buckland states that currently the definition of duplex is on the agenda. He was looking to inquire if there is any other By-Law that the Planning Board would like to take forward to Town Meeting.

Board discusses with Ms. Smith different articles and Public Hearing requirements.

MOTION: Mr. Swenson motions to set a Public Hearing date on February 10, 2020 for Town Meeting articles. Mr. King seconds.

VOTE: (5-0-0)

VIII. STAFF REPORT

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

X. CORRESPONDENCE

A. See correspondence in packets

XI. ADJOURNMENT

MOTION: Mr. Daskalakis moves to adjourn the meeting at 10:29pm. Mr. Swenson seconds.

VOTE: (5-0-0)

Date signed: FEB 23 / 2020

Attest: [Signature]

WAREHAM PLANNING BOARD

Date copy sent to Town Clerk: _____

WAREHAM TOWN CLERK
2020 FEB 25 PM 2:36