**MINUTES OF MEETING OF WAREHAM PLANNING BOARD**

**Date of Meeting: March 11, 2019**

1. **CALL MEETING TO ORDER**

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

1. **ROLL CALL**

Members present: George Barrett, Chairman

Emmanuel Daskalakis

Mike King

Marc Bianco (7:30)

Also present: Charles Rowley, Town Engineer

1. **PRELIMINARY BUSINESS**

**A. Meeting Minutes – February 25, 2019**

The minutes for February 25, 2019 are tabled at this time.

1. **ANR – Jeffrey Monast - 4 & 8 Squaws Path**

Present before the Board: Sam Iamelli, JC Engineering

Mr. Iamelli states there are two abutting lots that they are reconfiguring the lot line for, which will maintain existing frontage and setbacks. This reconfiguration will also provide adequate space for the existing septic systems. This is just to divide the land appropriately.

**MOTION: Mr. Daskalakis moves to endorse the plan as presented. Mr. King seconds.**

**VOTE: (3-0-0)**

1. **PUBLIC HEARINGS**
2. **Special Permit/Site Plan Review – Wareham Retail Management – 1 Seth F. Tobey Road**

Present before the Board: Lindsey Wilson, Allreg USA

Brandon Shram, Principal Allreg USA

Derek Redgate, Highpoint Engineering

Sean Kelly, Vanasse and Associates

Michael Radner, Landscape Engineer

Mr. Wilson states this project is pertaining to the Walmart outparcel on Seth F. Tobey Road. This development has been permitted twice previously with the previous owner. Both permits have lapsed. This proposal is a three-building development. Two of the buildings will be tenant driven.

Mr. Redgate states the site is in the corner of Seth F. Tobey Road and Cranberry Highway. The applicant has already been before the conservation commission. The zoning line between Commercial Strip and Industrial, the entire project is within the Commercial Strip portion of the site. The general site circulation will be at the Walmart entrance. There will be a full circulation drive around the site. The site will have sewer, water, utilities, and stormwater. There is a pre-constructed sewer connection for this site. The utilities were pre-constructed to be available as well. There will be a new concrete walkway path into the site, which connect to Walmart. There are three separate dumpsters in three different areas for each building, which is also where there loading areas are.

The middle building will be Aspen Dental, the other two buildings will have architecture similar to the Aspen Dental building. A new underground stormwater area is being proposed which will treat and infiltrate the stormwater. There are also two bioretention areas and two stormwater areas connected hydraulically to provide 100% infiltration for the 100 year storm. There are no drainage outlets proposed, it will be handled on-site.

Mr. Kelly describes how the traffic study was conducted and what the findings and recommendations are. Seth F. Tobey Road has a signalized intersection onto Cranberry Highway on one end, and a three-way stop sign onto Main Street on the opposite end. The traffic counts were done at 5 different points surrounding the site. Regarding safety, most locations had less than average crash rates in terms of the state standard, with the exception of the intersection into Wareham Crossing, which had a higher crash rate than the state standard. Mr. Kelly also reviews the number of traffic trips per hour which are proposed to be generated by the site. The project will generate 49-54 new trips an hour. Mr. Kelly states that these traffic counts were included with the construction of Walmart and Wareham Marketplace as well. This original design was intended to accommodate larger trip generations than what are anticipated. Most of the recommendations for traffic are on-site recommendations.

Mr. Radner states there are highway plantings on the south and east sides of the site, as well as on-site plantings. There are also plantings adorning the stormwater areas and at the entrance and back of the buildings. The site that faces Cranberry Highway and Seth F. Tobey Road is informal planting with a variety of native trees with under plantings in the beds beneath the trees. The entrance to Walmart will be enhanced with flowering trees. The requirements of the Zoning By-Law in regards to plantings is met, as well as buffer and parking requirements. The approach on lighting is similar to the lighting at Walmart. A 35’ light standard is being proposed, it is LED lighting.

Mr. Daskalakis asks why the lights are so high. The lights are designed to be shorter than the lights in the Walmart parking lot, but this provides more fluid lighting and less hot spot lighting. Mr. Bianco asks if the lights are cast down and if there will be signage on the street side of the building and if there is lighting on the street side of the building. Mr. Bianco is concerned with safety from creating too much lighting and distraction on the buildings. The lighting on the site will have minimal spill over and will only be lighting the site.

Mr. Daskalakis is concerned with the parking and conflicts in traffic. Discussion ensues regarding parking, traffic, and traffic flow.

There is discussion regarding egress and access to the site, as well as phased parking construction.

Mr. Rowley asks if the applicant could utilize the Walmart lighting to light their own parcel. The applicant states they do not have control over the Walmart site.

**MOTION: Mr. Daskalakis moves to continue the public hearing until March 25, 2019. Mr. King seconds.**

**VOTE: (4-0-0)**

1. **Town Meeting Article to Amend Town of Wareham Zoning By-Laws – Article 5 YARD STORAGE – Sections 530, 535**

Present before the Board: David Riquinha

This amendment includes the word vessel, and also the clarification that this only applies to vessels, vehicles, etc. that require a state registration.

Mr. Riquinha does not agree with this. If someone has 5 or 6 9-foot boats in a front yard that do not have to be registered.

Present before the Board: Bill Hobbs

Mr. Hobbs states he has lived in Onset for 29 years. Mr. Hobbs states he has multiple boats and trailers on his property and asks if he falls under this qualification of unregistered vehicles.

Mr. Riquinha states he would prefer not to speak on individual properties.

Mr. Hobbs states he has two business certificates from 1995. Mr. Hobbs also feels the word vessel does not fit in this category, as large vessel or ship.

Present before the Board: Jim Moniz

Mr. Moniz would like to know how many instances the town has been to court to attempt to enforce this by-law as written and how often the cases are lost because this by-law is inefficient.

Mr. Riquinha states that regulations that are not in the by-law would not be taken to court.

Mr. Moniz asks how many enforcements they do regarding this.

Mr. Riquinha states around 15 a year, but they have about 50 calls of complaints regarding this a year that they cannot enforce.

The discussion goes on to discuss walls, or fences, that must be blocking outdoor storage.

**MOTION: Mr. Bianco moves to recommend favorable action for Zoning By-Law Article 5, Section 535 for Town Meeting. Mr. Daskalakis seconds.**

**VOTE: (4-0-0)**

**MOTION: Mr. Bianco moves to recommend favorable action for Article 5 Section 535 as written for Town Meeting. Mr. Daskalakis seconds.**

**VOTE: (4-0-0)**

1. **Town Meeting Article to Amend Town of Wareham Zoning By-Laws – Article 11 SIGNS– Sections 1117, 1119.4.10, 1122, 1126, 1133, 1135**

Present before the Board: David Riquinha

In regards to Section 1117 the line “public or private way” is removed and replaced with “on privately owned property, with permission of property owner”

In regards to Section 1122 adds “such fines shall be attached to the property tax bill by the town treasurer when submitted by the director of inspectional services.” This is the wording that clarified a process that was previously approved at Town Meeting regarding MGL 40U.

Section 1133 it is proposed to be removed.

In regards to Section 1119.4.10 stating that free-standing signs must have a setback of five feet.

**MOTION: Mr. Daskalakis moves to recommend favorable action for Warrant Article 12 as presented for Town Meeting. Mr. King seconds.**

**VOTE: (4-0-0)**

1. **CONTINUED PUBLIC HEARINGS**
2. **Special Permit/Site Plan Review – Borrego Solar – 64 Farm to Market Road**

Present before the Board: Stacy Minihane

Ms. Minihane presents revised plans and response comments for Mr. Rowley’s peer review. Mr. Rowley states there were some details on the plans that were addressed through this response. The one item Mr. Rowley did insist on was ensuring there is a 2-foot separation from the high groundwater to the drainage. The applicant has agreed to get a backhoe onto the site to run tests to confirm the soils is appropriate. If the groundwater affects the drainage they will change the grading accordingly.

The only other item of concern is the width of the bog road providing access to the site. The roads are not 20’ in width, but the Fire Department has agreed that the roads were sufficient as they are. The Board requests a letter from the Fire Department expressing their acceptance of the roads.

The last concern Mr. Rowley has is the construction entrance. Mr. Rowley feels the entrance is not a sharp enough right angle to encourage vehicles to stop at the end of that entrance and not just continue onto the road.

**MOTION: Mr. Bianco moves to close the public hearing subject to the receipt of a revised drainage report and corrections to the plan as needed. Mr. Daskalakis seconds.**

**VOTE: (4-0-0)**

1. **REFERRALS**
2. **ANY OTHER BUSINESS/DISCUSSION**
3. **STAFF REPORT**
4. **Board Roles and Responsibilities**
5. **NEW BUSINESS (This time is reserved for topics that the Chairman did not reasonably anticipate would be discussed)**
6. **CORRESPONDENCE**
7. **See correspondence in packets.**
8. **ADJOURNMENT**

**MOTION: Mr. Bianco moves to adjourn. Mr. King seconds.**

**VOTE: (4-0-0)**

**X. DOCUMENTS**

**Date signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Attest: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**George Barrett, Chairman**

**WAREHAM PLANNING BOARD**

**Date copy sent to Town Clerk: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**