**MINUTES OF MEETING OF WAREHAM PLANNING BOARD**

**Date of Meeting: April 10, 2017**

1. **CALL MEETING TO ORDER**

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

1. **ROLL CALL**

Members present: Michael Baptiste

Mike Fitzgerald

Bob Reed

John Cronan

Emmanuel Deskalaskis, Associate Member

Alan Slavin, BOS Liaison

Also present: Ken Buckland, Town Planner

1. **PRELIMINARY BUSINESS**
2. **Meeting Minutes –March 27, 2017, October 11, 2016; Executive Session Minutes: February 23, 2016, March 28, 2016, April 27, 2016**

**MOTION: Mr. Cronan moves to accept the minutes of March 27, 2017. Mr. Reed seconds.**

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

**MOTION: Mr. Cronan moves to accept the minutes of October 11, 2016. Mr. Fitzgerald seconds.**

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

1. **Form A – Robert Driscoll – 3 Longwood Avenue & 4 West Boulevard**

Present before the Board: Jeff Harper, G.A.F. Engineering, Inc.

Mr. Harper states that the homes on the lots were existing before Zoning came into effect. Both houses are on the assessors cards as being constructed in 1910. Both houses have Town water and sewer.

**MOTION: Mr. Reed moves to endorse the plan as presented. Mr. Cronan seconds.**

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

1. **Form A – Off Minot Avenue – NSTAR and Verizon**

Present before the Board: Representative for NSTAR

The parcel in question is owned by NSTAR, it looks like it may be an old trolley line. The ANR is to divide the line and combine this into two existing lots that have frontage. The Board is concerned if the current property owners are aware of the Form A Plan.

**MOTION: Mr. Reed moves to endorse the plan as presented. Mr. Fitzgerald seconds.**

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

1. **Acceptance of Site Plan Review Application – Fort Fairfield B.P., LLC**

Present before the Board: Jeff Harper, G.A.F. Engineering, Inc.

Mr. Buckland suggests the Board take formal action in accepting the Site Plan Review Application pending review of a full application.

**MOTION: Mr. Fitzgerald moves to set the public hearing for May 22, 2017. Mr. Cronan seconds.**

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

1. **PUBLIC HEARINGS**
2. **Proposed Marijuana Moratorium By-Law – Article 3 Special Town Meeting**

Ken Buckland speaks on the Marijuana Moratorium. This is going before Town Meeting in April. The ballot in November 2016 essentially allowed for recreation marijuana establishments that are non-medical in use. Marijuana is still a Schedule 1 Drug under the Controlled Substances Act of 1970, but the State laws legalize marijuana use and taxation of marijuana. This will allow Zoning By-Laws to regulate recreational marijuana use. The regulation of use in public space and by municipal employees will be allowed. The Zoning By-Law may not prohibit where medical marijuana is allowed but may prohibit the type and number of establishments allowed. A vote needs to be taken on whether or not marijuana may be used at dispensaries.

**MOTION: Mr. Reed recommends** **Article 3 as written to Town Meeting. Mr. Cronan seconds.**

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

1. **CONTINUED PUBLIC HEARINGS**
2. **Site Plan Review – Fadi Zaknoun – 2707 Cranberry Highway**

The applicant has requested a continuance until April 24, 2017. The Board discusses that date is Town Meeting. The Board agrees that the applicant will need to submit another request for extension. The Board feels May 22, 2017 is the next available hearing date. The Board agrees to extend the hearing to April 24, 2017 as requested with the intent of continuing the hearing from that date.

**MOTION: Mr. Reed moves to continue the public hearing until April 24, 2017**

1. **Site Plan Review – Charlotte Furnace, LLC – Charlotte Furnace Road**

Present before the Board: Richard Serkey, attorney

Tim Bennett, Green Seal Environmental

Chris Hunt, applicant

Mr. Fitzgerald states he has had business dealings with the realtor for this project and asks Mr. Serkey if the applicant would like Mr. Fitzgerald to recuse himself. Mr. Serkey states they do not believe Mr. Fitzgerald needs to recuse himself.

Mr. Serkey states that this project site is in the BDOD. The applicant has three related businesses, C & J Hunt Construction, Salt Water Woodworks and Spectrum Wood Finished. Salt Water Woodworks is involved with the manufacturing and assembly of products out of re-claimed wood.

Mr. Bennett reviews the project. The project site is a 6 acre parcel. The proposed project is to ultimately construct 6 buildings, 4 of which will be 10,800 s.f., 2 of which will be 10,125 s.f. arranged in a campus like environment with buildings around the perimeter and parking, green space and rain garden in the middle. The larger buildings are proposed to have seven units inside, the smaller buildings are proposed to have six units inside. The applicant will be occupying the entirety of one of the large buildings; the hope is that lessees will occupy more than one unit at a time. The allowed lot coverage by buildings in the BDOD are 25%, this building coverage is 24.9%. The minimum setback in the BDOD is 25’ in the front and 10’ in the side and rear. The buildings are proposed to be 138’ from the front and 13’-38’ from the side and rear to keep a wooded buffer along the street. The proposed buildings will be just 300’ from the nearest house. Runoff from parking and in front of the building will run into swales (or in a storm event as sheet flow) into a rain garden; at that point it runs into 3 underground ADS 8” pipes into a retention basin. There is no underground stormwater infrastructure on the site, which is intentional to be low impact. An on-site septic system will be provided. Each building has its own septic tank. There are leaching systems in the two right rear corners of the site. There is detailed landscaping plan that provides planting in the front and throughout the main courtyard area. The plan calls for 14 trees, 425 shrubs and nearly 1,200 perennials. Site lighting will be provided primarily by wall mounted fixtures with 6 post lights in the parking area. They will be adding another post light by the entrance. The fixtures will be shielded downward. There are four dumpster pads for the site.

Mr. Deskalaskis asks how close the buildings are to each other. Mr. Bennett states that the buildings are 15 feet from each other. Mr. Deskalaskis asks if there will be windows on the ends of the buildings. Mr. Bennett states he doesn’t believe so.

Mr. Fitzgerald states he would like to hear from Mr. Hunt. Mr. Fitzgerald states that Mr. Serkey briefly touched on allowed businesses in the BDOD and asks Mr. Hunt if he could go into detail what his General Contracting business dealt with. Mr. Hunt states that he is 100% a paper contracting. Mr. Hunt states there is no equipment, and he has no employees, no commercial materials. Mr. Hunt states he only owns one dump trailer. Mr. Hunt states that for Saltwater Woodworks and Spectrum will have people in the office for those businesses. Mr. Hunt’s cabinet and millwork business (Saltwater Woodworks) does full cabinetry from repurposed products and is a full millwork business. They do paint grade or stain grade. Mr. Hunt states that his equipment is smaller scale than larger manufacturing companies, that his business is not for mass producing. Mr. Hunt states the employees in the sop range from 3-5. There are floor sales people that only go to the sales store in Falmouth. MR. Hunt states that he uses mobile dust collectors due to the size of the equipment. Spectrum Wood Finishes is a specialized application company for millwork, furniture, cabinetry, etc. They do use chemical based finishes, conversion varnishes, pre-cat lacquers, etc. which are the finishes that last on wood products. They do also use water based finishes such as stains. 60-65% of the finishes used are water based finishes. Mr. Hunt states that there will be a storage facility on site that could hold up to 800 gallons, which Mr. Hunt estimates they will not store more than 400 gallons of chemicals. There is an underground sump system, it is fire proof, and meets all standard ratings. Mr. Hunt does no chemical stripping, only sanding. Mr. Hunt states that he may stock 4,000 feet of antiqued and re-claimed woods in the building. Mr. Hunt does not plan on warehousing materials. There is an overhang on the right sight of the building for bulk storage. There are deliveries by Moffat trucks, which is why the shed dormer is on the building. Mr. Fitzgerald asks if they sell products as well. Mr. Hunt states that they are an authorized distributor of Mowhawk finishes that they deliver to the clients. The vehicles used for deliveries are 2 4-transit mini vans and a 24’ box truck for delivering cabinetry and millwork.

Mr. Fitzgerald asks if any fencing is proposed. Mr. Bennett states that no fencing is proposed at this time, that Zoning requires a 10’ landscape buffer. The rear of the site faces the solar field. The right hand side of the building faces Master Millwork and the property to the left of the building is vacant.

Mr. Buckland stated that Mr. Rowley had submitted a review letter and asked Mr. Bennett if the items have been addressed. Mr. Bennett stated that they will be addressing Mr. Rowley’s review letter, but had not made changes on the plan at this time.

Mr. Cronan asked if Mr. Rowley commented on the parking over the septic leaching chambers. Mr. Bennett states that the chambers are H20 loading, meant to withstand extremely large loads.

Mr. Cronan asks if the minivans and box trucks are to be parked on site. Mr. Hunt states that they will be parked on site. Mr. Cronan asks if there’s ventilation for the spray booths. Mr. Hunt states that his spray booths are filtered through pocket filters, which are approved by DEP.

The proposed buildings are to be built on spec and not to suite.

Mr. Cronan feels there are too many buildings and that they are too close together. He states he is concerned that too many vehicles could be left on the property.

Mr. Fitzgerald states that he is not in favor of the metal faced buildings.

Mr. Serkey states that at the moment the uses and lessees are not yet identified and that the Building Inspector would have the authority to refer the applicant back to the Planning Department if he feels there are prohibited uses taking place on the site.

Mr. Fitzgerald states he feels the buildings look too much like warehouses with no office buildings and no design and Mr. Fitzgerald states that he feels these buildings will draw a certain type of tenant.

Mr. Serkey asks if the buildings were designed differently if Mr. Fitzgerald would feel differently about the project. Mr. Fitzgerald said it would be an improvement, but also that there is no room between the buildings. Mr. Bennett states that the plan was intentionally created without spaces between them to prevent box trucks from parking between the buildings, and prevent storage of materials between buildings.

Mr. Reed states that there is no way to tell what type of products are coming in, there is no room for deliveries and no way to tell what other types of parking requirements will be needed. Mr. Reed doesn’t feel the Board can adequately asses parking and access without knowing that the tenants in the buildings will be.

Mr. Deskalaskis asks if it is possible to consider less square footage and more attractive building facades.

Mr. Hunt states that it is unfair for the Board to insinuate that the site will be a mess or that Mr. Hunt would not keep in check or keep track of the tenants going into the buildings. Mr. Hunt states removing one building could be feasible, but removing two buildings would not be reasonable financially. Mr. Hunt states that he would only entertain certain businesses as tenants. Mr. Hunt requests that he would like to Board to offer specifics of what the Board would like the buildings to look like.

Mr. Fitzgerald asks what someone is going to do with 10,000 square feet if they cannot use the buildings for warehouses or storage facilities. Mr. Hunt states he would like light manufacturing, blue collar businesses that need a place to grow.

The Board tells Mr. Hunt that they do not believe they could approve the project as it is presented.

Present before the Board: Kelly Silvia, abutter

Ms. Silvia states 6 buildings is a lot of buildings even if the buildings are pushed so far back. Ms. Silvia states that she believes the access that A.D. Makepeace owns will be cleared. Ms. Silvia states her concerns with the project for Master Millwork. She feels the project is too large. Ms. Silvia is concerned with shift workers and says there will be constant noise.

Present before the Board: Fred Reynolds

Mr. Reynolds states his concerns with the meeting being properly recorded and the issues with the BDOD. Mr. Reynolds states that he does not believe these projects should be in the neighborhood. Mr. Reynolds asks the Planning Board to place a permanent moratorium on the BDOD against any projects that decrease safety, reduce the value of their lives, or reduces the value of their homes.

Mr. Serkey asks if the hearing can be continued to address the concerns brought up tonight.

Present before the Board: Chris Bailey, realtor

Mr. Bailey states that he believes the project conforms to the BDOD. Mr. Baptiste states that he does not believe that the project conforms. Mr. Bailey asks how they can get the project to conform. Mr. Fitzgerald suggests that Mr. Bailey’s team memorize the BDOD and re-asses the plan to conform to the BDOD.

The Board suggests getting a traffic study of the existing conditions and the proposed conditions.

**MOTION: Mr. Fitzgerald moves to continue the public hearing until June 12, 2017. Mr. Cronan seconds.**

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

1. **REFERRALS**
2. **ANY OTHER BUSINESS/DISCUSSION**
3. **Upcoming Hearings**

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| **April 24, 2017** | **Definitive Subdivision** | **Fort Fairfield B.P., LLC** | **Thacher Lane** |

1. **Upcoming Deadlines**

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| --- | --- | --- | --- |
| **May 8, 2017** | **Special Permit & Definitive Subdivision Decision Deadline** | **Bay Pointe** | **Bay Pointe Drive** |

1. **NEW BUSINESS (This time is reserved for topics that the Chairman did not reasonably anticipate would be discussed)**
2. **CORRESPONDENCE**
3. **See correspondence in packets.**
4. **Staff Report**
5. **ADJOURNMENT**

**MOTION: Mr. Cronan moves to adjourn. Mr. Reed seconds.**

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

1. **DOCUMENTS**

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

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

**George Barrett, Chairman**

**WAREHAM PLANNING BOARD**

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