

PLANNING BOARD

Meeting Minutes

Thursday, April 25, 2019

Judge Welsh Room

6:30 P.M.

Members Present: David Abramson, Brandon Quesnell, Jason Potter, Paul Graves, Shane Landry, John Peters-Campbell, and Ross Zachs.

Members Absent: None.

Staff: Ellen C. Battaglini (Permit Coordinator).

Chair David Abramson called the Public Hearing to order at 6:30 P.M.

1. **Public Comments:** None.

2. **Public Hearings:**

PLN 19-40

Application by **Andrew L. Singer, Esq.**, on behalf of **The Cape Cod Five Cents Savings Bank**, seeking Site Plan Review by Special Permit pursuant to Article 4, Section 4015, a (4), Site Plan Review by Special Permit, of the Zoning By-Laws to establish a bank on a property that has a curb cut of more than 25% of its existing street frontage at the property located at **137 Bradford Street** with requested waivers from Article 4, Sections 4035 (b), 4053 (1)(a), 4163 (2), and 4150.

Presentation: Attorney Andrew L. Singer and Brian Dundon, of R.J. O'Connell & Associates Engineering, the project site civil engineer, presented the application. Also present were Vincent Sorrentino, the project architect, and Andrea Ponte, Administrative Officer at Cape Cod Five. Attorney Singer noted that new plans were distributed to the Board. The revisions involve minor changes to the site plan at the curve of the radius of the road, as requested by the Dept. of Public Work's engineer, and in the elevation drawings, as requested by the Historic District Commission. He reviewed the project, which involves only a slight change to the existing building, including moving the front entrance to the west to center it on the building and creating a bump-out canopy with steps and a sidewalk leading up to it. Three curb cuts, as shown on a prior approved plan, will be reduced to two curb cuts, making it conforming and below 25% of its street frontage, however, he added, because the curb cut is 100% today, the property is subject to site plan review by special permit. He said that a development impact statement and a transportation memo from a traffic engineer had been submitted. The proposal as presented satisfied the requirements of Article 4, Sections 4035, Review Criteria, and of 4053, Commercial Design Standards, of the Zoning By-Laws. Most of the requested waivers are for pre-existing, non-conforming conditions that, while being improved, will continue to be non-conforming. The project will create no detrimental effects, protect public health and safety and will be a benefit to the Town and neighborhood. Public safety will be improved by the closing of the third curb cut, which is no longer needed. The parking will now be closer to the street, instead of in front of the existing building, for safer access to, and circulation within, the site and improved vegetative buffering and landscaping on the property will be planted next to

a proposed new sidewalk on Bradford Street. Proposed vegetation on the site will be drought-resistant. Storm drainage will be contained on the site. Another requested waiver is from the green space requirement, which is being increased to 21% from 16.5%, but still less than the 30% required. This will allow for additional bike racks and other redevelopment on the property. The bike racks have been increased to 10 from a previous proposal of 3. The traffic memo concludes that the bank use, with no drive-through capability, will have less traffic accessing the site than if a convenience store, as previously proposed, were located there. In addition, fewer trips will be generated during peak hours on a daily basis. The dumpster and HVAC equipment will be located behind fencing. The handicap ramp will be re-designed and shifted, to accommodate the new front entrance location. The footprint and size of the building is staying the same, the bump-out is only for a canopy, and the renovated building will be compatible with the neighborhood. The bank branch will not overburden Town infrastructure and not adversely affect public health, or the safety, convenience or general welfare of the community. He reviewed the waiver requests including from s. 4035 (b), which references the design requirements of s. 4163, the size of the curb radii at street intersections, s. 4053 (1) (a), curb cut widths, and the green space requirement of 30%.

Mr. Dundon reviewed the site plan, including the proposal to decrease the number of curb cuts. There will be granite curbing along south portion of Standish Street. He said there would be 11 parking stalls, whose proposed location on the site allows for safer passage and use of entrances and exits from both Standish and Bradford Streets. It also allows for an increase of 650 sq. ft. in landscaping on the Bradford Street frontage. He noted the two points of access for pedestrians, a dedicated crosswalk on Bradford Street to the sidewalk system in front of the bank and a new concrete sidewalk at the Standish and Freeman Street intersection leading to the sidewalk system in front of the bank. The bank branch will use the existing utilities and infrastructure that service the property. There will be a dedicated area for bike storage located on the southern end of the property, with 5 inverted u-type racks to accommodate 10 bikes. The existing lighting at the site will be removed and the proposal includes the installation of LED bulbs in dark sky compliant fixtures at a mountable height of 15'. There will be no overspill or glare, as all of the foot-candles of illumination will be contained on the site. All sidewalk systems will be ramped in accordance with ADA requirements. After conducting conversations with DPW Director, Rich Waldo, Mr. Dundon said that the curb radius at Bradford and Standish Street intersection was increased, softening the curve and smoothing out the transition to Bradford Street. Mr. Waldo had no concerns about the revised site or intersection plans. The drainage will be contained on the site, which is graded in a north to south direction. He said that there are two catch basins on site on the south so the runoff will be collected on site.

Public Comment: None. There was 1 letter with concerns and suggestions regarding the proposal.

Board Discussion: The Board questioned Attorney Singer and Mr. Dundon about changes in the site plan, the location and number of bike racks, the drainage, the granite curbing, signage, lighting on the building and the safety of the vehicle exit onto Standish Street.

There was a motion by Jason Potter to grant the requested waivers. Brandon Quesnell seconded. VOTE: 5-0-0.

There was a motion by Jason Potter to approve the Special Permit pursuant to Article 4, Section 4015, a (4), Site Plan Review by Special Permit, of the Zoning By-Laws for a Special Permit to establish a bank on a property that has a curb cut of more than 25% of its existing street frontage at the property located at 137 Bradford Street with the conditions that all existing and proposed site lighting be dark sky compliant, that the generator exercise be conducted between 12:00 P.M. and 4:00 P.M., and that the applicant work with the DPW regarding appropriate traffic control signage at the Standish Street entrance and with traffic mitigation for the median on Standish Street. Ross Zachs seconded. VOTE: 5-0-0.

3. Work Session:

a) Pending Decisions:

PLN 19-32

Application by **Robin B. Reid, Esq.**, on behalf of **BWell, Inc.**, requesting a Special Permit pursuant to Article 2, Section 2440, Permitted Principal Uses, B14, Marijuana Establishment, Retail, of the Zoning By-Laws for a change in use to a retail/adult-use marijuana store at the property located at **336 Commercial Street, #5**. The decision was not ready.

PLN 19-42

Application by **Robin B. Reid, Esq.**, on behalf of **BWell, Inc.**, requesting a Special Permit pursuant to Article 2, Section 2440, Permitted Principal Uses, B15, Marijuana Establishment, Production, of the Zoning By-Laws for a small-scale production and product assembly site at the property located at **336 Commercial Street, #10**. The decision was not ready.

b) Discussion of potential changes to the Inclusionary and Incentive Zoning By-Law.
This issue was not discussed.

c) Minutes of April 23, August 27 and October 22, 2015, January 14, March 24, April 28, June 9, 2016 and April 11, 2019.

April 11, 2019: *There was a motion by Jason Potter to approve the minutes as written. Brandon Quesnell seconded. VOTE: 5-0.*

d) Any other business that may properly come before the Board:

There was a motion by Brandon Quesnell to adjourn the Planning Board meeting at 8:30 P.M. Ross Zachs seconded. VOTE: Unanimous.

Respectfully submitted,

Ellen C. Battaglini

Approved by _____ on _____, 2019
David Abramson, Chair