

MINUTES
DENNIS PLANNING BOARD

Monday, February 1, 2016
6:30PM - Dennis Town Hall, Stone Hearing Room

Present: Mezzadri (Chair), Eldredge, Farmer, Patterson, Clancy (Alternate)
Absent: DiManno, Malzone
Staff: Fortier, Gregory

ITEM #1:

Vote for new Clerk

Due to the resignation of the prior clerk, Mr. Mezzadri nominated Ms. Farmer as the new clerk. Mr. Eldredge seconded.

VOTE: 5-0-0 FAVOR.

ITEM #2:

ANR (revised): Eileen Daley, 65 Scarsdale Road, Dennis, MA (Assessor's Map 385, Parcel 10).

No representatives were present for the applicant. A second lot was carved out which is not buildable but has 50' of frontage.

VOTE: Ms. Farmer moved to Endorse the ANR and Ms. Patterson seconded. **4-0-0 ENDORSED.** Plan by Robin Wilcox dated January 20, 2016 referenced.

ITEM #3:

ANR: Kerry Sullivan, off Great Western Road, S. Dennis, MA (Assessor's Map 131, Parcel 1-0).

Dan Ojala of down cape engineering was present for the applicant. This is a portion of land off Great Western Road and is a division into two parcels which are labeled not buildable under subdivision control law, as there is no frontage at this time. The purpose is to assign ownership boundaries so the property can be properly assessed.

VOTE: Ms. Patterson moved to Endorse the ANR and Mr. Eldredge seconded. **4-0-0 ENDORSED.** A Plan prepared for Great Western Sand & Gravel LLC by down cape engineering dated January 27, 2016 was referenced.

ITEM #4:

Richard Bowen, (DW Solutions), 232 Upper County Road, Dennis Port, MA is seeking a Special Permit to construct an 8 unit multi-family structure with two units deed-restricted affordable according to Section 8.5 and Section 4.9 of the Dennis Zoning By-law. The property is located in the DVCA-B Zoning District at 232 Upper County Road, Dennis Port, MA (Assessor's Map 90, Parcel 14).
(Continued from November 2, 2015 and December 21, 2015).

A letter from JM O'Reilly & Associates was submitted requesting this matter be continued to the March 7, 2016 hearing.

VOTE: Mr. Eldredge moved to continue this matter and Ms. Farmer seconded. **5-0-0 CONTINUED.**

ITEM #5:

Kathy M. Munson, for the estate of Marie A. Brooke, 1170 Route 134, East Dennis, MA is seeking approval for a Definitive Plan to rescind a road. The property is in the R-40 District at 1170 Route 134, East Dennis, (Assessor's Map 315, Parcel 11).

Paul Sweetser was present for the applicant. The original plan was done in 1973 and showed a division of two lots and Brooke Road for frontage. They would like to get rid of the road as the property lines have been taken away by a previous ANR in 2013. The road is currently an impediment and only exists on paper. Mr. Mezzadri asked for clarification of where the road was located as it did not show on the plan submitted. A 20-day appeal period will follow approval.

VOTE: Mr. Eldredge made a motion to accept the rescission and Ms. Farmer seconded. **4-0-0 APPROVED.** A Plan of Land in E. Dennis, MA prepared for Estate of Marie A. Brooke by Paul Sweetser dated December 28, 2015 was referenced.

ITEM #6:

Allison Stuart Neese, 425 Main Street, Dennisport, MA is seeking a Special Permit to establish a veterinary clinic under §2.2.2.5.i and §4.1.2.3 of the Dennis Zoning By-law. The property is located within the General Commercial II District at 425 Main Street, Dennisport, MA (Assessor's Map 73, Parcel 18).

Dr. Allison Neese was present. She is a vet and is moving her business from 5 Beech Street, Dennis to 425 Main Street in Dennisport. Ms. Patterson asked about the trash location. Ms. Neese said that Nauset Disposal assessed her situation and recommended using 2-3 dry green tote bins which will be kept inside the garage and will be used by both the on-site tenant and the business. Mr. Mezzadri noted that she needs to work with the building Commissioner to meet fire and safety codes, the Health Department regarding redoing design calcs for the existing septic to ensure it is adequate for the new use, and the Engineering Department regarding parking. Currently there are two parking spaces in front; one is designated handicap. They are unmarked and on gravel. Mr. Mezzadri recommended a condition that the two front spaces be paved and delineated, and to add wheel stops to the additional six spaces in the rear. He also asked that the fence, which is broken down on both sides, be fixed. It was noted that this is not a kennel and animals will only stay overnight for medical needs. No comments were received from the audience.

VOTE: Ms. Patterson made a motion to approve the Special Permit with conditions regarding the trash, the fencing, and the rear and front parking, and Mr. Eldredge seconded. **5-0-0 APPROVED.**

ITEM #7:

As-Built: Paul Welch, 321 Hokum Rock Road, East Dennis, MA (Assessor's Map 313, Parcel 6).

As this plan was incomplete the matter no action was taken.

VOTE: N/A

ITEM #8:

As-Built: Route 134 Community, 812 Route 134, South Dennis, MA (Assessor's Map 203, Map 23).

Kate Ferrara from Housing Assistance Corp was present. She assumed the asbuilt was turned in. Mr. Mezzadri noted it had not been received but was expected on February 11th and the Board could not approve this without seeing that plan. Mr. Mezzadri noted that the Board could discuss the requested minor modification to amend Condition 8, and to acknowledge Condition 14 had been complied with per the Town Engineer. Ms. Ferrara asked if a notice of occupancy could still be given for the final building. Mr. Mezzadri was under the impression that the Board had previously approved occupancy for just five units. Ms. Ferrara stated that all the buildings except the final had been granted occupancy through the Building Inspector, and tenants were waiting to move in to the last building. The Board discussed doing a conditioned approval on the asbuilt, however, Mr. Eldredge was concerned about setting a precedent. The Board did not want to prolong the process for tenants as the next meeting was a month away. It was noted that crosswalk signage was the only item not completed on the asbuilt plan. The Board discussed doing a conditional approval based on the upcoming staff review meeting and then scheduling a separate meeting in the near future to sign the asbuilt. It was decided to hold occupancy on the final building until the applicant brought in the asbuilt and received approval; then a separate meeting would be scheduled to sign the plan.

The Board then discussed the issues of the request for a minor modification. Ms. Ferrara noted that since the DHCD has funding in the project they prefer to monitor it. Julie Kramer from POAH and Nancy Friend of the Dennis Housing Authority met with Dan and agreed the state should do the monitoring.

VOTE: Ms. Farmer moved to amend Condition 8 and Ms. Patterson seconded. **5-0-0 APPROVED.** Mr. Mezzadri acknowledged that Condition 14 had been met regarding a safe crosswalk at the property.

ADDITIONAL BUSINESS:

1. Planning Board Member Committee reports, if any. None.
2. Review Minutes of 12/21/15. Approved as written.

ADJOURNED: 7:30 PM

The Board unanimously approved these minutes with edits on March 7, 2016.

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