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DENNIS PLANNING BOARD

Minutes of Meeting held

May 15th, 2023

The Planning Board meeting, having been duly posted, was called to order at 6:30p.m. by Chairman Paul McCormick Jr. in the Nathan Stone Hearing Room at Dennis Town Hall.

Present: Paul McCormick Jr., Brad Bishop, John Terrio Jr., Rick Hamlin, Jeffrey Eldredge, Elizabeth Patterson, Adam Dunn (Alternate).

Absent: Chris Hedetniemi

Staff: Paul Foley (Town Planner), Anna Pannell (Office Assistant)

Chairman Paul McCormick Jr. opened the meeting, introduced the members and outlined the procedures and process of the meeting.

Public Meetings:

1. Chandler Drive and Courtney Lane Review of Roadway Improvement Recommendations

Paul Foley introduced the project and gave some background before Dan Ojala of Down Cape Engineering suggested to saw cut Chandler Drive where it is most needed rather than redo the whole thing. Mr. Foley then displayed a plan of the cutting that Down Cape engineers were planning to do, with the sections marked in red. ". Dan Ojala explained what happens when water gets in cracks in the pavement as well as what that would mean for construction and what cracks they would be paying attention to. He encouraged that they don't tear up and replace the whole road, only the sections that need patching. He feels this will be as good as new in regards to length of time for construction and to minimizes disruption to the neighborhood. Mr. Ojala explained the character of the street and the neighborhood, expressing there is not much in the way of truck traffic, or other commercial vehicles on a regular basis, which is the type of traffic that does the most damage and general wear and tear to the pavement.

Mr. Foley noted the letter from the Town Engineer in which they give a history of the project and the various inspections. The Town Engineer feels the existing binder course should be completely removed and the road repaved with a new binder and top course and that would be comparable to the cost of cutting and patching. In response to the Town engineer's letter recommending that doing the binder course over rather than patch here and there would be better, Mr. Ojala said that of the red patches that were displayed on the image, perhaps 25% more could be needed when doing the job in the field. He was flexible with scheduling saying they could do whatever is reasonable. He also explained why the project kept getting pushed back, stating that it was generally a good idea not to start road construction until all the houses were built with heavy vehicles that could mark up the new pavement, potentially delaying the finish date of the road.

Paul McCormick Jr. noted this street has been an issue and in disrepair for a long time by this point. The Boards task is to get it to the next step in hopes of getting the project completed in a timely manner. Tom Rennell from 11 Chandler Drive, expressed concern about how long the project has been taking to

reach completion. He wanted this to happen sooner rather than later. Nathan Whipple from 6 Chandler Drive also said via Zoom on the issue of the fact that the street lights were never completed. The Caterino's have an obligation to either finish them or remove them. He emphasizes that they should either be removed or completed. Right now, the light posts are just in the way. While there is one house still under construction it has been that way for almost 17 years, that has always been the excuse since the beginning. He worries the project will be delayed indefinitely. Mr. Hamlin agreed that the road could be patched rather than do it all over with the engineers and the Town Planner should review once more with the engineers to see if the current patches need up to 25% more repaired than currently marked. The Board continued to deliberate and after some discussions about the 25%, the street lights, and whether paving could be done during the summer.

Chair McCormick suggested a couple of conditions could be in order. We need to determine if the neighborhood wants the light posts removed. He asked the Town planner to survey the neighborhood. It was noted that they might deter the Town from accepting the road. Mr. Rennell said they would have to create an H.O.A. to maintain the lights. Mr. Bishop said we need the Town Engineer and Mr. Ojala to agree on the final areas to be cut in the field.

Jeff Eldredge made the motion.

Motion: Agree that the contractors will get this done on or before September 30th 2023, with the hopes that it is done in July of 2023 weather permitting.

Rick Hamlin seconded the motion.

VOTE: Unanimous 7-0-0

Motion verdict: Passed and Approved

Public Hearings:

1. **DS 270 Sesuit Neck Road Definitive Subdivision - TO BE CONTINUED TO JUNE 5th HEARING PER APPLICANT'S REQUEST. Open Space Subdivision Special Permit. Applicant Joel Crowell, PO Box 62 East Dennis MA is seeking: A special Permit under Section 4.4 of the Dennis Zoning By-law; and Approval of a Definitive Subdivision under Dennis Subdivision Control for the creation of a four-lot subdivision for a property located in the R60 zoning district at 254 and 270 Sesuit Neck East Dennis (Map 409 Parcel 47 and Map 394 Parcel 12) Continued from April 3, 2023.**

There was some discussion as to the reason for the continuance before the motion was presented by, Elizabeth Patterson.

Motion: To continue hearing to the June 5th meeting

Brad Bishop seconded the motion

VOTE: Unanimous 7-0-0

Motion verdict: Passed and approved. Continued to the June 5th Hearing

2. Tom Lundquist 12 Stratford Ln Yarmouthport MA is seeking a Site Plan Review Special Permit under Section 4.1 of the Dennis Zoning By-law for the construction of a new contractors building including space for automotive repair and sales, for a property located in the Industrial zoning district at 16 Bertram Ave, South Dennis (Assessors Map 142 Parcel 59). CONTINUED FROM April 3rd, and May 1st 2023

Elizabeth Patterson, recused herself and stepped away. Kearon Healy, land surveyor with the BSC group, along with Tom Lundquist, the applicant, described the project and what they intended to do with the property and provided a brief description of the character of the lot. Rick Hamlin noted that the engineer's storm water report commented that the test holes (for drainage) were dug to 37.0 ft and that the applicant needs to maintain a 2-foot separation meaning that the applicant is short .65 feet and he wondered if that could be corrected on the plan. Mr. Healy said he doesn't think that it would be an issue because the street is so low that the drainage, which is already in the street, is about 7-8 ft below that number. Mr. Healy went on to say that the ground water is at least another 10 feet below what has already been dug.

The Town Planner stated that there seemed to be a high number of parking spots on the lot, the plans showing 29 parking spots seems like a lot of paving that may not be necessary. Mr. Hamlin also asked if there was anything in the bylaws that says how many trees there must be per parking space and went on to say that while there is no need for a full-blown landscape plan there should still be a planting plan. Mr. Healy clarified that they hope to keep anywhere from double to triple the amount of minimum requirement of trees per parking spot. Mr. Healy assured the Board that cost wasn't the reason to save the existing trees on the edge. The reason being that they are perfectly healthy large mature Oak trees and that to cut them down only to replace them with new ones, would take 20-25 years for the trees to get to be the same size as the already existing ones. The goal is to have healthy living trees on the property.

Mr. Foley mentioned that they have to stay away from the drip line of the existing trees to help protect the roots from damage during construction. The applicant Tom Lundquist said he only wants to sell maybe one or two cars a month at most and is doing this mainly to do repairs for friends and family. He said that the garage is going to have three rental bays, and that the contractor bays don't have enough spacing for each individual business. He wants complete control of who he rents to. After some further deliberation and clarification, The Board was ready for a motion. One that Rick Hamlin presented.

Motion: To approve of the site plan presented by the applicant

Conditions:

1. Applicant must meet the Stormwater requirements.
 2. Plan will be modified to show the requirement of newly planted trees need to conform to the Town of Dennis Bylaws.
 3. The use is allow in the Industrial Zoning district, meets the Town of Dennis bylaws.
 4. Applicant will plant the required number of trees per Dennis Zoning Bylaw
- Jeffrey Eldredge seconded the motion.

5. VOTE: 6-0-1

Elizabeth Patterson Abstaining as she had stepped away from discussion

Motion verdict: Passed and Approved

ADDITIONAL BUSINESS:

1. Planning Board Minutes May 1, 2023

Elizabeth Patterson Presents the Motion

Motion: To accept the May 1st Minutes as presented

Brad Bishop 2^{nds} Motion

VOTE: 7-0-0

Motion Verdict: Passed and Accepted

Meeting Ends at 7:34pm

Minutes approved by unanimous vote on June 5th 2023