



**MASHPEE ZONING BOARD OF APPEALS  
MEETING MINUTES  
AUGUST 24, 2016**

The Mashpee Zoning Board of Appeals held Public Hearings on Wednesday, August 24, 2016, at 6:00 p.m. in the Waquoit Room at the Mashpee Town Hall, 16 Great Neck Road North. Board Members Jonathan D. Furbush, Ronald Bonvie, Scott Goldstein, and Associate Members, Brad Pittsley and Norman J. Gould were present. Building Commissioner, Michael Mendoza was also present.

**PLEDGE OF ALLEGIANCE**

**CONTINUED HEARINGS**

**43 Waterline Drive South:** Owners, Steven and Susan Bozkurtian request a Written Finding under §174-17 of the Zoning Bylaws to raze and replace a single-family dwelling on property located in an R-3 Zoning District (Map 120 Parcel 148), Mashpee, MA. Owner of record: 43 Waterline LLC. *(Continued from August 10, 2016 hearings, received Attorney's letter dated August 15, 2016 requesting to withdraw the application).*

Chairman Furbush read a letter into the record from Attorney, Kevin Kirrane requesting a withdrawal. Mr. Bonvie made a motion to accept the withdrawal. Mr. Gould seconded. All were in favor of accepting the withdrawal.

**NEW HEARINGS**

**86 Uncle Percys Road:** Owner, Roger Brooks requests a Written Finding under §174-17 of the Zoning By-laws to allow for construction of an addition and new deck on property located in an R-3 Zoning District, and the Popponeset Overlay District, (Map 117 Parcel 181), Mashpee, MA.

Mr. Goldstein stepped down from this hearing.

Mr. Roger Brooks, homeowner, approached the Board asking for a continuance because he needs to revise the site plan. He asked the Board if there were any “red flags” with his application that could be discussed. He said that his surveyor is in the process of revising the percent lot coverage. The existing lot coverage is 21%, and he would like to reduce the size of the deck and keep the lot coverage at 20%.

Mr. Mendoza told Mr. Brooks that if he has a discrepancy with the figures from his surveyor, then he should not present that plan to the Board.

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Chairman Furbush said that there are only four Board members and told Mr. Brooks that if he decided to continue with the hearing, that all four members would have to vote positive in order for the application to pass. He suggested that the hearing be continued until September 28, 2016.

Mr. Bonvie made a motion to accept the continuance until September 28, 2016. Mr. Gould seconded. All were in favor to accept the continuance.

**OTHER BUSINESS**

**Mashpee Commons:** To discuss the project construction progress as stated in the Comprehensive Permit, Section IV. Decision and Conditions, sub-section 8.j

Board Member, Ron Bonvie stepped down from this discussion.

Mr. Feronti approached the Board and said under the Comprehensive Permit, Mashpee Commons is required to give an update of the construction progress. The construction on the buildings started in March. They received their final approval from Mass Housing in January, and pulled their first permit in March.

He said there are currently three (3) buildings under construction. He pointed out on the approved site plan that there are eight (8) buildings that make up Phase 1A of the residential expansion. In those eight buildings, 14,000 sq. ft. of commercial space, 52 units, and 13 are affordable within those 52 units. The units are spread amongst the eight buildings as are the affordable units.

There are currently three buildings under construction; building 40, 41, and 42. Building 40 is a modular building, and was the first foundation that was poured in 2014 to preserve the permit. There are eight units in that building. The modular boxes were delivered and the plan is to secure the boxes next week. These boxes are ready to be set on Wednesday, August 31. There are ten (10) boxes plus a roof, so over the span of two to three days, that building will be set. There is a lot of interior work required due to the design, and all the kitchens have to be installed after the fact because they were on bare walls. The goal for completion is December 1st. Out of the eight units, two are affordable.

Building 41 was the first building that was initially started. This building is a “stick-built” building, and the target for completion is mid-October with occupancy November 1<sup>st</sup>. There are eight, one bedroom units in this building and four commercial spaces on the ground floor. Out of the eight units, two of them are affordable units. This is a traditional construction project, the siding and drywall are done, and the kitchen should be done within the next week.

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Building 42 is another modular building and was set back in July. This building has six units, and one commercial tenant on the first floor. There is one affordable unit in this building. The interior work is moving, and the exterior materials should be in by the end of August, early September.

In conjunction with these buildings, there is also the infrastructure to support the buildings such as the parking, sidewalks, etc. After Labor Day when there is better access on Market Street, there should be activity to get the parking, sidewalks and roads in place for all three buildings. The occupancy is scheduled for late fall or early winter, so by the end of 2016 there should be twenty two (22) units of which five are affordable that will be occupied.

In 2017, the next two buildings that they are focusing on are buildings 43 and 46. Building 43 is another modular building, and 46 is a “stick-built” building. There is no start date yet for these buildings, but will be the next upcoming projects. The foundations are not installed. The foundations for the modular buildings, 43, 44, 45, and 47, are in the beginning design stages. Building 46 is another “stick-built”, and will require a permit from start to finish.

There was a Mass Works time frame that was awarded for the construction of Market Street. There was also an extension approved by the State through June 30, 2017. The final letter of approval delayed the start, and rather than installing a finished road, finished curb, and sidewalks while tweaking designs, the State agreed that it made more sense to wait until there was more in place with the buildings, than ripping up a brand new road.

There’s a building behind the florist that is outside of the 40B permit, and is part of the 1986 Mashpee Commons Special Permit. There’s four commercial spaces on the first floor, and five apartments on the second floor. Building 40, 41 and 42 all have commercial space on the ground floor. Building 40 has about 2300 sq. ft., Building 41 has four smaller spaces, 750 sq. ft., and 42 has about 2200 sq. ft. for that commercial space. There’s one tenant that is taking over the entire commercial space in building 42. There is nothing lined up yet for building 40 or 41. But once they start to take shape, it will help people to visualize what things will look like.

Mr. Gould is concerned with the delivery trucks blocking the road ways for other vehicles and pedestrians. Mr. Feronti said it’s difficult to “police” this activity on a daily basis and has addressed it with the drivers and tenants.

Mr. Feronti stated the affordable housing lottery process started early in the year working with the SEB consultant in conjunction with the office. They have a screening and qualification process that individuals have to go through, and then they meet with Mashpee Commons for another qualification process. The five affordable units are already leased and some people have already reserved for the future units. They have gone through the screening process and are willing to wait until those units are ready. The percentage of affordable units is 25% of each sub-phase. All 52 units are rentals for Phase 1A. Some future units will eventually be for sale.

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Mr. Bud Abbott, Chairman of the Affordable Housing Committee addressed the Board and wanted to ask Tom Feronti a couple questions about the affordable units. He thought there were twenty eight (28) units, and that seven (7) were affordable.

Mr. Feronti said that the important number is 52 total, and 13 units are affordable. The permit is not structured as to which order the buildings are constructed, it is based on the sub-phase and how many units are in that sub-phase.

Mr. Abbott asked if the building units were handicapped accessible.

Mr. Feronti stated there are specific units in the buildings that are Group 1 and Group 2 accessible. Buildings 40, and 41, and 42 have a first floor unit that is wheelchair accessible.

Mr. Feronti thanked the Board and concluded that he will be back in another six months with another update.

**Approve August 10, 2016 Meeting Minutes**

Mr. Gould made a motion to approve August 10, 2016 meeting minutes. Mr. Goldstein seconded. All were in favor.

Mr. Pittsley made a motion to adjourn. All were in favor. The meeting adjourned at 6:43 pm.

Respectfully submitted,

Mary Ann Romero  
Administrative Secretary  
Zoning Board of Appeals