



Meeting of the Mashpee Planning Board

Wednesday, May 4, 2022

Waquoit Meeting Room

Mashpee Town Hall

16 Great Neck Road North

Mashpee, MA 02649

7:00 PM

Broadcast Live on Local Channel 18

Streamed Live on the Town of Mashpee Website: <https://www.mashpeema.gov/channel-18>

Call Meeting to Order

- Pledge of Allegiance

Approval of Minutes

- Review of Meeting Minutes from April 6, 2022

Public Discussion

Public Hearing

7:10 PM (Continued from April 6, 2022)

Applicant: Marcello Mallegni, Forestdale Road, LLC

Location: 523 Main Street (Map 26, Block 6)

Request: The applicant requests consideration for approval of a 9 lot definitive subdivision plan of land consisting of approximately 18.05 acres located on Main Street (Route 130) between Nicoletta's Way and Echo Road

New Business

- Sign special permit modification decision approving the request by Michael and Lisa Cannata to increase the allowed number of seats in a food establishment at 2 Center Street from 12 to 35.
- Discussion relative to anticipated request for covenant release for properties addressed as 17 Silverleaf Lane – Mr. John Rodrigues

Old Business

- Status of Local Comprehensive Plan Update with Weston & Sampson

Chairman's Report

Town Planner Report

- Update on Popponessett Overlay District
- Floodplain Bylaw amendments
- Cottage Court Zoning



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Board Member Committee Reports

- Cape Cod Commission, Community Preservation Committee, Design Review, Plan Review, Environmental Oversight Committee, Historic District Commission, Military Civilian Advisory Council.

Correspondence

- Town of Falmouth Notices
- Town of Sandwich Notices
- Town of Barnstable Notices
- March 2022 Discharge Monitoring Report for South Cape Village – N= 4.0
- February 2022 Discharge Monitoring Report for South Cape Village – N= 3.6
- January 2022 Discharge Monitoring Report for South Cape Village – N=2.1

Additional Topics (not reasonably anticipated by Chair)

Adjournment



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**Mashpee Planning Board
Minutes of Meeting
Wednesday, April 20, 2022 at 7:00PM
Mashpee Town Hall - Waquoit Meeting Room
16 Great Neck Road North
Mashpee, Ma 02649**

**Broadcast Live on Local Channel 18
Call-in Conference Number: (508)-539-1400 x 8585
Streamed Live on the Town of Mashpee website <https://www.mashpeema.gov/channel -18>**

Present: Jack Phelan, Mary Waygan, Joseph Callahan, Dennis Balzarini, Robert (Rob) Hansen

Also Present: Evan Lehrer – Town Planner

Absent: Chairman John Fulone

CALL TO ORDER

Vice Chairman Phelan called the meeting of the Planning Board to order at 7:00P.M. The Pledge of Allegiance was recited.

APPROVAL OF MINUTES – April 6, 2022

There were no comments regarding the meeting minutes.

MOTION:

Mr. Balzarini moved to accept the meeting minutes for April 6, 2022 as written. Seconded by Mr. Callahan. All in favor.

PUBLIC DISCUSSION

J. Marie Stevenson- She is the Chairperson of MIDC and she is speaking for herself this evening, which she noted was important to mention. She has been a member of MIDC and had to explore this subject in great detail, diversity, belonging, and inclusion. She also has a background in group process and communication. With that being said, she wants to support the process, she believes in it. There are issues, while we are considering all concerns and recommendations that citizens offer, she had a wonderful conversation with Mr. Lehrer, and worked out some of her own concerns. She would like to elaborate on her perspective. Firstly, you cannot include by excluding. Ironically, the circle process comes from traditions of indigenous peoples. The concept of sharing power instead of exerting power over one another. One way to impede that process is to eliminate. The two persons highlighted by the Board Chair represent two groups specifically: women and Tribal members. These are the optics and they are not good. In her opinion, we can and should welcome all participants and anybody we can include, whether or not they are elected or volunteer, like in her case. There can be clear rules and that was very well delineated by Ms. Waygan and Mr. David Weeden in how they conducted themselves at the LCP meeting. At the Kickoff she identified herself as the Chair for the MIDC and proved to be useful



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in her breakout group. The process allowed for a facilitator for each group and there are ways to ensure rules of engagement are followed. In summary, we should support the process, trust in it, remedy the problem, address concerns, and reestablish trust. That is what we need. One other optic, occurring on this Board and other committees, with people resigning and the concept of group process and communication. In the instance of this Board, there has been an optic that looks like bullying. She will let people consider that. Maybe the town can hire a consultant to come in when a Board/Committee is restructured or there is toxic behavior. The mediator can help the process.

Mark Grecco- He was assigned to table number one at the recent LCP event on April 9th. The woman from Weston & Sampson was the moderator. They were asked to discuss the strengths, challenges, and improvements for Mashpee. Mary Waygan asked to speak last after everyone already contributed. After reading the article in *The Enterprise*, he realized Ms. Waygan chose to speak last as to not influence the opinions of others. John Fulone's concerns about her participation go without merit.

Lynne Barbee- She will hold her remarks for the Chair of this Board for when he is back from vacation. She would like to specifically address the LCP and the first workshop. The consultants explained it was a document and a process, and hopefully it is far more. It must be a directive for Boards, Commissions, and Committees to do more, different, better, and less because that is what the town needs and the tax payers want. It is instructive to look at existing/old LCP, Mr. Lehrer will make copies of the summary available, and it is several hundred pages. It will also be online. The town is a different place now. Climate change and water changes are different as well as the population. Development has affected the environment. It is essential to see where we were and to see where we hoped to be back in 1998, determine what those in governing positions and budgets or zoning were able to accomplish and what we could not do and why. No matter how much envisioning happens currently, the people in today's governing positions will have to figure out how to actually accomplish the goals of the LCP, which brings her to the LCP workshop. There were at least four elected officials present, not just the two who were criticized. There were also many who serve on committees such as the Finance Committee, Community Preservation Committee, Human Services, Conservation, and Water Commission. Many brought important expertise, but all ideas were welcomed equally. We want these people on these commissions and committees to be engaged because they will have the responsibility as well as Select and Planning Boards to implement the LCP. These are neighbors and friends, not some elusive power base. One of the strengths of Mashpee is the opportunity for direct democracy serving on committees and boards and voting at Town Meeting. It requires work and participation. We want and need to hear from more people. The existing LCP is the broad outreach the then Planning Board achieved, we should thank them. Currently, we are on a condensed timeline for this LCP, which is a shame, but we must do our best to have workshops and meetings and survey results from other residents. Hopefully technology will help. As many participants would agree, putting residents in a room together can be informative, creative, and productive. Others may point out negatives. She has pledged to help Mr. Lehrer with as many workshops as people want. There is an extensive list of stakeholders and the consultants have created tools for future workshops. If you belong to an environmental or homeowners organization, or public safety, we want to do a workshop with you. She is here to help, she hopes others will also.



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Kathy Jacobson- She participated in the LCP workshop on April 9th and was assigned to a break out group. David Weeden was at her table. She just wants to comment as a follow up to Mr. Fulone's Public Comment, in no way did his participation influence the rest of the table. All eight people contributed ideas, brainstorming strengths and weaknesses equally. She thought his participation and knowledge of the history was helpful and his role was as a citizen not an elected official. She doesn't see why he or anyone else should be discriminated for participation. There were other town officials other than just Ms. Waygan and Mr. Weeden. His input was valuable as well as every other participants input.

Greg Mckelvey- He was at the LCP meeting from beginning to end. To disclose, he is a stakeholder and on the Finance Committee. He realized it got off to a rough start, and in bringing stuff forward adjustments were made. He sat at his table and was totally impressed with what was happening. They were talking, agreeing, and disagreeing. There was no name calling or abuse, but dialogue, and that was needed. He thought Mr. Lehrer did a great job and he will help in any way with the process. This is an important process. Everyone that is a citizen is an important stakeholder. He encourages everyone to come to meetings. It can be a learning experience and sometimes people are timid, but the more diversity of people the better, that is truly important. As he serves on the Finance Committee, he knows the town is always in need of committee members. These lists do not discriminate against women or any ethnic group. He encourages every group to serve on a committee. He appreciates the process.

Michaela Colombo- She took a minute to thank Mr. Lehrer. A question came up regarding the whereabouts of the documents. Several people had asked for transparency. She reached out to Mr. Lehrer and he got back to her promptly, he sent a list over, and they will be uploaded on the webpage. She does appreciate his response. Throughout the meeting, she agrees with what has been said so far. She appreciates everyone who was at the meeting, it was a rocky start in the larger group, but once everyone was in their smaller group, the facilitators did a great job. Everyone who participated did a great job. She, like many others, was pleased to have people represent the town who know the town and can provide important insight. She was seated with Ms. Waygan in the breakout group. She did not realize that she purposefully did not speak, and she did say multiple times she was to save her comments for last, and most people spoke more than once before she contributed. People agreed and disagreed and it was a rich conversation. At no point did she feel the conversation was steered, quite the contrary. She was appalled as she attended the Select Board meeting and she did not understand the criticism of Ms. Waygan and Mr. Weeden. She appreciates the fact they were both there and she appreciated their participation and is thankful for all their hard work.

David Weeden- He wants to express his concern with Chairman Fulone coming to the Select Board meeting and stating what he said. He was taken aback when he framed it as though the consultant determined elected officials could not participate in the process. He does not feel it was right for the consultant to make that determination. The other issue he took, he sees a pattern of Mr. Fulone representing himself as Chairman of the Board. He was stating things as he was speaking from that position. From his knowledge, that is not allowed. He is here as a resident and a citizen and not in any other capacity. He does have a voice as an elected official. He does not want his voice to be softened, especially from consultants from New Jersey. Overall, it was rocky at first, he feels a lot of work went



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into the LCP. It's a very important document. It sets the tone and guides the process for how to move forward. We do not create new zoning bylaws from scratch, they are built on existing. The same should be done with this document, it's an update, but the old document needs to be referenced. How did we achieve goals and initiatives from the past? On the water quality, we failed. Housing, we are failing. People simply cannot afford to live here, especially with the new influx of property being purchased and the prices keep rising. It's a MA issue, not even locally on a municipal level. We need to provide affordable housing and this document can help. Protecting the environment and water quality, these are all critical issues, and with climate change, it's crucial we get this right. Mr. Lehrer is trying to do a good job with moving this forward, he wants inclusion. Once everyone moved out of the auditorium and broke out into smaller groups, the dialogue he was hearing around the room relieved some of his concerns. He would encourage all members of committees, boards, and commissions to attend meetings because there is insightful thought and dialogue. He is upset that Mr. Fulone came in and just read off something and singled himself and Ms. Waygan out, then got up and left the room. Lastly, he was a member of this Board at one time. The three years he served there was never any contention. Even when there were disagreements, it was done respectfully. He feels bad for Ms. Waygan as the only female of a predominately male Board. She is often ganged up on, someone used the term bullied earlier. There's a tone to communicate respectfully. No one person's ideas overpower the others. He just asked the Board to remember to treat each other fairly and respectfully and dial it down.

Paula Peters- She did not attend the workshop. She is fearful of going to town structured events because of the very thing being talked about. She saw Mr. Fulone's comments online and she was appalled by them. She feels there is a toxic environment in town politics that needs to be addressed, that come in the form of comments like that, silencing Ms. Waygan and Mr. Weeden. We elect people to offices in this town because we care what they think, whether we agree or not, we have put people like yourselves into office to sit at these tables and be intelligent thinkers. If we disagree, we can do that publicly or in meetings. She cannot imagine a consultant would say they will come in and have a workshop, but exclude public officials, it doesn't make sense. In an environment such as that, she is a pretty good thinker, but until that is cleaned up she does not wish to participate.

Marjorie Hecht- She would like to set the record straight about the off the wall comments by Planning Board Chairman at the last Select Board meeting concerning the Kickoff LCP workshop held on April 9th. She and the sixty or so residents who took the time to attend and participate were not empty vessels waiting to be filled. They are active and informed citizens who think about town issues. It's insulting to hear that Mr. Fulone thinks community leaders are clueless dummies. All the workshop tables came up with good ideas, and the same concerns and hopes for Mashpee. Perhaps those views are what Mr. Fulone doesn't like. She sat at the table with two previous speakers and Planning Board member Ms. Waygan. Ms. Waygan told everyone who she was and said she would speak last so as not to influence anyone. She took notes on their ideas. This table included the head of Mashpee Clean Waters, Finance Committee member Mike Richardson, representatives from two pond protection groups, a young realtor, and a Wampanoag Tribe leader. These are not exactly people likely to be swayed by any elected official. She doesn't think Mr. Fulone heard anything that went on at that table, although he discussed it. He was using a public forum to advance a personal agenda, not the elected



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officials he falsely accused. His blatant attack on Ms. Waygan and Mr. Weeden marks him a fact distorter that suits his own and backers' agendas. Who benefits, not the residents of Mashpee.

NEW BUSINESS

LCP Update – Kickoff Event debrief and discussion, next steps

Mr. Balzarini stated to the consultants when this process started that he worked on the original plan and there was still some good stuff in there, it doesn't need to be started from scratch. Last month he went to the Historical meeting. He mentioned to leave the entire chapter on the Historical Committee and add it right into the new plan. He also informed them to consult with Tom Fudala and Chuckie Green about new additions. He then hears nothing about the Wampanoag Tribe, and that is a great history for this town. Are they looking at the old plan?

Mr. Callahan echoed Mr. Balzarini's point about Tribal involvement, and the first document being a good starting point. He acknowledged the meeting starting out rough with some loud back and forth. He overheard someone say that the document was written when they were eight years old, and how does it affect them now. We need to use the old to build the new. The town certainly has changed and we need to learn from our mistakes like with housing and clean waters.

Mr. Phelan stated long before this process started, it wasn't about throwing it out, there is a lot we don't have to touch, and it just needs to be added on. The meeting prior to the Kickoff ended with a discussion about Board members participation at the event. Ms. Waygan sought clarification on if she could participate and he also spoke up that he wanted to see the conversation wasn't controlled by the Planning Board. He couldn't stay for the duration of the event. She wanted to be the last to speak and she did not control the conversation. It's unfortunate that the message that got sent out at the Select Board said something contrary to what was discussed and he just wanted to thank her in how she participated. This is a consensus driven Board, voices are together whether positive or negative. He always had problems with a member of this Board speaking to the public and representing the entirety of the Board and not having discussed it in group. When you introduce yourself as Vice Chair or Chair of the Planning Board, but you are representing to speak as yourself, by even saying that there is some implied knowledge people will derive from that. He thinks Mr. Weeden and Ms. Waygan did the right thing. He did not get to participate at the round table, but it sounded like it went well. The LCP needs updating, not replacement, to fit the needs in this community. There is a time table that needs to be adhered to and what everyone said here during the public participation. If you have a concern and you don't speak up then it won't get addressed.

Ms. Waygan thanked everyone for being here. She can feel the difference in this room because everyone being here tonight. She thanked everyone for all the comments and for supporting the work of the Planning Board. Since the opening of the LCP, she has taken some actions and hopes they are the actions that will be fulfilled on the towns behalf. She asked the Town Planner to add to any materials that go out from the Planning Board, especially maps, to include the four landmarks representing the Wampanoag Tribe. These include the Mashpee Wampanoag Government Center, land in the reservation, Old Indian Meeting House, and the Mashpee Wampanoag Indian Museum, at a minimum. She has spoken to the consultants, Rodney Collins, and Mr. Lehrer about how people are spoken to at



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public meetings that have a mic. That is a work in progress. She has asked all LCP materials be vetted by the Planning Board, including surveys and maps, so that collectively things can be considered before reaching the public. All materials produced as groups have been posted on the LCP website: www.planmashpee.com They haven't been summarized or analyzed if people want to look at the material. She wants to let the Wampanoag Tribal members know, regardless what anyone did with that map or how the consultants treated them, majority of tables put the Tribe as a resource for this town. The first comment made at her round table was the Mashpee Wampanoag Tribe was a resource to this town. She has worked side by side with David Weeden, and it was a pleasure when he served on the Planning Board. What Ms. Peters said broke her heart about not feeling comfortable or welcomed. There should be a workshop specially targeting the Tribe, held at the Wampanoag Government Center. If they don't want the consultants there, she understands, there are people who will volunteer to help with that. It's a pivotal moment in the town and she is ready to cross the bridge that is dividing the town and Tribe.

Mr. Lehrer would like to extend his appreciation to everyone who spoke tonight, the Board, and everyone who participated Saturday. He has been given constructive and critical feedback not only on the day but the process. There is a lot to be clarified. First, he would like to address the critical oversight that made the event not as productive as it could have been. First, to the Mashpee Wampanoag Tribe, all of its members in Mashpee and elsewhere, his most sincere apologies for not providing the oversight of the documentation he should have to make everyone feel this process was designed to empower you to participate. It was unintentional oversight but he knows it is one that carries weight and will not persist throughout the process. From the bottom of his heart, personally and professionally, his deepest and sincere apologies. He looks forward to working with the Planning Board and everyone to address the issues. He contacted Select Board member Weeden to begin addressing these items. He also reached out to the Tribal Chair to inquire about a potential workshop at the Government Center. There were a lot of questions raised at the meeting and since Mr. Balzarini has also addressed. Long term planning needs a base of existing conditions to vision and plan for the future. We are required, via this update, to develop assessments of goals, policies, and actions to ascertain what progress was made over time. He understands these questions have arisen because that was not made front and center. He will assess each LCP action plan and where the Planning Board stands, as well as what has been accomplished, why and why not. He will commit to ensure the Planning Board is undertaking a process consistent with best practice that honors and respects the foundation moving forward. He has begun using the list of documents on the Planning Department webpage, maps and resources section, literature review of LCP, and a link to the www.planmashpee.com website. When the request for proposal for the LCP was developed, merging was discussed to reduce redundancies. For example, Safety and Municipality Buildings will merge. The day was largely successful, there was a rocky start, but he was proud of the manner with which residents were participating. He left feeling there were accomplishments, despite issues noted earlier, that will no longer be of issue. Moving forward, he wants to remind everyone this is the beginning. Lessons learned at the event will only inform and improve subsequent events. May 7th marks the initial target for the next event, but that is Election Day. He intends to have the event on May 14th, which is the following Saturday.



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Ms. Waygan inquired if anything on the tribal calendar would conflict with that date.

Mr. Lehrer noted this does not need deciding tonight, he will check with conflicts, if any, he will let everyone know either outcome.

Ms. Waygan asked if they could all be held on Saturdays.

Mr. Lehrer commented that Saturday works best. He will work on getting to some smaller organizations as their schedules dictate. Unless someone can provide a better date or time, Saturday seems to work the best.

Ms. Waygan recommended contacting the Tribe, other town calendars, and the school calendar. The Planning Board is fine with the proposed date he will not need to check back.

Mr. Lehrer also wanted to mention it was not the intent, as he understands, of the hired consultants to prohibit any member of a board to participate or speak. The Planning Board is the elected body who acts as the guardians of the plan and the Board has a unique role in this. They were suggesting you be conscientious in this role, and allow for the free flow of dialogue. He thanked Ms. Waygan for her thoughtful participation.

Ms. Waygan stated that nobody can take away a right to freedom of speech. It is up to us to express ourselves, nobody can take that away. Her red flag went up and she clarified with them at the meeting prior to the event. She hopes Ms. Peters will come and she can sit next to her.

Mr. Lehrer reiterated that this is a participatory and inclusive process, to be successful, should capture the broadest cross section of this town and all of its diversity, inclusive of everybody, elected or else. Please come to the events, whether in writing or in person, participation is the metric of success. He hopes to see everyone and is hopeful and positive that we are on the right track. He would like to thank everyone for making the time. The consultants are on vacation and he will narrow stakeholder lists and focus workshops, further the website, direct lookups, and facebook posts. Mailers will hopefully drive traffic. Everything that is distributed out needs to be brought before the Board. There are numerous surveys. There is a lot more to come and opportunity for participation through this Board and the website. If you are unable to come, they are not the only opportunity. Your opinions matter.

Mr. Callahan stated there are a lot of people who still need to be reached. They could put flyers in the tax bill.

Mr. Lehrer noted his department will be getting a student intern from UFL. There will be summer community events. He will focus on opportunities for the future direction of the town and he feels like we are on the right path. He is thankful for everyone here tonight. He is committed to doing this right. If there is something in his ability or his authority as Town Planner, he wants to know. The issue needs to be rectified. He is an open book. If he is not available, his office is open, he will make himself available. He may even open office hours to discuss the process.



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Mr. Balzarini remembers when this process first rolled out, one chapter sometimes took six months to complete.

Mr. Lehrer reminded everyone to understand the limitations. The former LCP took six years with few elements for paid consultants. Doing it in that manner takes time. Now we are operating under a more condensed timeline. By the end of summer the consultants can fully analyze and compile. They are taking community input and inserting into the document. The draft updated plan should be completed by the fall. It will be adopted, presented at Town Meeting, edits, and then sent to the CCC. The resources and ability to gather and compile data is more efficient.

Mr. Phelan stated that whole book was written from scratch.

Mr. Lehrer commented that the documents are all publicly accessible information. There will be a final public workshop listening session to present the plan. The draft plan should be reflective of findings from each of those processes. If we don't have it right then the data should make it obvious. If we didn't capture data correctly then sections will be redone.

Mr. Hansen asked if the Board considered some visibility at the upcoming Town Meeting and upcoming elections. There could be a banner upon entry into the school.

Mr. Lehrer has not thought about it yet but he will.

CHAIRMAN'S REPORT

Correspondence relating to comments delivered to the Select Board on 4/11/2022

Mr. Phelan alluded to the number of items in the packet including correspondences. He would like to take a moment to thank everyone here. It has been a good three years. He learned a lot and he enjoyed his time serving on the Planning Board. He will still be around and hopes to be a resource. As of Friday he will be the new Fire Chief.

TOWN PLANNER REPORT

Update on Popponesset Overlay District

No update.

Floodplain Bylaw Amendments

Shannon Hulst, Floodplain Coordinator for Barnstable County, is available to come here. He would like to go through the current bylaw and begin boiling down a draft update. This item will remain on reports and he is hopeful by May he can produce a draft.

Cottage Court Zoning

He did meet with Willowbend representatives to discuss Cottage Court. What they are presenting is generally consistent but it isn't quite there yet. He really wants to make sure it is flexible enough to meet the need, but isn't so specific to that site it loses value to the rest of town. They are reworking that draft



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and he is not sure what direction to take. He intends to bring the draft in the next month. Willowbend has ways to go before getting the typology right. He showed a representation of what they brought to his office.

Ms. Waygan stated she might have something for the Town Planner to add to that list. She went to the Mashpee ponds update. The last piece was from the consultant hired with the municipal vulnerability money to deal with impacts of climate change. They discussed storm water in a very understandable way and targeted some of the bylaw and zoning to be looked at to deal with impacts of storm. Precipitation is more frequent because of climate, more precipitation and more condensed rain in shorter intervals. They earmarked parts of the zoning bylaw that could be looked at to address storm. You have the Floodplain Bylaw you might have storm water bylaw amendments.

Mr. Lehrer also noted the Commission did not approve the funds. He hopes the town will support the CPA funds. Additionally, the Commission notified the fire substation DRI was modified and no further action is required.

COMMITTEE REPORTS

**Cape Cod Commission-
Community Preservation Committee-**

No Report
Town Meeting May 2nd. There are several Articles and it will be held in the auditorium.

**Design Review-
Plan Review-
Environmental Oversight Committee-
Historic District Commission-
Military Civilian Advisory Council-**

No Report
No Report
No Report
No Report
No Report

ADJOURNMENT

MOTION:

Mr. Balzarini made a motion to adjourn the meeting at 8:09p.m. Seconded by Mr. Callahan. All in favor.

The meeting ended at 8:09p.m.

Next Meeting: Wednesday, May 04, 2022 at 7:00PM

Respectfully Submitted,

Christine M. MacDonald
Board Secretary



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LIST OF DOCUMENTS

Additional documents may be available in the Planning Department.

- Town of Falmouth Notices
- Town of Sandwich Notices
- Cape Cod Commission notice regarding DLTA Funding
- Cape Cod Commission regarding Mashpee Fire Substation Monopole DRI
- February 2022 Discharge Monitoring Report for South Cape Village – N=3.6
- January 2022 Discharge Monitoring Report for South Cape – N=2.1
- December 2021 Discharge Monitoring Report for South Cape – N=1.32

DRAFT

LOCUS INFORMATION

CURRENT OWNER: FORESTDALE ROAD, LLC
TITLE REFERENCE: DEED BOOK 24390, PAGE 193
PLAN REFERENCE: PLAN BOOK 272, PAGE 49
ASSESSORS MAP: 26
PARCEL: 6
ZONING DISTRICT: C3 11 R5
SETBACKS: FRONT 75' 75' 40'
SIDE 20' 50' 15'
REAR 20' 30' 15'
MINIMUM LOT SIZE: 40,000 S.F. 40,000 S.F. 80,000 S.F.
MINIMUM FRONTAGE: 200' 200' 150'
EXISTING TOTAL LOT AREA: 18.04± ACRES
NITROGEN SENSITIVE ZONE: ZONE II (PARTIAL STATE)
FEMA FLOOD ZONE DISTRICT: "X"
OVERLAY DISTRICT: GROUNDWATER PROTECTIVE OVERLAY DISTRICT (PARTIALLY)
LIGHT INDUSTRIAL OVERLAY DISTRICT (PARTIALLY)
MINIMUM ROAD END TURN AROUND: 120' DIAMETER
MAXIMUM DEAD END STREET: 800' (P.B. DECISION ALLOWED)
1,804±' PROPOSED
MINIMUM ROAD WIDTH: 50' (INDUSTRIAL)

GENERAL INFORMATION

KIERAN J. HEALY DATE
PROFESSIONAL LAND SURVEYOR

DEFINITIVE
SUBDIVISION
PLAN

532 MAIN STREET (ROUTE 130)

IN
MASHPEE
MASSACHUSETTS
(BARNSTABLE COUNTY)

OVERALL LOT PLAN

AUGUST 27, 2021

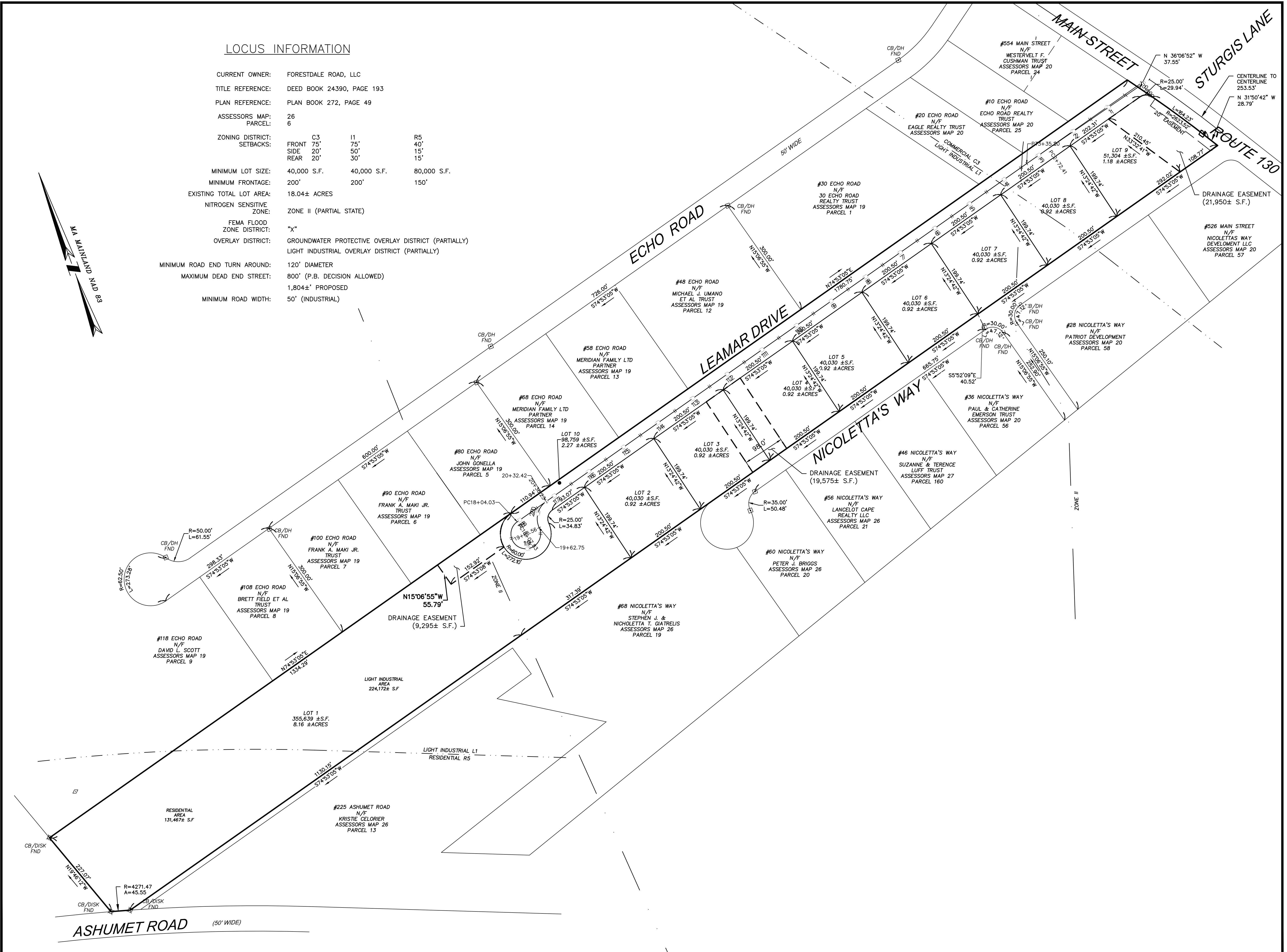
REVISIONS:

NO.	DATE	DESC.
1	2/11/22	PER PLANNING BOARD
2	4/1/22	ENGINEERING REVIEW

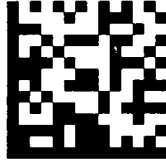
PREPARED FOR:
MARCELLO MALLEGNI
80 AIRPORT ROAD
HYANNIS, MA 02601

BSC GROUP
349 Main Street - Route 28
West Yarmouth, Massachusetts
02673
508 778 8919

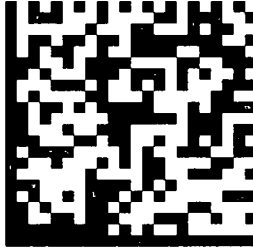
© 2022 The BSC Group, Inc.
SCALE: 1" = 100'
0 50 100 200 FEET
FILE: Projects-YAR\50474.00\C\50474.00-PP.dwg
DWG.:
JOB. NO: 5-0474.00 SHEET 2 OF 8



Cape Cod



02026



532 Main Street_Mashpee

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Message Confirmation Report

AUG-01-2006 11:19 AM TUE

Fax Number : 5083623136
Name : CAPE COD COMMISSION

Name/Number : 15085397932
Page : 12
Start Time : AUG-01-2006 11:15AM TUE
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CAPE COD COMMISSION

3225 MAIN STREET
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BARNSTABLE, MA 02630
(508) 362-3828
FAX (508) 362-3136
E-mail: frontdesk@capecodcommission.org

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FROM:

NAME: Stephen Giatrelis

NAME: Joan A. McCarty *Ex Dorel Fox*

FAX #: 508 539-7932

FAX #: (508) 362-3136

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CAPE COD COMMISSION

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BARNSTABLE, MA 02630
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FAX (508) 362-3136
E-mail: frontdesk@capecodcommission.org

Date: September 2, 2004

To: Mark Boudreau, Esquire

From: Cape Cod Commission

RE: Development of Regional Impact,
Sections 12 and 13, Cape Cod Commission Act

Applicant: Chris Wickstrom
Harwich Concrete Block Company
181 Queen Anne Road
Harwich, MA 02645

Project: 532 Main St. Clear Cut
Mashpee, MA

Project #: TR # 02026

Book/Page: Book 272, Page 49

DECISION OF THE CAPE COD COMMISSION

SUMMARY

The Cape Cod Commission (Commission) hereby approves with conditions the DRI application of Chris Wickstrom, owner of the Harwich Concrete Block, Mashpee, MA pursuant to Sections 12 and 13 of the Cape Cod Commission Act (Act), c. 716 of the Acts of 1989, as amended, for the clear cutting and mitigation of approximately 2.7 acres at 532 Main Street, Mashpee, MA (Project). The decision is rendered pursuant to a vote of the Commission on September 2, 2004.

PROJECT DESCRIPTION

The site of the approximately 2.7-acre clear cut is on an 18-acre parcel at 532 Main Street (Route 130) in Mashpee, MA. The site is currently a Significant Natural Resource Area (SNRA) as mapped by the Regional Policy Plan (RPP) containing undisturbed, unfragmented forest, except for the cleared area. The clear cutting occurred in April, 2002 by Harwich Concrete Block Company, when the property was owned by John Otis Drew. Subsequently, Harwich Concrete Block Co. purchased the property. Following the clear cutting, the Applicant continued to do further earthwork such as topsoil removal and digging, and grubbing (removing stumps) of a

532 Main Street TR # 02026 - Decision
September 2, 2004



large area toward the center of the clear cut. The Applicant plans to utilize the cleared area for truck turning space, and storage of vehicles and equipment related to the existing concrete block business on adjacent, leased property. The Applicant indicated there is potential for future development on the site, but nothing is proposed at this time. The Applicant has proposed mitigation in the form of permanent protection of 4 acres of land on site, and the revegetation of the buffer to Route 130.

The site is zoned commercial C-3, which allows "covered wholesale and business storage", but does not allow open commercial storage of building materials. According to the Mashpee Town Planner, the parking and vehicle storage use proposed by Harwich Concrete Block is allowed in the C-3 Zone.

The property abuts Nicoletta's Way to the south, existing commercial businesses along Echo Road to the north, open space to the west, and Route 130 and residences to the east.

PROCEDURAL HISTORY

The Project was referred to the Commission by the Mashpee Building Department on August 22, 2002. The Commission received the referral on August 22, 2002. A procedural hearing was opened on October 17, 2002 by a hearing officer, and continued. The hearing was closed by a hearing officer on January 13, 2003. Extensions for project review until September 26, 2003, and then to September 26, 2004 were granted by the Regulatory Committee on March 10, 2003 and September 22, 2003, respectively. A duly noticed public hearing was conducted pursuant to Section 5 of the Act by an authorized subcommittee of the Commission on August 12, 2004 at the Mashpee Town Hall. The public hearing was continued to September 2, 2004 and the record was left open for submission of written materials.

The subcommittee held a public meeting on August 26, 2004. At that meeting, the subcommittee voted unanimously to recommend to the full Commission that the Project be approved as a DRI, subject to conditions. A final public hearing was held before the full Commission on September 2, 2004. At this hearing, the Commission voted unanimously to approve the Project as a DRI, subject to conditions.

MATERIALS SUBMITTED FOR THE RECORD

Materials submitted by the Town:

- Letter from T. Fudala dated September 1, 2004
- Email from T. Fudala dated August 13, 2004
- Email from Tom Fudala, Town Planner, dated August 13, 2004
- Letter from Russell Wheeler to Harwich Concrete Block dated July 21, 2004
- DRI Referral via fax August 22, 2002 from R. Wheeler
- Copy of Mashpee Design Review Committee meeting minutes of July 24, 2002 meeting, via fax August 21, 2002 to Dorr Fox.
- Letter from Russell Wheeler, Mashpee Building Inspector, to Harwich Concrete Block dated May 15, 2002

Materials submitted by the Applicant:

- Letter from M. Boudreau dated July 26, 2004 and site sketch plan from Coastal Engineering dated July 3, 2003 with revisions dated July 21, 2004
- DRI Application, quit claim deed, letter from Harry Johnson Tree Farm to Chris Wickstrom, dated July 22, 2004
- Letter dated June 23, 2004 from J. Costedio, surveyor, to M. Boudreau
- Letter dated May 28, 2004 and sketch plan from Jack Costedio, surveyor, to C. Wickstrom
- Site photographs, Tree Restoration Plan dated January 22, 2003, and tree species list from C. Wickstrom to CCC staff on July 25, 2003
- Letter from J. McAuliffe to M. Twombly dated January 13, 2003
- Letter from John McAuliffe, Attorney for Chris Wickstrom, to Martha Twombly dated June 7, 2002

Materials submitted by Interested Parties:

- Copy of a letter from S. Heimberg to Mashpee Board of Selectmen dated August 26, 2004
- Letter from S. Heimberg dated August 12, 2004
- Letter from S. Heimberg dated August 9, 2004
- Letter and photographs from Arden and Steven Cadrin dated August 9, 2004
- Letter from S. Heimberg to M. Twombly dated July 27, 2004
- Letter from Sidney Heimberg to Jamie Reagan, Chair of the Mashpee ZBA, dated July 27, 2004
- Email from Arden Cadrin to M. Twombly dated July 25, 2002

Materials submitted by Cape Cod Commission:

- Draft Hearing Minutes from August 12, 2004 public hearing, dated August 20, 2004
- Staff Report dated August 4, 2004
- Letter from M. Twombly to M. Boudreau dated July 14, 2002
- Memo from M. Twombly to Tom Fudala, Mashpee Town Planner and R. Wheeler, via fax, dated July 8, 2004
- Letter from M. Twombly to M. Boudreau dated July 6, 2004
- Fax from M. Twombly to Mark Boudreau, attorney for C. Wickstrom, dated August 27, 2003
- Letter from M. Twombly to C. Wickstrom dated July 17, 2003
- Memo from M. Twombly to subcommittee dated February 28, 2003
- Letter from M. Twombly to C. Wickstrom dated January 6, 2003
- Letter from M. Twombly to C. Wickstrom dated October 17, 2002
- Letter from M. Twombly to Russell Wheeler, Mashpee Building Inspector, dated August 21, 2002
- Letter from M. Twombly to John McAuliffe, attorney for C. Wickstrom, dated July 12, 2002
- Letter from Martha Twombly to Chris Wickstrom dated May 10, 2002
- Letter from Dorr Fox to John Drew, owner of 532 Main St., dated April 25, 2002
- Digital photos of the clear cut submitted by Tana Watt, CCC planner, to Dorr Fox in April 2002

The application and notices of public hearings relative thereto, the Commission staff's notes, exhibits and correspondence, the transcript and minutes of meetings and hearings and all written submissions received in the course of our proceedings are incorporated into the record by reference.

TESTIMONY

Hearing #1 – August 12, 2004

Mr. Boudreau, attorney for the Applicant, stated that Chris Wickstrom is owner of the adjacent Harwich Concrete Block (HCB) business and that the subject property was under purchase agreement since 2001 with owner John Drew. While under contract, clearing was done on the property to create truck-turning space for the existing business. As mitigation for the clearing Mr. Wickstrom proposed to permanently protect four acres of open space on the site, and to revegetate the 50' buffer along Route 130. He said there are no current development plans but future plans may include the subdivision and sale of land to adjacent businesses along Echo Road, and/or be used for the existing HCB. He stated that any future development would go through local or Commission review.

Commission staff stated that the open space set-aside of four acres was acceptable as mitigation, and recommended a wider buffer along Route 130. Staff explained that clear cutting results in increased nitrogen loading to water resources and recommended a cash contribution for mitigation.

Mr. Broidrick raised questions about project segmentation, about uses permitted by local zoning, and about the lease term on the adjacent property. Mr. Boudreau answered that C-3 zoning on the subject parcel allowed a covered building, but did not allow outdoor storage of building materials, and that the lease for the existing business was 6 or 7 years.

Public Testimony

Sidney Heimberg expressed concerns about impacts to the Mashpee Wakeby Pond and the lack of consideration Mr. Wickstrom has shown to residents regarding dust, wind, stormwater, and truck traffic. He stated that open space protection was needed along Route 130, and that access should be from Nicoletta's Way.

Henry DeRocher wanted the cleared area to be revegetated with large, mature trees.

Steve Cadrin supported a 200' buffer along Route 130, and suggested a bond be levied to insure that revegetation is completed.

Barnet Berliner recommended that Mr. Wickstrom replace what was cleared rather than making a monetary contribution as mitigation.

Mr. Boudreau said the Applicant needed at least an 80' opening for safe movement of his large trucks into the parcel, leaving a maximum buffer to Route 130 of no more than 70'.

Ms. Kadar asked about the four-acre open space parcel isolated at the foot of the property. Ms. McElroy explained that it maintains the integrity of existing wildlife habitat with adjacent parcels.

Mr. Broidrick asked about stormwater management and Mr. Cole asked about site plan review for the cleared area. Mr. Boudreau answered that the Applicant would still have to go through local review for any type of development, and satisfy stormwater and parking requirements for the town.

Ms. Taylor suggested at least a 70' buffer to Route 130 be required.

Ken Clinton said that land along Route 130 should be preserved rather than land at the back of the property.

Mr. Fox clarified the Commission's scope regarding the clear cutting threshold, the DRI review process, and the setting of appropriate mitigation measures.

JURISDICTION

The Project qualifies as a Development of Regional Impact (DRI) under Section 3(e) of the DRI Enabling Regulations for "site alterations or site disturbance greater than 2 acres, including but not limited to clear cutting, grading, and clearing land, unless such alteration or disturbance is conducted in conjunction with a building permit for a structure or a DRI approval or in conjunction with a municipal project."

FINDINGS

The Commission has considered the application of Chris Wickstrom regarding the clear cutting, and based on consideration of such application and upon the information presented at the public hearing and submitted for the record, makes the following findings pursuant to Sections 12 and 13 of the Act:

General Findings:

- G1.** The Project consists of clear cutting of, and mitigation for, approximately 2.7 acres, on a portion of an 18-acre parcel, located between Echo Road and Nicoletta's Way on Route 130 in Mashpee, MA. This includes earthwork and grubbing on approximately 1.3 acres within the 2.7 acre clear cut. This Project approval anticipates the future use of 1.9 acres within the interior of the 2.7 acre cleared area for future development (where site restoration is not being required), and requires the revegetation of buffers to Rt. 130 and Nicoletta's Way.
- G2.** The Mashpee zoning bylaw requires a minimum 50-foot buffer between proposed development and Route 130. The clear cutting included the clearing of the required 50' buffer. The town has notified the property owner of this violation, and has been consulted as part of this review to rectify the action.

- G3.** The Applicant cleared the land without a valid building permit for a structure or DRI approval. The land clearing was not completed in conjunction with a municipal project.
- G4.** The Project is being reviewed under the 2002 RPP.

Water Resource Findings:

- WR1.** The Applicant cleared approximately 2.7 acres of unfragmented forest and removed approximately 1.3 acres of topsoil within the 2.7 acres at the site, a location in a Potential Public Water Supply Area and in the Mashpee River watershed. These regional resources are regulated under MPS 2.1.1.2.C and 2.1.1.2.F of the RPP, respectively.
- WR2.** The nitrogen load to the Mashpee River watershed exceeds the estuary's critical nitrogen load. Therefore, MPS 2.1.1.2.C.2 applies to the Project, requiring that no additional nitrogen load be permitted to the Mashpee River watershed by Developments of Regional Impact.
- WR3.** Based on Technical Bulletin 91-001 methodology, the clear cutting and soil removal results in a 6.5 kg-N/yr increase in nitrogen load to the Mashpee River watershed. An equivalent amount of nitrogen load will need to be eliminated from the Mashpee River watershed such that the project complies with MPS 2.1.1.2.C.2. The estimated cost to mitigate 6.5 kg-N/yr of nitrogen in the Mashpee River watershed is \$10,125. This contribution may be reduced to \$8,750 in conjunction with the revegetation of the 100-foot buffer along the property's entire frontage on Route 130 in accordance with Conditions CC1 and CC2.
- WR4.** The clear cutting and soil removal meets the 1-ppm-N nitrogen-loading limit applicable to Potential Public Water Supply Areas.
- WR5.** Based on a site visit conducted by Cape Cod Commission staff, the clear cutting and soil removal does not appear to result in the potential for stormwater runoff to offsite areas from areas where top soil has been removed.

Natural Resource/Open Space Findings:

- NR1.** Based on staff and town analysis, the area of clear cutting is approximately 2.7 acres on the site. This 2.7 acres included approximately 1.3 acres of earthwork and grubbing in a central portion of the clear cut. According to the plan, 1.9 acres will remain cleared (the development area), and it is upon this area that the open space requirement is based. The remaining cleared area located within the buffers to the site shall be mitigated through the revegetation and permanent protection of these buffers as required in Condition CC3.
- NR2.** MPS 2.4.1.2 requires that the clearing of vegetation shall be minimized. The clearing that occurred at 532 Main was executed without regard to minimizing vegetation removal.
- NR3.** As the site is located in a Significant Natural Resource Area due to the presence of unfragmented forest and a potential public water supply protection area, the Applicant must provide an area twice the development area of the clear cut to comply with the RPP

open space requirement, MPS 2.5.1.3. Harwich Concrete Block has agreed to donate a 4-acre lot at the rear of the site to the Town of Mashpee to comply with the open space standard.

- NR4.** As the project site is also located in the Mashpee National Wildlife Refuge, and was previously identified as potential open space to be acquired by the town, the location of the open space at the rear of the lot, in proximity to both existing protected open space and the Otis airfields, is appropriate for wildlife protection purposes.

Community Character Findings:

- CC1.** The clear cutting action triggered DRI review as it completely removed the naturally vegetated buffer to Route 130, a regional roadway, where local and regional regulations require the protection of natural landscapes as buffers between roadways and any development. Revegetation of the site as described in Conditions CC1 and CC2 will help restore the vegetated buffer to this regional roadway.
- CC2.** MPS 6.2.9 requires that "all development shall implement a landscape plan that addresses the functional aspects of landscaping, such as drainage, erosion prevention, wildlife enhancement, screening and buffering, wind barriers, provision for shade, energy conservation, sound absorption, dust abatement, and reduction of glare." Adjacent residential areas to the clear cutting have been experiencing these impacts based on testimony received at the public hearing. Implementation of a buffer restoration plan will mitigate these impacts to neighboring residential areas.
- CC3.** There is currently robust regrowth of oak, pitch pine, tupelo, and native understory vegetation in the clear cut area between the excavated area and Route 130 and along the northern and southern property lines. These areas, if left undisturbed and supplemented with an earthen berm and additional planting of the berm, will provide an adequate buffer between any future development of the site and the roadway, as well as other adjacent uses.

CONCLUSION

Based on the findings above, the Commission hereby concludes:

1. With mitigation measures, the Project will be consistent with the RPP.
2. With mitigation, the Project will be consistent with local zoning and the Mashpee Local Comprehensive Plan, based on consultation with the Mashpee town planner.
3. The proposed Project is not within a District of Critical Planning Concern (DCPC).
4. The benefits outlined in Findings WR3, NR3, CC1, CC2, and CC3 outweigh the detriments of leaving the site in its currently disturbed and degraded condition.

The Cape Cod Commission hereby approves the 532 Main Street clear cutting and mitigation as a DRI under Sections 12 and 13 of the Act, provided the following Conditions are met.

CONDITIONS

General Conditions:

- G1.** This DRI decision is valid for 7 years and local development permits may be issued pursuant hereto for a period of 7 years from the date of the written decision.
- G2.** Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this decision.
- G3.** The Applicant shall obtain all state and local permits for the proposed project.
- G4.** No further development work, as the term "development" is defined in the Act, shall be undertaken until all appeal periods have elapsed or, if such an appeal has been filed, until all judicial proceedings have been completed.
- G5.** Prior to issuance of a building permit for any development within the required buffers and the cleared area of the Project, the Applicant shall submit final plans as approved by local boards for review by Commission staff to determine their consistency with this decision and/or information submitted as part of the DRI review. If the final plans approved by local boards are inconsistent with this decision and/or supporting information, then they shall be reviewed subject to Section 7 of the Cape Cod Commission Administrative Regulations, Modifications to Approved DRIs, dated 5/30/02 and as amended from time to time.
- G6.** A Certificate of Compliance from the Cape Cod Commission shall be obtained by the Applicant prior to the sale or conveyance of any lot, or prior to the issuance of any local permits or any development as defined by the Cape Cod Commission Act, within the 18 acre property as described on the plans entitled "Site Sketch Plan, prepared by Coastal Engineering, Inc, dated July 3, 2003 and revised July 21, 2004" or on a subsequent Definitive Plan as approved and endorsed by the Town of Mashpee Planning Board. The restoration landscaping as described under Conditions CC1, CC2, and CC3 and the division of land for proposed open space as described in Condition NR1 are exempt from this Condition.
- G7.** Prior to a Certificate of Compliance the Applicant shall submit a revised site plan showing buffers, open space, and area to be retained as cleared area, to be reviewed and approved by Commission staff.
- G8.** The Applicant shall be responsible for providing proof of recording of the Decision prior to issuance of a Certificate of Compliance.
- G9.** The Applicant shall provide Commission staff with at least thirty (30) days notice of the

intent to seek a Certificate of Compliance. Such notification shall include a list of key contact(s) for questions that may arise during the Commission's compliance review. Commission staff shall complete an inspection under this condition within seven (7) business days of such notification and inform the Applicant in writing of any deficiencies and corrections needed. The Applicant understands that the Commission has no obligation to issue a Certificate of Compliance unless all conditions are complied with or secured consistent with this decision. The Applicant agrees to allow Cape Cod Commission staff to enter onto the property that is the subject of this decision for the purpose of determining whether the conditions contained in the decision are met.

Water Resources Conditions:

WR1. Prior to the issuance of a Certificate of Compliance the Applicant shall make a monetary contribution in the amount of \$8,750, payable to Barnstable County, to be used toward nitrogen mitigation in the Mashpee River watershed. The contribution shall be disbursed at the direction of the Commission's Executive Director.

Natural Resources/Open Space Conditions:

NR1. Prior to a Certificate of Compliance, the Applicant shall donate 4 acres as shown on the plan from Coastal Engineering dated July 3, 2003 and revised July 21, 2004 to the Town of Mashpee under the care, custody and control of the Conservation Commission for conservation and open space purposes. The deed and plan shall be approved by Commission Counsel prior to recording at the registry of deeds.

Community Character Conditions:

CC1. The Applicant shall provide permanent vegetated buffers on the site as follows:

- a). Buffer from Route 130 – 100' wide from the property line abutting Route 130, consisting of areas containing existing second growth vegetation supplemented with evergreen trees, and the remainder of the buffer consisting of a mixture of evergreen and deciduous trees with understory plantings to form a dense screen from the roadway. All planting shall be completed as described in condition CC2 below;
- b). Buffer from properties to the south (Nicolettas Way) – 30' wide from the southern property line and approximately 350' along Nicoletta's Way as shown on the plan entitled "Site Sketch Plan, prepared by Coastal Engineering, Inc, dated July 3, 2003 and revised July 21, 2004", consisting of existing second growth vegetation supplemented with evergreen trees to be planted as described in condition CC2 below;
- c). The applicant may seek approval for one (1) curb cut from either Route 130 or Nicoletta's Way within the 30' x 350' buffer. The location and width of the curb cut shall be approved by the Commission's Regulatory Committee.

CC2. Prior to issuance of a Certificate of Compliance, the Applicant shall submit a buffer restoration plan for the areas described in condition #CC1 for approval by Commission staff and the Mashpee Design Review Committee. Such restoration plan shall include the following:

Areas containing existing second growth vegetation

- No mechanical equipment shall be used in this area during installation in order to protect existing vegetation;
- Existing trees shall not be removed or damaged during installation;
- Planting locations shall be staked/flagged in the field prior to installation and approved by Commission staff and a representative from the Mashpee Design Review Committee;
- All planting holes shall be dug by hand;
- Trees shall be transported to planting locations by a ball cart;
- 6 – 8' evergreen trees shall be planted at a spacing of 15 – 20' on-center;
- Plan shall specify an irrigation system and program to insure the survival of all plantings.

Areas of new planting

- Plan shall include a 6' high and 30' wide earthen berm with a maximum 3:1 slope, starting from a point taken a minimum of 65' west of the property line (from Route 130), and extending 50' from the northern property line, to a point no closer than 50' from Nicoletta's Way.
- Plan shall consist of 60% evergreen and 40% deciduous trees with understory plantings to form a dense screen;
- 6 – 8' evergreen trees shall be planted at a spacing of 15 – 20' on-center;
- Deciduous trees shall be a minimum of 3" caliper;
- Plan shall specify an irrigation system and program to insure the survival of all plantings.

For all areas, planting shall take place only between September 1, 2004 – November 1, 2004 or April 1 – June 15, 2005.


Prior to issuance of a Certificate of Compliance, the applicant shall implement the above restoration plan. The Applicant agrees to allow Cape Cod Commission staff to enter onto the property that is the subject of this decision for the purpose of determining whether this condition has been met.

- CC3.** Prior to issuance of a Certificate of Compliance the applicant shall record a permanent open space deed restriction to maintain the buffer areas as specified in Condition CC1 of this decision. The deed restriction may allow for one (1) driveway access to the site from either Route 130 or Nicoletta's Way within the 30' x 350' buffer, upon approval by the Mashpee Planning Board.
- CC4.** All plantings installed as a result of this decision shall be subject to a maintenance agreement to ensure their survival. Prior to issuance of a Certificate of Compliance from the Commission, the Applicant shall provide a fully executed landscape maintenance contract for three (3) full growing seasons based on guidelines provided by Commission staff.

CC5. Prior to issuance of a Certificate of Compliance, the Applicant shall execute an escrow agreement of form and content satisfactory to Commission counsel to ensure the survival of all buffer restoration plantings. The amount of the escrow agreement shall equal 150% of the cost of the restoration planting, including labor and materials, with the amount approved by Commission staff. The check shall be payable to Barnstable County. Unexpended escrow funds shall be returned to the Applicant, with interest, upon a site inspection completed after three (3) full growing seasons. The Applicant agrees to allow Cape Cod Commission staff to enter onto the property that is the subject of this decision for the purpose of determining whether this condition has been met.

CC6. Plant materials specified by the landscape restoration plan prepared in accordance with Condition CC2 may be substituted with prior written approval of Commission staff.

The Cape Cod Commission hereby approves with conditions the application of Chris Wickstrom as a Development of Regional Impact pursuant to Sections 12 and 13 of the Act, c. 716 of the Acts of 1989, as amended, for clear cutting and mitigation of that clear cutting located at 532 Main Street in Mashpee, MA.




~~David Ansel, Chair~~ ALAN PLATT, VICE
CHAIR

Date 9/2/04

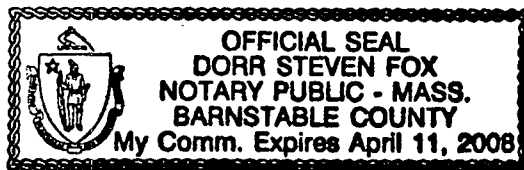
Commonwealth of Massachusetts
County of Barnstable

On this 2nd day of September, 2004, before me, the undersigned notary public, personally appeared ~~David Ansel~~ ALAN PLATT, personal knowledge to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.



Notary Public
Commonwealth of Massachusetts

My Commission Expires: _____



MEMORANDUM

To: Mashpee Planning Board
From: Evan Lehrer, Town Planner
Date: May 2, 2022
Re: Zoning and other regulatory considerations for Leamar Drive Definitive

Distance between Echo Road and Nicoletta's Way

Provided: 253.3' (Proposed to Nicoletta's)

Subdivision Rules and Regulations:

There shall not be less than 100' between the centerlines of any roadways (Street Design Standards: Plate #1)

Zoning Bylaw:

174-40 Accessways in Non-Residential Districts:

In the C-1, C-2, C-3 and I-1 zoning districts, **there shall be required a minimum separation of two hundred (200') feet between the centerline of any accessway to Routes 28, 151 or 130 or to Great Neck Road North and any other such accessway or to the sideline of any street intersecting said roadways.** Said minimum separation shall also be maintained between any accessway to a street intersecting said roadways and the sideline of said roadways.

Curb Cut Permit Policy

A curb cut permit for a project that generates more than 30 vehicle trips per day may require additional technical review beyond that which the DPW Director normally provides. The technical consultant will review the application and propose potential mitigating measures.

Local Comprehensive Plan

Requires project proponents to demonstrate, prior to any approvals before the Board, that there will be no degradation of traffic safety prior to the issuance of any approvals or permits.

Further, it requires that proponents demonstrate that the development will not degrade travel times, level of service, intersection delay, volume to capacity ratio, reserve capacity, or any other performance indicators for surrounding roadways.

Prohibits the development of new driveway curb-cuts on major roadways except where no feasible alternative site access is possible.

Cape Cod Commission DRI (2004)

Condition G6 in the Decision reads: "A Certificate of Compliance from the Cape Cod Commission shall be obtained by the Applicant prior to the sale or conveyance of any lot, or ***prior to the issuance of any local permits or any development as defined by the Cape Cod Commission Act, within the 18 acre property*** as described on the plans entitled "Site Sketch Plan, prepared by Coastal Engineering, Inc, dated July 3, 2003 and revised July 21, 2004" or on a subsequent Definitive Plan as approved and endorsed by the Town of Mashpee Planning Board. The restoration landscaping as described under Conditions CC1, CC2, and CC3 and the division of land for proposed open space as described in Condition NR1 are exempt from this Condition."

There are several conditions in the Decision that must be met before the Applicant may obtain a Certificate of Compliance, including the open space contribution.

In terms on the expiration of the Decision, while the development rights under DRI Decisions expire after seven years, the Decision runs with the land and any conditions or restrictions remain in force.

Recommendation:

In consideration of the above cited applicable rules and regulations pertaining to the proposed Learmar Drive the Board should consider the balance between the proponent's right to access the property and right to a curb-cut if no feasible alternative is present.

The minimum distance between Nicoletta's Way and to Echo Road are both compliant with the Mashpee Zoning Bylaw and Subdivision Rules and Regulations however the Comprehensive Plan (1998) discourages new curb cuts on major roadways if alternate site access is feasible.

The best case scenario in terms of mitigating anticipated transportation impacts is access from Nicoletta's Way.

If rights to Nicoletta's Way are not able to be negotiated for access then the Board could consider a traffic study consistent with the suggestions of the LCP and in the Selectmen's curb-cut policy to ascertain, in consideration of the uses common to the district, the peak hour traffic impacts prior to approval.

If the findings of that study demonstrate that the proposed street will not degrade travel times, level of service, intersection delay, volume to capacity ratio, reserve capacity, or any other performance indicators for surrounding roadways nor creates unsafe traffic conditions then the Board could consider approving as proposed.

If the findings adverse, the Board could consider denying the proponent's request to subdivide, but should be cognizant of the likelihood of appeal. Given the property owner's right to access the property,

the Town could consider taking the layout of Nicoletta's Way to avoid the potential transportation impacts the proposed road may cause and while providing access to the lot.

In closing, the Board also needs to consider how to manage the required 4-acre open space contribution as required by the 2004 DRI decision. While the decision is expired, the conditions and restrictions established in that document run with the land. The applicant ought to confer with the Conservation Agent on the most appropriate mechanism to handle that transfer.



MASHPEE
LOCAL COMPREHENSIVE PLAN

BUILDING THE VISION PUBLIC WORKSHOP

April 9th, 2022



Photo by Susan Dangel

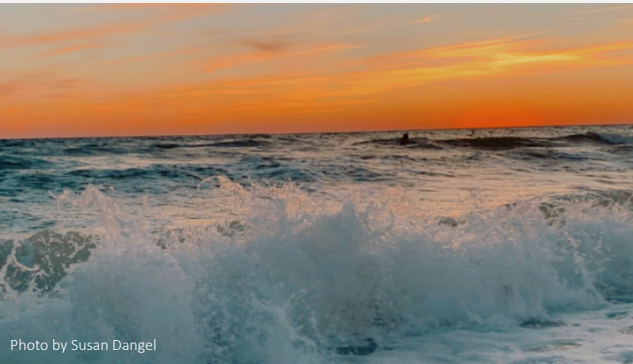


Photo by Susan Dangel

Agenda

10:20

Break Out Session 1
Strengths and Opportunities:
In 10 years, what aspects of Mashpee do you want to see?

11:00

Report Out

11:20

Break

11:30

Break Out Session 2
Weakness and Challenges:
In 10 years, what aspects of Mashpee do you hope to change?

12:05

Report Out

12:25


Dot Voting/Break

12:45

Wrap Up/Next Steps

1:00

Workshop Adjourns



2

What is a Comprehensive Plan?

Comprehensive planning shapes cities, towns, regions, and rural areas. It tells a community what it looks like today and where it wants to go in the future.

Development
Regulations



Budgeting



Policies



Programs



New Plans
and Studies



Local decision-making is consistent with the Comprehensive Plan

What is Visioning?

Community Visioning is a process that engages residents in developing a consensus on:

- 1) what they want their community to be,
- 2) where the community seems to be heading, and
- 3) what must be done to achieve the desired common vision.

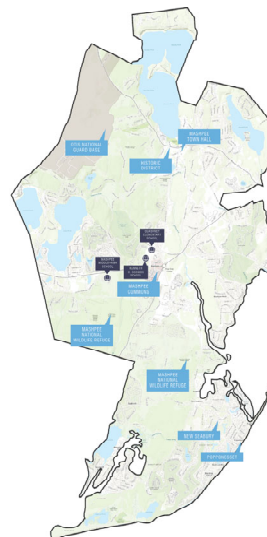
TIPS on VISIONING:

- Think high level
- Hear other ideas and opinions
- Find points of agreement



MASHPÉE
LOCAL COMPREHENSIVE PLAN

What do you **APPRECIATE**
or feel **NEEDS ATTENTION** in Mashpee?



What does Mashpee have
now that you want to
keep?

STRENGTHS

What about the Town is great and should be maintained?
(think: assets, advantages, resources)

OPPORTUNITIES

What are opportunities that can build on the strengths?
(think: what can the town capitalize on?)

What does Mashpee have
now that you want to
see change?

WEAKNESSES

What about the Town is great and should be maintained?
(think: assets, advantages, resources)

CONCERNS

What are future concerns about the Town?
(think: emerging trends, roadblocks)



Scan the QR code or go to
www.planmashpee.com to learn more!



From the 1998 Local Comprehensive Plan:

Vision Statement

In developing this Comprehensive Plan, one of the first items undertaken by the Local Planning Committee and the Planning Department was the development of a general statement of the Town's overarching "vision" of how it sees itself today, what it wants for its future, and what it wishes to achieve through this Comprehensive Plan. A June 2 and 3, 1995 "Vision Workshop" held at the Mashpee Middle School provided much of the background discussion which led to the Local Planning Committee's adoption of a "Vision Statement" for the Town, which reads as follows:

Vision Statement

Mashpee is a town with a proud and unique past. Though officially young compared to our neighbors, we draw on roots in a culture that has treasured this place for millennia. While many of us are relative newcomers, we respect the ancient traditions maintained by our Wampanoag community and respect the land and waters that we all now share.

The last half century has been a time of rapid growth, great change and some turmoil for our town. What has emerged is a strong and diverse community that seeks to enter the next century with a common purpose and shared identity.

Our vision for the future honors our past and the treasures that nature has given us. We have been a small community that welcomed many summer guests. Now, as we have grown, we hope to retain some of our rural character, the freedom of our woodlands, the purity of our waters, the closeness to our neighbors, the affordable cost of living and the tranquility that brought many of us here.

At the same time, we wish to boldly meet the challenges of the new century, to ensure the economic well-being of our citizens and to carefully improve upon what our predecessors have built. We want our children to achieve their maximum potential and our seniors to enjoy the fruits of their life's labors. We wish to feel safe in our homes and on our streets, to avoid the congestion, pollution and stresses of bigger places. We seek to maintain the highest quality in our community's appearance, facilities, services and all we undertake to do.

Our goals may be similar to those of other places and we share much in common with neighboring towns, but we know in our hearts that Mashpee is special. That is why we are here. That is why so many of us care about our town and are proud to call Mashpee home.

Our vision is to keep it so.

THEMES

- Honoring past and Wampanoag traditions and values
- Notes rapid growth and change
- Seeks a common purpose and shared identity
- Hope to retain nature and rural character, neighbors, affordable living, and tranquility
- Hope to meet challenges, ensure economic well-being, assure future for children and comfort for seniors
- Wish for safety and to avoid stress and congestion

Breakout Session: Challenges and Opportunities

20-30 Minutes – Breakout Session

10 Minutes – Report Out



MASHPEE
LOCAL COMPREHENSIVE PLAN

STRENGTHS

What about the Town is great and should be maintained?
(think: assets, advantages, resources)

OPPORTUNITIES

What are opportunities that can build on the strengths?
(think: what can the Town capitalize on?)



MASHPEE
LOCAL COMPREHENSIVE PLAN

WEAKNESSES

What about the Town is not great and needs improvement?
(think: vulnerabilities, disadvantages)

CONCERNS

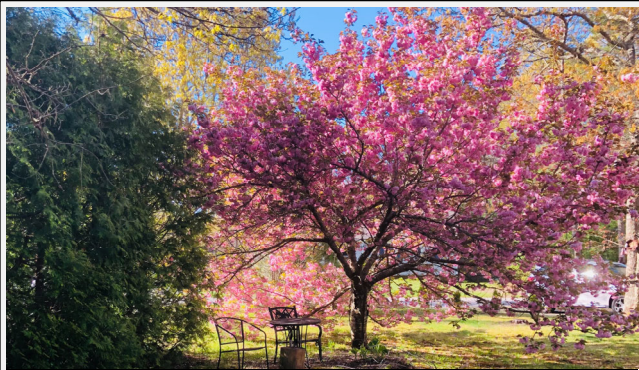
What are future concerns about the Town?
(think: emerging trends, roadblocks)

Facilitator Name: _____



Facilitator Name: _____





Next Steps

Project Timeline





WHY DO WE PLAN?

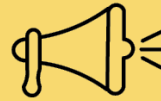


Planning establishes goals and policies for directing and managing future growth and development.

HOW CAN YOU HELP?



Talk to your parents, caregivers, family, and friends about Mashpee's upcoming comprehensive plan project and ask if they will participate.



Spread the word – help let your community know about the project by sharing with others like your baseball team, basketball team, girl scout troop, or other organization you belong to.

Share your input at www.planmashpee.com
#PlanMashpee

Weston & Sampson

Ongoing Efforts

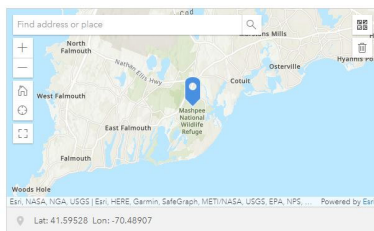
Online Engagement

Visioning Map Survey

Please use the map below to select the area that you appreciate OR have concerns about.

Map your thoughts!

Sometimes it is hard to describe in words what we observe. Use the drawing tool on the right side of the map and point to the particular area that you APPRECIATE or feel NEEDS ATTENTION, and use the comment box below to tell us why.



Youth Engagement

COMMUNITY PLANNING YOUTH ENGAGEMENT TOOLKIT: NEIGHBORHOOD WALK



COMMUNITY PLANNING YOUTH ENGAGEMENT TOOLKIT: ZONE YOUR TOWN



Stakeholder Interviews



Committee Meetings



Weston & Sampson

Upcoming Events



Public Meeting: Community Systems

- ~~Saturday, May 7, 2022~~
TBD
- 10:00am-1:00pm



Public Meeting: Natural Systems

- Saturday, June 11, 2022
- 10:00am-1:00pm



Public Meeting: Built Systems

- Saturday, July 23, 2022
- 10:00am-1:00pm

Weston & Sampson

THANK YOU

Weston & Sampson
transform your environment

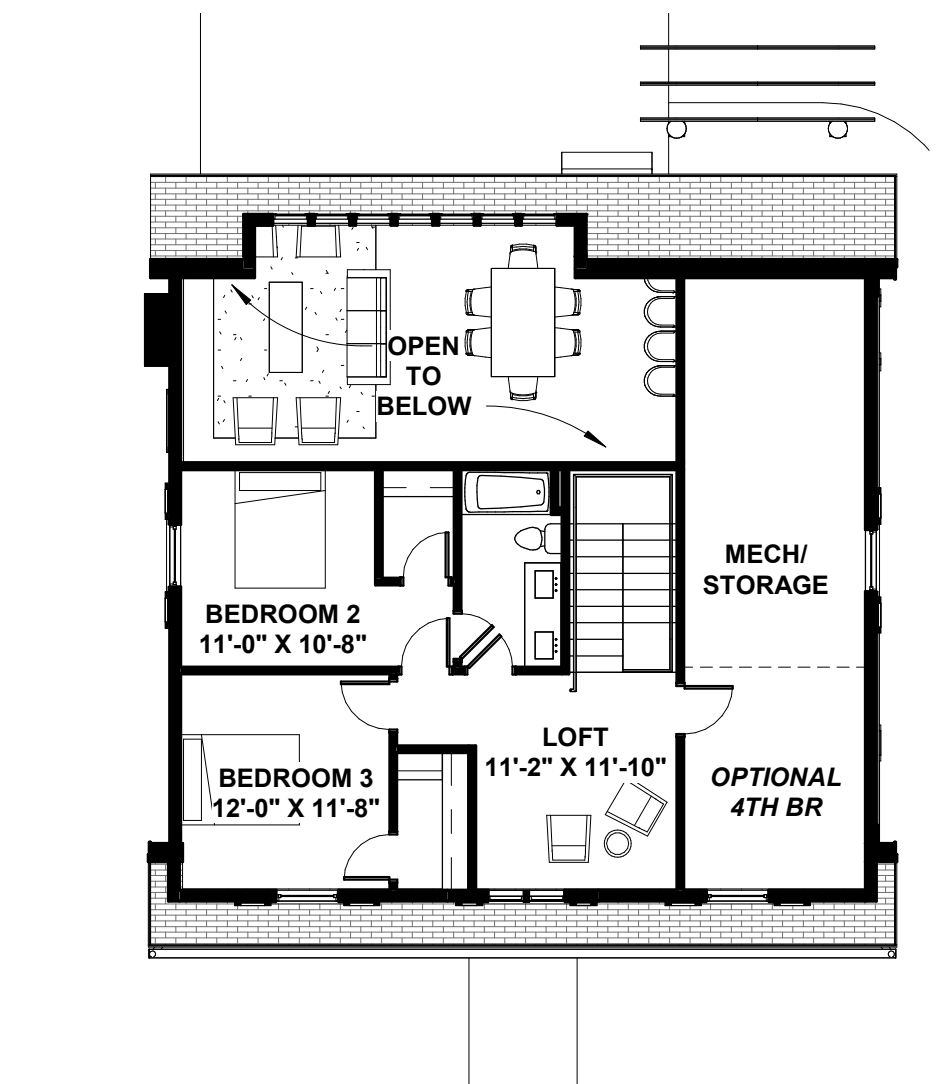
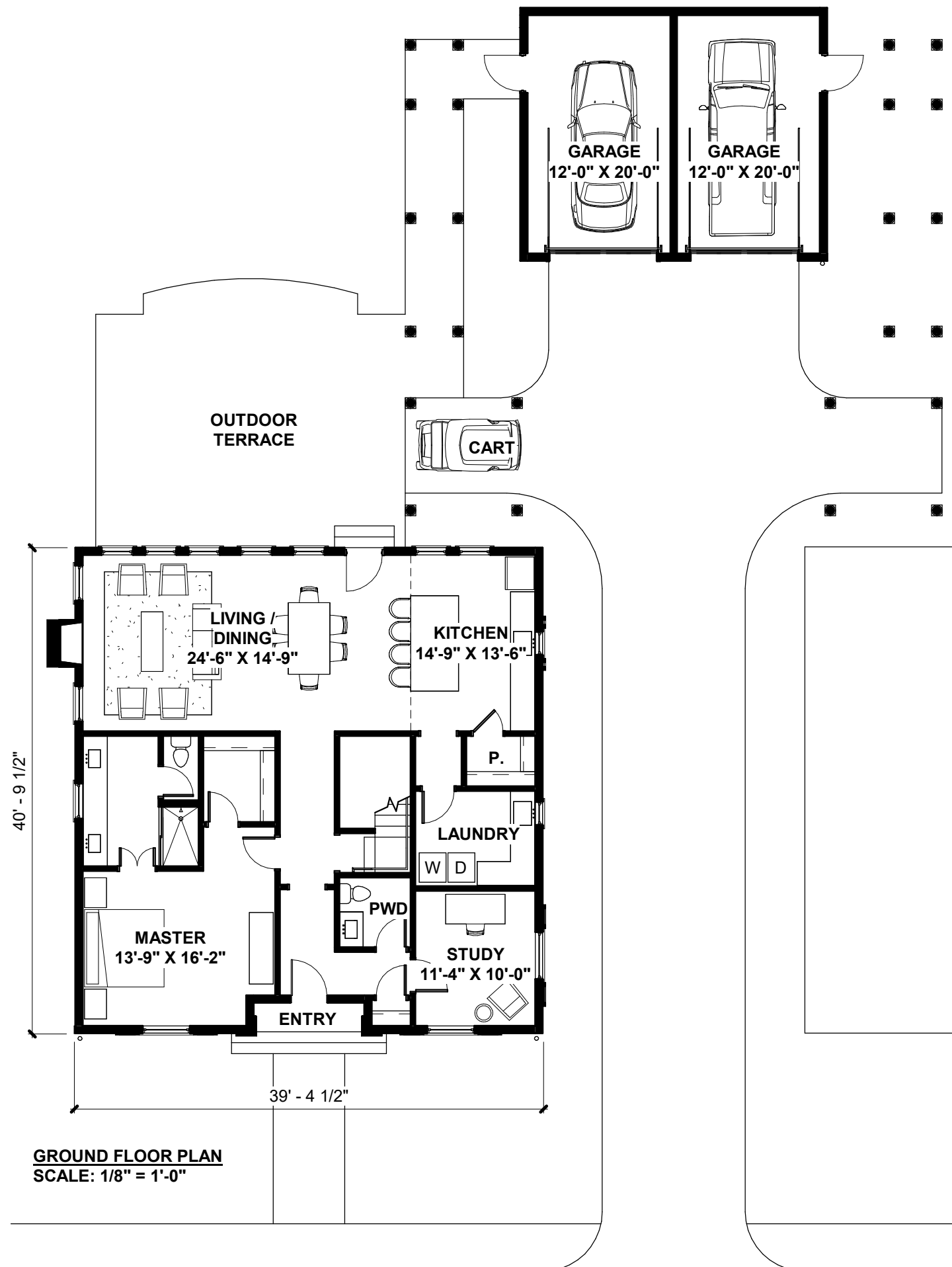


Mashpee Visioning Workshop - Summary of Input				Note - capitalizations, abbreviations, etc. below reflect original meeting notes.				
	Strengths	# of Votes	Opportunities	# of Votes	Weaknesses	# of Votes	Concerns	# of Votes
Table 1	Incredible natural resources	5	More diversity (age, culture, income)		Lack of acknowledgment of Wampanoag culture and history		Concerned about development - workforce, year round housing	1
	Conservation lands	5	Opportunity for sewer infrastructure (septic) wastewater infrastructure	5	Traffic already an issue 151 - left into 151 in summer	1	Sea level rise, managing impacts	3
	Wampanoag heritage	7	Linking/Taking advantage of cultural + natural resources to support economic development		Lack of housing diversity (year round)	2	State allows private wastewater facilities to discharge to estuaries if clean	
	Diversity is a plus!		Create sustainable Mashpee economy and communication	4	Walkability no sidewalk		Not learned lessons about development impacts	1
	Lots of things to do - live, work play						Find ways to incentivize the millennials to stay and businesses to come in. Add hotel (boutique or conference center). Finding affordable housing solutions. First time homebuyers cant afford and nowhere for seniors.	
			Boarding and Messaging		Lack of recreation and community resources for non seniors			
	Small town character		More support/continued for young families		Lack of community census - lack of vision		Private wastewater facilities of not address larger issues	1
					No community center - need a place to go for youth families. Bring more sports and activities to the local families.		Town will need to adapt sustainability measures (net zero)	3
	Shops and services		Fund balance between natural resources and economic development	2	No link between commons and community - higher traffic unsafe to walk/bike			
	Wonderful school system support for special needs children		Cultural Tourism, Eco-Tourism	8	Water pollution - ponds, oceans, rivers, includes beaches. South Cape beach - can't put face in water in some tides. Bay - loss of eelgrass. Huge difference in 6 years. Still have 1000s of cesspools. Kids not able to swim in Mashpee/Wakeby Lake.	7	Concerned about young families and young people leaving	
	Police & Fire support for the schools		Aqua-Culture		Local leadership not addressing water quality			
			More support for seniors (place)	1	Living with impacts of past development booms	1	Property owners are using air bnbs instead of year round unit	1
			Community Center - public for All Ages	4	Not listening to the Tribe then or now		Financial markets and public markets will require this	1
			Work collaboratively as a Town	1	Water quality related to flushes and stormwater		Young people leaving will continue to leave. Complete collapse of local economy.	8
	Table 2			Recreation swimming, hockey etc.		Pollution at Mashpee/Wakeby landing		
			More open space, conservation land	4	Bay is most polluted in Cape			
			Infrastructure for small business (sewer, water)		Complete collapse of Waquoit Bay and Popponesset Bay			
					All waterbodies are polluted	1		
					1998 plan identified water issues			
					English lawns - landscaping practices for location	1		
Environment		1	Need public forum for participation		Need to Tribe involved in decision-making	4	Look at bylaws on how to get things on town meeting agenda	
Trails		2	slow growth opportunity		more opportunities to be heard - all stakeholders		need more clarity and information to reach citizens technology	
Beach			job creation		water quality	5	Town is at max build out - strain on Town	
Schools		2	expanding green spaces		PFAS	2	Mashpee Commons Built Out	1
Cultural Diversity		2	civic education	1	Waste Management	2	Do we have staffing to enforce?	1
History			artist studios	1	Enforcement of existing laws - housing, lakes, water quality	2	Where does cannabis go?	
Ponds		2	diversify economy		Town website can be updated and user friendly		Don't want to be Hyannis and MV	
Town Infrastructure			affordable housing	1	Affordable housing	2	Virus - worse with climate change	
Trees		1	comprehensive communication method		Town meeting is too closed and infrequent		People who own 2nd homes	
							New neighborhood development	
Tribal Culture		4	research and development	1	Lack of modern tech infrastructure	1	decrease in trees, increase in tax income	
Ocean			local food supply		Rising sea level	1	Prioritization of business over residents	1
Small Town Feel			tech upgrades for remote	2	Groundwater and plastic	2	Food production when climate changes	
Natural Resources			need civil discourse	1	Surface water plastic (fishing)		Tree loss from solar arrays	
Community Garden		1	sewer	2	Golf course and turf and water quality		Utility costs - messaging	
Nature		1	public transport	1	Equitable growth economic	1	Better cannabis stores better weed	
Good community - safe			better water quality	3	Not enough recycling esp. plastic	1	Should have tree replacement plan	1
Honest town employees			renewable energy		Invasive species	2	Decimation of tree carbon release	
Wildlife Refuge			poportunity incentive for affordable housing		coordination of town officials (boards etc.)		Connecting IA septic system sewer - \$ deferment? Uncertain	1
Sense of Community			existing regulations and policies revisit				Nuclear plant	
			lead climate change	1			Tornadoes (climate change)	
			need factual info				All Town emergency responders with new growth	
						Bittersweet invasion killing trees		
		maintain open spaces and water quality for fishing/hunting				Resilience and planning for climate change	2	
Table 3	Natural Resources - Open Space	2	More housing - diverse type		sole source aquifer	2	Water treatment will negatively impact surficial water quality and drinking water	9
	Conservation 40% Protected		Increase transportation	1	public transportation mashpee areas - municipal circulation transit		PFAS	2
	Water Based Resources		Enhance H2O in Resource Areas		tough for young families \$	3	Gentrification	
	Diversity of Demographics		Improve Transportation Safety		Identification of critical natural resources. Key native ecologies	1	Housing costs	
	Historical Heritage with Tribe		Make electric public trans	5	water treatment (septic)	8	Need to achieve net zero	
	Schools	1	pedestrian circulation		mapping identification of town assets (accurately)		Affordable housing	5
	Tranquility		more walkable		promotion and protection of town center		Access to public transportation	
	Small town vibe - residents can have an impact on comprehensive planning process		environmental green energy related to future development and existing	1	availability of affordable housing		critical resource assets under threat	
	Bike path system		improve trail system		preparedness for climate change		unprotected eco-regions	
	Active recreation - spalsh pad		help protect natural resources		air quality protection		increased traffic seasonal and annual	
	Shore, Tidal, Shellfish Industry		affordable housing improvements	1	regulation enforcement		state regulated ponds - lack of control	
	Family Friendly		sustainable businesses shellfish		potential imbalance of short term rentals impacts infrastructure and town resources		challenging to support local Biz	
	Mashpee Commons, Entertainment - Commercial Zone		improve water quality		protection of coastal and upland ecologies		Shore cleanliness	
	Boys and Girls Club		landscape ecology education	1	lack of incentive for ADUs		waterbodies at risk	1
	Access to Town Beaches and Boat Ramps		integrate conservation		Implementation of net zero regs		toxic lake	
	Free PreK				post office location	2	rapid growth	3
	Trail System				maximizing regional resources		rising taxes	
	Community Collaboration for Achieving Project Success				over regulation of aquaculture		short term rentals (air bnbs) impacting housing	
					residents use is impacted policing residential stickors		rental commercial development impacts natural resources and infrastructure	
					safe walkability	1	aesthetics of above ground utilities	
					tapping out of town funding resources	1	aquaculture at risk	
					lack of incentives for ecotourism		solar development at expense of trees	1
					understanding impacts of boats on water quality		maintaining historic names - naming conventions	1
							habitat at risk	1
							maintenance of historic trails and ancient	1
							regional collaboration	1

Table 4	Environment - Trout Pond	14	Keep forests and trees sanctions for developers	1	no middle income restricted units/not enough affordable housing	3	Water quality	12
	undisturbed protected forests and abundant conservation land	8	expand affordable housing Ashers Path, Homeyer Village, Convert Existing Housing	1	dirty rivers and ponds	1	Future revenue sources	
	clean air		Outdoor Tourism		community center	9	ability to stay in home	
	mashee national wildlife refuge	2	tax sale properties for renewal		lack of community meeting space	6	keep up with potential growth	
	recreation shellfish		water quality	1	enforcement of existing laws		road conditions maintenance	
	abundant wildlife	1	creation of high quality museum facilities		Rond and Bay water quality	4	supply chain issues, cost of infrastructure	
	mashee woods	2	high quality senior services and physical education		Lack of sewage treatment	1	loss of wildlife habitat	2
	mashee river, beaches, ponds, rivers	3	Opportunities for trash collection and town service		Too much traffic	9	climate change impacts	4
	neighboring Crane National Wildlife Refuge		neighboring military base		Built but not occupied, burned down and not rebuilt		workforce housing	5
	mashee transfer station, low emissions elec vehicles on town fleet, fiscally conserve town manager		controlled econ development	1	sidewalks, bike trails/lanes		fiscal stability	1
	town facilities		explore renewable energy sources - energy storage facility		litter - enforcement of existing laws (dumping)	1	police and fire. Be aware and mindful of current events and act wuth the community in mind	
	COA and REC		explore alternative waste handling for organics and bulk items	1	civic engagement	4	substance abuse resources	1
	DPW - Snow removal		provide enhanced treatment of wastewater		Noise, air base noise		groundwater table	
	Wampanoag Tribe and Traditions		B+B Inns				rodent problem (trash)	
Table 5	good education with AR classes for HS students other schools don't have						enforcement of short term rental bylaw	
	Mashee Water District						polie resources for substance abuse call social services	
	Mashee's tripe A boat rating						future growth consistent with town character	1
							turnover in business in Mashee Commons	
							Commerical buildings need to be maintained	
							rennovation of existing strctures before new buildings	
	smart development (benches, native resources)	5	build more workforce housing		better sidewalks (runners, strollers)	1	understand impact of future growth	1
	schools (education)	3	clean up local water	3	public transportation	1	traffic safety	3
	library		build affordable housing	2	sewer/waste system		continuity pollution of water	6
	conservation	1	sewer system	2	cultural facilities	1	think better use of tech in community	1
	natural heritage	2	leadership on climate change		listening devices at town hall		investment in devices (technology)	
	fire and police department	3	more involvement (civic engagement)		fire and police response time too long (north)		expand fire and police department (third station northside of town)	
	direct democracy		redevelop abandoned areas		not lively enough		volunteers for boards	
			improve diversity		boards need more training		cost of living	
Table 6			local tax reform		connections between facilities		not planning enough for habitats and climate change	3
			acquire more conservation land	1	town website (av system, town hall)		recycling redeemable	2
			other economic development - more childcare		community meeting space (recreation center all ages)	2	electronic waste drive thru dumpster	2
			partnership and town government		lack civic engage	2	boards follow by law	
			social services					
			sea level rise					
			more open spaces	2				
			better coordination town boards					
	inclusive teachings in school		affordable housing	1	affordable housing and low income	5	changing character	2
	natural beauty		Access tribal culture	2	health care		year round residnets vs vacation	3
	natural resources (trails, woods)	5	develop jobs landing road as downtown	6	not enough beach access		over development	1
	proximity to bridges		geriatric hospital	1	lights	3	new economy	
	history		volunteer opportunities		declining water quality	4	concerns about short term rentals	
	native culture before and post contact		new cultural building	1	overbuilding drainage water quality sewage	1	retaining small town feeling	9
	increased acceptance of diversity		water quality	2	traffic		how will development impact taxes? (tax base)	1
Table 7	land value and high bond ratings		protect open spaces	2	bad cell phone reception		Environmental preparedness	5
	amenities for seniors		environemntal leadership	4	sidewalks! Traffic safety	1		
	town govt		attract younger people		post office in heavy commercial location	1		
	cultural opportunities on the cape area, arts and music				lack of community events			
	newness of town building				lack of community input developer driven	2		
	positive police department	3			sewage water	9		
	closeness of facilities				trouble receieving Town info. more than the newspaper			
					Drainage due to new development			
					too few streets for new developments			
					crossroads need more intermediary streets (bypasses)			
	water resources		sewer	8	traffic	2	cost of sewer	
	coastal water resources - conservation lands	3	reduce nitrogen phosphorus	2	water quality	6	limits to growth infrastructure	4
	freespace - open space	1	consolidation of schools		chapter 172 reg 30 rescinded n loading		where will the sludge go?	
	small town		buy trout pond	1	infrastructure		High taxes	
	south cape beach	1	community center		lack of power and shelter		goodjobs	2
	mashee river, beaches, ponds, rivers	1	need a sustainability officer		not town grant writer		lackof political will	
	popponesset spit		more housing	1	info sharing education and transparency hard to keep up all info		lack of input from young family voters	
	community feeling		housing for workforce families		over building. Increased density without infrastructure improvement.	3	carrying capacity- overdevelopment	10
	mashee river, woodlands, wildlife refuge		more affordable not densely built	1	not enough workforce housing and too expensive.	3	losing the benefits of the place. More people	
	south cape beach	1	building bridges between culture tribe and town		insufficient parking: mashee commons, south cape beach		sandbar constraints	
	school	2	more parkings at South Cape Beach		lack of town and Wampanoag tribe working together	1	rising seas water table	1
	Trout pond		use mashee commons for capacity		inactive but unhappy residents	1		
	suitable commercial development				lack of inclusiveness			
	boys and girls club							
	PFA's testing							
	transfer station	2						
	mashee commons	4						
	access to hospitals							
	SR							
	Pro active citizenry in regards to contamination	1						

Mashpee Visioning Workshop - Summary of Input (Top 5 in votes are highlighted)

Responses (Grouped)	Strengths # of Votes	Opportunities # of Votes	Weaknesses # of Votes	Concerns # of Votes
Natural Resources				
Natural Resources, Mashpee National Wildlife Refuge, Abundant Wildlife, Mashpee Woods	17			
Ponds, Rivers, Beaches, Water Resources	8			
Sewer Infrastructure, Wastewater Infrastructure, Septic Water Treatment, Sewage Water		18	19	11
Cultural Tourism, Eco-Tourism		8		
Water Quality, Pollution, PFAS, Groundwater		9	32	19
Forests and Trees Sanctions for Developers		1		
Reduce Nitrogen Phosphorus, Pro Active Citizenry in Regards to Contamination		2		
Enforcement of Existing Laws (Dumping, Water quality), Staff to Enforce			3	1
Invasive Species			2	
Sole Source Aquifer			2	
Rising Sea Level			1	4
Tree Replacement Plan, Solar Development at Expense of Trees				3
Loss of Wildlife Habitat				6
Heritage and Preservation				
Wampanoag Heritage, Tribal Culture	12	2		
Maintaining Historic Naming Conventions				1
Open Space and Recreation				
Conservation Lands, Protected Forests	16	5		
Trails, Open Space, Environment, Community Garden	13	6		1
Demographics				
Diversity	2			
Municipal Buildings, Facilities, and Services				
Schools	8			
Fire and Police Department	6			
Transfer Station	2			
Community Center, Artists Studios, Cultural Building and Facilities		6	18	
Technology Upgrades, Technology Infrastructure, Use of Technology		2		1
Alternative Waste Handling for Organics and Bulk Items, Waste Management, Not Enough Recycling		1	3	4
Geriatric Hospital		1		
Town Funding			1	
Substance Abuse Resources				1
Economic Development				
Mashpee Commons	4			1
Sustainable Economy, Develop Jobs, Equitable Economic Growth, Young People Continue to Leave		11	1	14
Affordability			3	
Transportation and Circulation				
Electric Public Transportation, Increase Transportation		7	1	
Walkability, Sidewalks			3	
Traffic	1		12	3
Housing				
Affordable Housing, Workforce Housing		8	15	11
Sustainability (Energy, Climate Change, GI)				
Environmental Green Energy		1		
Landscape Ecology Education, Landscape Practices		1	1	
Environmental Leadership		4		
Sustainable Measures (Net Zero), Resilience and Planning for Climate Change, Climate Change Impacts, Environmental Preparedness				17
Land Use and Growth Management				
Rapid Population Growth, Over Building, Development Impacts, AirBnBs instead of year round units, Impacts of Future Growth, Retaining small town feeling			4	32
Public Engagement and Collaboration				
Civic Engagement			6	
Lack of Community Input, Inactive Residents			3	
Regional Collaboration				1
Lack of Tribe's Involvement in Decision-Making			5	



COTTAGE PLAN WILLOWBEND





















523 Main Street Development Proposal

Jonathan Small <jjsmall514@gmail.com>

Mon 5/2/2022 5:53 PM

To: Evan Lehrer <ELehrer@mashpeema.gov>

WARNING! EXTERNAL EMAIL: : This message originated outside the Town of Mashpee mail system and could be **harmful** ☹. PLEASE DO NOT CLICK ON LINKS OR ATTACHMENTS unless you are absolutely certain the content is safe.

Dear Mashpee Planning Board,

I'm writing to you with significant concerns about the proposal to build a new road with curb cut on Route 130 to service nine lots to be developed at 523 Main Street. There are many complex safety, environmental and access issues to consider with this proposal. Among them:

- The proximity of the proposed curb cut to the existing intersection with Nicoletta's Way (within 150 feet).
- Why do we need to build a completely new road when the parties should/could find a way to use Nicoletta's Way instead?
- What are the implications for the existing crosswalk on the bike path/sidewalk? This would need to be relocated...to where?
- There would be too many intersections in close proximity to one another on a busy road and near the playground.
- This would become an extremely busy intersection, creating general safety concerns about confluence of traffic flow, both on the road and the bike path, and significantly increasing the traffic on Route 130 and around the neighborhood.

As an abutter to this property, I strongly urge the Board to consider all of these issues and the concerns expressed by neighbors before proceeding with this proposal.

Thank you for listening.

Jonathan Small
40 Sturgis Lane

523 Main Street Development Proposal

To The Planning Board Members

I am against the curb cut on 523
Main St, for this reason,

- is within 150 ft. of the existing
intersection with Nicoletas Way
- is in very close proximity to many
residential driveways
- the proposed road will exit onto
the exact location where the
bike path begins on the south
side of Route 130. have you
ever tried to cross 130 at this
location - impossible,

I have lived at 567 Main St for
at least 49 yrs. I have seen how
much traffic has become.
the bike path is used with a lot of
children on bikes, people walking
there dogs, runners,

If you put a curb cut there,
then it will be a danger to
everyone that uses the bike path.
"Please Don't" okay curb cut.

Forrest Tiexerra

ARDEN RUSSELL
32 STURGIS LANE, MASHPEE, MA. 02649
arden.cadrin@gmail.com

May 2, 2022

Dear Mashpee Planning Board:

I am writing regarding the proposed subdivision plan at 532 Main Street which is on the May 4, 2022 Planning Board agenda.

I am abutter to this property.

When I first learned of the proposed subdivision, I was concerned about the possible curb cut onto Rte 130 but then, as I did some more research, I discovered the important environmental value of the parcel and that there are actually many additional issues that need evaluation.

532 Main Street is an 18 acre undisturbed, unfragmented forest and is therefore identified as a Significant Natural Resource Area (SNRA). Unfragmented forests are important habitats for wildlife.

This parcel is within the boundaries of the Mashpee National Wildlife Refuge.

The parcel is located in a sensitive watershed that discharges to the Mashpee River which, as we all know, is currently a degraded water body due to nutrient overload. It is also in a potential public water supply area.

This parcel abuts Route 130 - Main Street- which is a regional roadway carrying high volumes of traffic. Route 130 is gateway into the Town of Mashpee.

The Select Board has guidelines for approval of curb-cuts. Guideline # 10 States: "Do not permit curb cuts within 200 feet of an intersection". This proposal is within 150 feet of another very busy intersection.

Additionally, there are a number of residential driveways also in close proximity to the proposed curb cut and two additional intersections with heavy, industrial traffic.

This proposed curb cut will exit directly at the location where the bike path crosses from east side to west side of Rte130; this crosswalk is already, currently nearly impossible to cross safely.

For these reasons, an additional curb cut will create an unsafe situation on Mashpee's Main Street.

Policy # 10 F "recommends additional technical review by a consultant for curb cuts that will generate more than 30 vehicle trips per day"; this curb cut clearly will.

When and by whom will this consultant review be initiated? This review should be conducted and the findings considered by the Planning Board PRIOR to issuing approval of the subdivision road.

Most importantly, the Guidelines state : “A permit will be granted if the proposed work is in the best interest of the Town and its inhabitants.”. Approval of this subdivision with a curb cut onto Rte 130 is definately **not** in the community's best interest.

This property has a regulatory history that was not discussed or even mentioned at the prior meeting. In 2002, 2.7 acres of this parcel were illegally clear cut. As such, there was a Cape Cod Commission Development of Regional Impact decision; this decision required “mitigation for the impacts of clear cutting 2.7 acres of land through the preservation of 4 acres of open space”.

Based on my research, it is evident this preservation of open space was never completed!

The DRI decision states (G6A): “A Certificate of Compliance from the Cape Cod Commission shall be obtained by the applicant prior to the sale or conveyance of any lot, or prior to the issuance of any local permits”. The parcel was conveyed in February 2010 without a Certificate of Compliance.

This community cannot talk about the severity of our degraded waterways while at the same time allowing additional development that negatively impacts and exacerbates the situation. Development proposals must be reviewed in a coordinated, comprehensive way to determine if it is in the best interest of the Town rather than the best interest of the developers bank account.

The facts of this proposal clearly speak for themselves: this subdivision should not be approved.

Sincerely,

Arden Russell

Arden Russell

Sturgis Lane

To: Mashpee Planning Board
Town Manager: Rodney Collins
Select Board Chair: Carol Sherman

We understand there is a proposal to build a new road at or near 532 Main St with a possible curb cut onto Rte 130, for the purpose of creating nine commercial and industrial lots.

We are concerned about the proximity of this proposed road to two intersections that already get very busy, Nicoletta's Way and Echo Rd. We are very concerned for the safety of walkers, joggers, and bicycle riders who have to cross Rte 130 near there in order to continue on the bike path. With extra vehicles entering and exiting Rte 130, as this project would create, the likelihood of accidents would increase.

We live on Sturgis Ln and are very grateful for the bike path. We use it regularly along with many others who use it for exercise and to access Heritage Park, the dog park, etc. It is already challenging to cross Rte 130 at Sturgis Ln/Bakers Rd with the current amount of vehicle traffic there.

What would happen to the cross walk that is currently there? Would the bike path be extended on one side of Rte 130? Which side?

We also understand the proposed parcel of land requested for development is within the Mashpee National Wildlife Refuge, designated as a Significant Natural Resource Area, is an important habitat for wildlife and is also a potential future water supply area.

Residents of our abutting neighborhood and the town need answers and more information about all of this. There seems to be many reasons not to build a road and subdivision in this area.

Please, for safety reasons, do not give approval to the DPW to make this curb cut.

It would be a great loss to our neighborhood in particular and the many other neighborhoods and individual homeowners along the bike path from Pickerel Cove to Stratford Ponds.

Sincerely,

Donna McCuish, 22 Sturgis Ln
Michael Shelton, 10 Sturgis Ln
Gennady Konnikov, 16 Sturgis Ln.