



Town of Mashpee

Planning Board

16 Great Neck Road North
Mashpee, Massachusetts 02649

Meeting of the Mashpee Planning Board

Wednesday, May 3, 2023

Waquoit Meeting Room

Mashpee Town Hall

16 Great Neck Road North

Mashpee, MA 02649

6:00 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 March 29, 2023 and from April 19, 2023

Local Comprehensive Plan Update

- Presentation from Jeff Maxtutis, BETA Group on the Transportation element of the LCP Update.
- Reminder of May 11, 2023 meeting at 3:00 PM, Mashpee Public Library, to workshop proposed Goals/Policies/Actions.

Public Hearings

7:10 PM (Continued from 04/19/2023)

Applicant: Southworth Mashpee Properties LLC

Location: 275 Quinaquisset Avenue (Map 69 Block 32)

Request: Applicant proposes to modify the Willowbend Country Club Special Permit to construct a 14-unit single family cottage community immediately contiguous to the Willowbend Golf Course. With these changes the total unit count for the Willowbend project would be increased to 287 if the Board authorizes the annexation of 275 Quinaquisset into the Willowbend Special Permit as allowed. 287 dwelling units is the maximum number of dwelling units authorized under the Special Permit. All units will be connected to and served by the existing privately owned wastewater treatment plant which serves the entire Willowbend project.

New Business

- Ockway Highland's Subdivision
 - Request by neighbors and abutters
- Planning for October 2023 Town Meeting
 - Solar Bylaw
 - Accessory Apartment zoning bylaw amendment
 - Potential Raze and Replace Amendment
 - Tree Protection Bylaw
 - Floodplain Overlay – Fill Prohibition

MASHPEE TOWN CLERK
APR 28 '23 PM4:15



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Old Business

- Affordable and Workforce Housing
 - ADU Workshop
 - HPP
 - Regional Housing Strategy
 - HAC Huddles

Chairman's Report

Town Planner Report

Board Engineer Report

- Project Reviews and Inspections

Board/Committee Reports

Cape Cod Commission, Community Preservation Committee, Design Review, Plan Review, Environmental Oversight Committee, Historic District Commission, Military Civilian Advisory Council, Harbor Management Planning Committee, Hazard Mitigation Planning Committee.

Correspondence

- Town of Falmouth Notices
- Town of Sandwich Notices
- Town of Barnstable Notices
- March 2023 Discharge Monitoring Report for South Cape Village – N = 8.1
- February 2023 Discharge Monitoring Report for South Cape Village – N = 4.0

MASHPEE TOWN CLERK
APR 28 '23 PM4:15

Additional Topics (not reasonably anticipated by Chair)

Adjournment



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MASHPEE PLANNING BOARD PUBLIC HEARING NOTICE

Broadcast Live on Local Cable Channel 18

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

Pursuant to Massachusetts General Laws, Chapter 40A, Section 5 the Mashpee Planning Board will hold a public hearing on Wednesday, April 19, 2023 at 7:10 p.m. from the Mashpee Town Hall, 16 Great Neck Road North in the Waquoit Meeting Room to review the following zoning articles proposed for action at the May 1, 2023 Town Meeting.

Warrant Article 30:

To see if the Town will vote to amend §174-25 (H)(12) of the Mashpee Zoning By Law "Table of Use Regulations" to allow for medium and large scale solar energy systems in the C-1 and C-2 Zoning Districts.

This article would expand the number of zoning districts where medium and large-scale solar energy systems could be permitted. Medium and large scale solar energy systems would be allowed as an accessory and/or principal use in the C-1 and C-2 zoning districts with a Special Permit from the Planning Board by amending the table of uses accordingly.

This article was submitted by the Planning Board.

Warrant Article 31:

To see if the Town will vote to amend §174-31, Land Space Requirements Table to allow for a reduced minimum lot frontage requirements for medium and large scale solar energy systems in the C-1 and C-2 Zoning Districts.

This article would allow the development of solar energy systems on lots that have a minimum of twenty-five (25) feet by amending the footnotes of the Land Space Requirements table in the Zoning Bylaw. Lot frontage of 150 feet is the minimum requirement for other uses in the Town.

This article was submitted by the Planning Board.

MASHPEE TOWN CLERK
MAR 23 '23 AM 8:47

Warrant Article 32:

To see if the Town will vote to add new section 174-45.7: Solar Energy Systems to the Mashpee Zoning Bylaws



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This article provides the application requirements and performance standards for any proposed medium or large-scale solar energy system. It facilitate and encourage solar energy system uses for medium scale (up to 40,000 square feet) and large scale (greater than 40,000 square feet) into the C-1 and C-2 Commercial Zoning Districts. Any medium and large-scale solar energy system proposed in either of those zoning districts would require an application to the Planning Board for a special permit outlining compliance with the minimum required performance standards of this article.

This article was submitted by the Planning Board

Warrant Article 43:

To see if the Town will vote to amend §174-25 (H)(12) of the Mashpee Zoning Bylaw Table of Use Regulations to allow for medium and large scale solar energy systems in the C-1 and C-2 Zoning Districts

This article would allow the development of medium- and large-scale ground mounted solar energy systems in the commercial (C-1) and (C-2) zoning districts with a Special Permit (SP) from the Planning Board and in the industrial (I-1) zoning district by approval of Site Plan Review per the standards for the placement, design, construction, operation, monitoring, modification, and removal of such installations as set by §174-45.7: Solar Energy Systems of the Mashpee Zoning Bylaws.

This article was submitted by Petition

Warrant Article 44:

To see if the Town will vote to add new section 174-45.7: Solar Energy Systems to the Mashpee Zoning Bylaws

This section promotes the creation of new small, medium and large-scale, ground-mounted solar energy systems by providing standards for the placement, design, construction, operation, monitoring, modification and removal of such installations that address public safety, minimize impacts on scenic, natural and historic resources and for providing adequate financial assurance for the eventual decommissioning of such installations

This article was submitted by petition

MASHPEE TOWN CLERK
MAR 23 '23 AM 8:47



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Warrant Article 45:

To see if the Town will vote to amend the Zoning Bylaws by deleting in its entirety section §174-17.1 Raze and Replace.

This article would remove the ability of the Zoning Board of Appeals to issue special permits to approve the demolition and replacement of preexisting non-conforming dwellings by deleting the applicable section of the Mashpee Zoning bylaw in its entirety. This article would not impact the ability for property owners to continue, extend, or alter pre-existing nonconformities as currently allowed by the Mashpee Zoning Bylaw and Massachusetts General Laws Ch. 40A Section 6.

This article was submitted by petition.

The full text of these articles may be reviewed in the Office of the Town Manager/Select Board and Planning Department

Submitted by:

Mary Waygan, Chair

Mashpee Planning Board

MASHPEE TOWN CLERK
MAR 23 '23 AM8:47

Publication dates: Friday, March 24 2023
 Friday, March 31, 2023



Town of Mashpee

Planning Board

*16 Great Neck Road North
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**Mashpee Planning Board
Minutes of Meeting
Wednesday, April 19, 2023 at 6:00PM
Mashpee Town Hall - Waquoit Meeting Room
16 Great Neck Road North
Mashpee, Ma 02649
APPROVED: 05/03/2023**

**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: Chair Mary Waygan, Karen Faulkner, Dennis Balzarini, Robert (Rob) Hansen

Also Present: Evan Lehrer – Town Planner, Ed Pesce – Consulting Engineer, Matthew Eddy – Baxter Nye Engineering, Jack McElhinney- Attorney for Southworth Properties, Glenn McCarthy – Citizen Petitioner, Lynne Barbee – Citizen Petitioner

Virtually Present: John Fulone, Troy Miller – Southworth Properties

Absent: Mike Richardson

CALL TO ORDER

Chairwoman Waygan called the meeting of the Planning Board to order at 6:15P.M.

Roll Call:

Karen Faulkner: Present, **John Fulone:** Present, **Mary Waygan:** Present

The Pledge of Allegiance was recited.

APPROVAL OF MEETING MINUTES – January 25, 2023, March 1, 2023, March 8, 2023, & March 15, 2023

March 29, 2023 minutes will be added to the next Agenda for approval. March 8, 2023 was the site visit to the proposed Willowbend project at 275 Quinaquisset Ave.

MOTION:

Ms. Faulkner made a motion to approve the four sets of meeting minutes. Seconded by Mr. Fulone. All in favor.

Roll Call:



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Ms. Faulkner: Yes, **Mr. Fulone:** Yes, **Ms. Waygan:** Yes

LOCAL COMPREHENSIVE PLAN UPDATE

Summary of public opinion survey and community engagement workshops/events

Mr. Lehrer stated the written summaries from every engagement are in the packet this evening, including the workshop from early January. In preparation for their next meeting with Weston & Sampson on May 17th he would like to go over some key takeaways from the process. Most notably, people's interests are in protecting and preserving water, ensuring residents have access to affordable and attainable housing, preservation of small town character, maintaining rich heritage and a vibrant economy, and remaining firmly rooted in rivers and other water bodies. He kept this in mind while drafting the Vision Statement and proposed goals, policies, and actions for consideration. He has this available to project on the overhead if needed. The charts from Survey Monkey do not look great so he is working with Weston & Sampson to make them more legible. He noticed the Economic Development portion is rather light. He has some findings and comments from business owners that he can expand on for that section.

(Mr. Balzarini entered the meeting).

Ms. Waygan wants all charts sent to Board members again. She also noticed there were very few comments regarding Economic Development. She has a copy of the Visitor's Guide that the Chamber puts out yearly. There was some excellent commentary from the new Executive Director of the Chamber, Superintendent of schools, and Tribal Chairman regarding the new Town Seal. She handed a copy to Mr. Lehrer to give to Weston & Sampson for consideration. She compiled a draft of other comments from the survey results with 620 respondents. In the question about rating quality of life, 90% of respondents stated it was good or very good. In the next question about quality of life improving, staying the same, or getting worse, 57% answered it stayed the same, while 30% said it got better, and 20% said it had gotten worse. However, in the comments section, when people answered it got better, their comment reflected a negative answer. A number one reason why it improved was goods and amenities, like shopping, entertainment, and services, and that Economic Development piece is right there. There was also mention of the age groups that represented the majority of the answer pool.

Mr. Balzarini stated there was not one mention about the school system.

Mr. Lehrer stated 50% of the survey takers were 60+ years of age while 25% were younger than 60 years old.



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Ms. Waygan expanded on answers people gave for why their quality of life had gotten worse, 60% said water quality. Traffic congestion came in second at 41%. Overdevelopment was 36%. In why people wanted to buy or move here, the number one factor was air and water quality, beaches and ponds, followed by quality of public services, like police, fire, schools, senior center, harbor master, followed by beauty and town character. She read that 70% of respondents answered they saw a need for more affordable, attainable, and workforce housing. She noted that types of housing will need to be looked into more by Mr. Lehrer and Weston & Sampson. Multifamily and single family were split down the middle at 50%. She also noted in the comments 31 people wrote in no more housing. She read the top 8 responses regarding housing. 76% of people support or strongly support redevelopment of existing buildings and properties into housing. 65% of respondents support or strongly support developers of new housing to donate a portion of units to low or moderate income housing. 62% support or strongly support the removal of barriers that would encourage a mix of commercial and residential in commercial. 60% said they would support height and density if a portion of the units were affordable, attainable or workforce. 60% support or strongly support town programs to encourage the use of more ADUs. 51% of respondents support or strongly support donation of town owned land to non-profit organizations for the construction of affordable housing projects. The question regarding where single and multifamily housing would be developed either everywhere or only in specific areas, 49% of respondents support or strongly support affordable housing only in specific areas, while 35% support affordable housing town wide.

She went on to discuss a question about protecting natural resources. 76% support or strongly support prohibition on new construction in the flood zone. 79% support or strongly support stricter stormwater management regulations and enforcement of stormwater violations. 72% support or strongly support prohibition on the use of chemical fertilizers. 71% support or strongly support prohibition on use of pesticides and insecticides. 73% support or strongly support landscaping requirements that encourage native vegetation. In regards to the adoption of a Tree Bylaw, 55% of respondents are in support of tree protection.

Mr. Balzarini inquired about the Tree Warden. Mr. Lehrer stated it is the Conservation Agent, but he only serves for properties that are in conservation jurisdiction, not town wide.

Ms. Waygan continued with the question regarding a street tree program, if people would be in support of the town maintaining and planting street trees and 63% would be in support. She ended with the question regarding which water based activity was utilized the most and 73% answered swimming. She will provide her raw data to Mr. Lehrer so Weston & Sampson can review it.



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Mr. Fulone wanted to point out that 620 responses is about 4% of residents.

Mr. Lehrer is satisfied with that number, the bar might be low, but it was quite successful.

Ms. Waygan told Mr. Lehrer the color coded spread sheet from the workshops is easy to follow along when working on goals and actions. She noted the flip charts that were broken down was great input from the very engaged participants.

Finalize Proposed Vision Statement

Ms. Waygan read the Vision Statement into the record.

She would like to input a few minor changes. In line three, she would like to remove the word economic from 'balanced economic growth', it now reads as balanced growth. Also, on line two, she wants to add natural beauty after small town character and before cultural heritage. A lot of people in the workshops talked about natural beauty.

Ms. Faulkner corrected line two where it was read as past injuries, it should say past injustices.

Ms. Waygan would like to add something for climate change. Mr. Lehrer will work on one and bring it back to the Board for May 17th. Also, she would like a phrase referring to the middle aged adult group. She noted the mention of teens, young adults, new families, older adults, she is still looking, as older adults are retired in her interpretation. Mr. Lehrer will also think on that age group. She also noted in the second to last sentence, relations with the tribe, instead of the term fruitful she wants to say mutually supportive.

Mr. Fulone thinks overall it has a negative tone. He prefers to be a little more optimistic.

Mr. Lehrer thinks it conveys a certain level of hope and optimism. It's important to acknowledge things in a candid manner.

Finalize questions, comments, and any edits of proposed goals, policies, and actions in preparations for the May 17 meeting with Weston and Sampson.

Ms. Waygan noted a lot of people suggested goals during the workshops, some are policies and actions, but that will be sorted. Under housing, there are two written goals, she has come up with eleven. She added to each section, and she added seven to Economic Development. She has lots of notes. She is curious if they should try to meet and exchange these ideas in a workshop.



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Mr. Lehrer's goal for May 17th is to come back with a complete package, policies and actions in particular. The Board will need to comment on the engagement summary and the appendices remain to be contemplated.

Ms. Waygan would like to workshop. She wants a time between May 8-12 to workshop at the library for three hours to go over the list. It was decided they will meet Wednesday, May 10th at 3:00PM in the conference room of the library. She noted people are able to sit and attend and would like the biggest room possible. Ms. Waygan stated BETA will be coming May 3rd to discuss the transportation work they did and the LCP will be worked on.

PUBLIC HEARING

7:10PM

To review the following zoning articles proposed for action at the May 2, 2023 Town Meeting:

Warrant Article 30: To see if the Town will vote to amend §174-25 (H)(12) of the Mashpee Zoning Bylaw "Table of Use Regulations" to allow for medium and large scale solar energy systems in the C-1 and C-2 Zoning Districts.

Warrant Article 31: To see if the Town will vote to amend §174-31, Land Space Requirements Table to allow for a reduced minimum lot frontage requirements for medium and large scale solar energy systems in the C-1 and C-2 Zoning Districts.

Warrant Article 32: To see if the Town will vote to add new section 174-45.7: Solar Energy Systems to the Mashpee Zoning Bylaws.

Warrant Article 43: To see if the Town will vote to amend §174-25 (H)(12) of the Mashpee Zoning Bylaw "Table of Use Regulations" to allow for medium and large scale solar energy systems in the C-1 and C-2 Zoning Districts. (Submitted by Petition)

Warrant Article 44: To see if the Town will vote to add new section 174-45.7: Solar Energy Systems to the Mashpee Zoning Bylaws (Submitted by Petition)

Warrant Article 45: To see if the Town will vote to amend the Zoning Bylaws by deleting in its entirety section §174-17.1 Raze and Replace. (Submitted by Petition)



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Ms. Waygan made a slide presentation. She read that no bylaw shall unreasonably regulate solar energy, except where necessary, to protect public health, safety, or welfare. Solar is protected, if the town does not adequately zone, a solar energy system can go anywhere in the town. There was a recent court case that ruled in favor of the solar because the town did not adequately allow for solar. The court case also noted preservation of natural character of neighborhoods.

Our existing bylaw allows small systems in residential R3 and R5, and commercial C1, C2, C3 and I (industrial). Larger systems are only allowed in the Industrial District at this time. The amendment would allow small systems across districts and allow medium systems and large systems over 40,000s.f. in the Commercial District and Industrial District.

Performance standards include visual impacts like limiting height to 15 feet. Setbacks will range from 25-200ft., this includes setbacks for waters. Some pieces are perceived to be hazardous and those will require a 200ft. distance. A landscape plan is required to replicate naturally wooded areas. A maintenance plan will ensure no damage is done to equipment and broken equipment will be replaced. There can be no stray light at night that may impede on a neighboring property. Vegetation and stormwater management will be required to maintain overgrowth that can create fire hazards as well as erosion control. There is to be no chemical removal, strictly mechanical. There is a prohibition of PFAs for every system. Fencing will be required with a 6 inch clearance underneath. There is a decommissioning plan as these systems won't last forever. Abandonment sureties are put up and approved by the town so there is money for cleanup and removal.

Ms. Waygan noted in the case of any surety, the Town Manager wants the Treasurer's involvement as some is easier collected than others. Mr. Lehrer stated he was informed by the Treasurer to collect cash. Ms. Waygan wants it to capture inflation.

Mr. Balzarini brought up the disposal of the panels as some places wont de doing it at that time. They are worried for Buzzards Bay when all the trees were cut for solar and the runoff is going into the bay. They are worried there will be a problem in 5 years.

Mr. Lehrer noted solar carports is an allowable use, he and the Building Commissioner decided if a building is allowed then the solar is roof mounted.

Ms. Waygan emphasized the need for erosion control and stormwater management plans.



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Mr. Lehrer noted expanding solar uses in C1 or C2 is not the only option in protecting residential character.

Ms. Waygan doesn't want to confuse people at this time, they are going forward with this and they have to start putting work into it for July deadline.

Mr. Fulone reminded everyone that when this was proposed there was not a unanimous vote of the Planning Board, there was a vote of 3-2. He does not think these articles are ready at this time.

Ms. Waygan also reminded everyone they were not given anything. It was then contested that they were presented with three options. She noted they are doing the best with what they have.

Mr. Lehrer just wanted to reiterate that the article being presented, which is legal and sound, is not the only option. Ms. Waygan agreed, but this is what's in front of the Board and how the Board proceeded. It would be nice to have unity. It will be confusing and opens us up as a serious target for a lawsuit.

Ms. Waygan acknowledged Lynne Barbee to discuss Warrant Articles 43 and 44 that were submitted by Citizen Petition.

Lynne Barbee stated she submitted two articles based on drafts the Planning Board was discussing. They are not identical but very similar. A few Town Meeting's ago she proposed some requirements with setbacks and it was withdrawn. She supports solar if done properly. The solar array on Cotuit Road in the Residential District disturbs her. These articles mirror the requirements the Planning Board had in terms of performance standards. She is hoping Town Meeting will approve the Planning Boards articles then there won't be any discussion on that. She checked into the lawsuit and called the Town of Waltham. She really doesn't want to see solar in residential. Waltham's legal department said they believe their lawsuit would not necessarily be applied to every town or every situation. They learned they needed to provide more options for solar and follow through with that. You don't want to be in that position simply because you don't have a good bylaw. She did not have the restriction about PFAs but she fully supports that prohibition. The reason she did a petition was to ensure this article got on the warrant. Her article could be tabled.

Mr. Hansen asked if that would be explained to everyone at the Town Meeting. It was instructed that would not be a bad idea.



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Ms. Waygan asked if anyone else would like to speak from the public. She acknowledged Michaela Colombo.

Michaela Colombo- She stated the Select Board and FinCom voted unanimously in support of articles 30, 31, & 32.

John Miller- He is here to speak as Town Moderator and citizen. This year there are a number of duplicate articles which could be a recipe for colossal confusion. The proponent of the first redundancy should speculate on what consequence a yes or no vote relative to the article that follows. They can be tabled and he will be tolerant but the voters should be made aware, especially regarding a reconsideration.

Ms. Waygan asked what a reconsideration was. It was explained that a notice to reconsider a previously acted on article, the moderator can take a vote on reconsideration.

Ms. Barbee noted she would indefinitely postpone these articles once the Planning Board articles passed.

Chair recognizes Glenn McCarthy, the Citizen Petitioner for article 45. Ms. Waygan read the memo Mr. McCarthy wrote into the record about 174-17.1 Raze and Replace. Audio from the Zoom was difficult to hear. In no way does article 45 prohibit this all over town, and building is beneficial when done responsibly. Section 17.1 has legal flaws in enabling a specific waterfront project. The bylaw that was adopted omitted the words "to the neighborhood" and was done intentionally. Contrary to general law and other provisions of Mashpee bylaw which would require, 17.1 is defective. He would like to reduce the risk of being sued. The town is now in its 3rd or 4th litigation. 17.1 has given us what he terms as 'Forest Gump Zoning', a box of chocolates where you never know what you're going to get. The exception of non-conformities has harmed too many neighborhoods and it needs to stop until we can create a better set of rules based on metrics. 17.1 is harming our waters.

Ms. Waygan sat on the Board when 17.1 was approved. She begged to add "detrimental to the neighborhood". She is a proponent of property owner rights. She thinks they consider supporting this. Without getting rid of, abutters and neighborhoods have no recourse. The Planning Board is here to help resolve this, they won't make any progress unless this piece is deleted from zoning.



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Mr. McCarthy echoed it cannot go forward without input from the neighborhood, doing changes without that on a street of 15 houses, that are being ignored, its noncompliant and morally wrong.

Mr. Hansen supports this article, but to eliminate ambiguity, what constitutes a neighborhood? He thinks that should clearly be delineated. Is it abutters? It is a certain number of homes within a certain radius? The ZBA could have their own interpretation.

Ms. Waygan inquired how the state defines a neighborhood. Abutters are neighbors. A neighborhood is broad. Ch40A section 6, extension or alterations should not be more detrimental to existing non-conforming use in the neighborhood. Mr. McCarthy stated the Zoning Act has to meet 40A, it cannot do less.

Mr. Lehrer has some questions. He fully understands the intent of the petition, the way he sees it, it's a problem in the application with ZBA. They need to define what detriments are and set parameters. CH40A Section 6 and 17 is still at the discretion of the ZBA and is the same as Raze and Replace. There is a problem with the application specific to the Popponesset Overlay. Ms. Waygan asked what was done before 17.1. Mr. Lehrer got here on the tail end of Raze and Replace. In a flood zone you have to be FEMA compliant with 50%. In still dealing with discretion, he just has concerns that a house falling apart on Main Street in need of a replacement won't be able to do so.

Mr. McCarthy stated there were 70 projects before 2018 that were successful raze and replaces. This article is not for your average raze and replace but for huge expansions. 17.1 enables unusual raze and replaces, it's not concentrated or only applicable to Poppy but will apply across town like Johns Pond and Wakeby Pond, where someone could come in and build a McMansion.

Mr. Lehrer states he wants to change the Raze and Replace not repeal. Chapter 40A section 6 functions identically to Raze and Replace but provides more flexibility. He feels the repeal may harm people with plans, but it would be important to deal with the isolated section of Popponesset. He would be concerned with the town voting to repeal this.

John Miller- He stated in the twenty years he has been here he never encountered a need to address this. The question is in the confidence level of the ZBA to act in a way that others may feel is not in the best interest. A vote at Town Meeting enhances the likelihood the ZBA will be more thoughtful than they currently are with this in place. If 17.0 allows this to accomplish



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what's in 17.1, he doesn't see it providing them any benefit but perhaps provides a caution. Dilute the tools available to the decision makers.

Lynne Barbee- She attended a couple ZBA meetings where an attorney for one of the raze and replaces kept saying it's not substantially more detrimental. Anything affects the whole neighborhood. One meeting had abutters with pictures who would only see the water from a tiny piece of their deck. The understanding for the town is we don't want things to be any more detrimental and that has to be our goal in all of this. This is a step in a direction of getting there. It was insulting for those abutters to be completely ignored.

Marjorie Hecht- As someone who lives on a pond with small cottages, she sees real estate agents buying up properties and she is worried. She does not want to see their neighborhood change. Vacation rentals like Airbnb would destroy her neighborhood. She would be in favor of the repeal.

Mr. Balzarini doesn't want to repeal, he wants to rewrite. He thought there was an overlay at Poppy. This does not just apply to that neighborhood but the rest of the town.

MOTION:

Mr. Balzarini made a motion to close the Public Hearing. Seconded by Ms. Faulkner.

Roll Call:

Mr. Balzarini: Yes, Mr. Fulone: Yes, Ms. Faulkner: Yes, Ms. Waygan: Yes

MOTION:

Mr. Balzarini made a motion to recommend Warrant Article 30 for approval at Town Meeting. Seconded by Ms. Faulkner.

Roll Call:

Mr. Balzarini: Yes, Mr. Fulone: No, Ms. Faulkner: Yes, Ms. Waygan: Yes (3-1)

MOTION:

Mr. Balzarini made a motion to recommend Warrant Article 31 for approval at Town Meeting. Seconded by Ms. Faulkner.

Roll Call:

Mr. Balzarini: Yes, Mr. Fulone: No, Ms. Faulkner: Yes, Ms. Waygan: Yes (3-1)

MOTION:

Mr. Balzarini made a motion to recommend Warrant Article 32 for approval at Town Meeting. Seconded by Ms. Faulkner.



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Roll Call:

Mr. Balzarini: Yes, Mr. Fulone: No, Ms. Faulkner: Yes, Ms. Waygan: Yes (3-1)

MOTION:

Mr. Balzarini made a motion to recommend Warrant Article 43 for approval at Town Meeting. Seconded by Ms. Faulkner.

Roll Call:

Mr. Balzarini: Yes, Mr. Fulone: No, Ms. Faulkner: Yes, Ms. Waygan: Yes (3-1)

MOTION:

Mr. Balzarini made a motion to recommend Warrant Article 44 for approval at Town Meeting. Seconded by Ms. Faulkner.

Roll Call:

Mr. Balzarini: Yes, Mr. Fulone: No, Ms. Faulkner: Yes, Ms. Waygan: Yes (3-1)

MOTION:

Mr. Balzarini made a motion to not recommend Warrant Article 45 for approved at Town Meeting. Seconded by Ms. Faulkner.

Roll Call:

Mr. Balzarini: Yes, Mr. Fulone: Yes, Ms. Faulkner: Yes, Ms. Waygan: No (3-1)

7:30PM (Continued from 03/29/2023)

Applicant: Southworth Mashpee Properties

Location: 275 Quinaquisset Avenue (Map 69 Block 32)

Request: Applicant proposes to modify the Willowbend Country Club Special Permit to construct a 14-unit single family cottage community immediately contiguous to the Willowbend Gold Course. With these changes the total unit count for the Willowbend project would be increased to 287 if the Board authorizes the annexation of 275 Quinaquisset into the Willowbend Special Permit as allowed. 287 dwelling units is the maximum number of dwelling units authorized under the Special Permit. All units will be connected to and serviced by the privately owned wastewater treatment plant which served the entire Willowbend project.

Ms. Waygan is seating Rob Hansen on this matter.



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MOTION:

Mr. Balzarini made a motion to continue the Public Hearing until 8:05PM. Seconded by Ms. Faulkner.

Roll Call:

Mr. Balzarini: Yes, Mr. Fulone: Yes, Ms. Faulkner: Yes, Ms. Waygan: Yes, Mr. Hansen: Yes

MOTION:

Mr. Balzarini made a motion to continue the Public Hearing until 8:20PM. Seconded by Ms. Faulkner.

Roll Call:

Mr. Balzarini: Yes, Mr. Fulone: Yes, Ms. Faulkner: Yes, Ms. Waygan: Yes, Mr. Hansen: Yes

MOTION:

Mr. Balzarini made a motion to continue the Public Hearing until 8:50PM. Seconded by Ms. Faulkner.

Roll Call:

Mr. Balzarini: Yes, Mr. Fulone: Yes, Ms. Faulkner: Yes, Ms. Waygan: Yes, Mr. Hansen: Yes

Ms. Waygan elaborated on the Special Permit being super majority with four positive votes out of seating five. At the first Public Hearing Mr. Fulone and Mr. Hansen were not present. Today Mr. Balzarini, Ms. Faulkner, and Ms. Waygan are seated. We now have Mr. Fulone who can be seated because he only missed one. We are still short someone. She is of the opinion she can seat Mr. Hansen. She also noted after May 6, 2023 there will be a new person seated on the Board as Mr. Fulone did not pull papers for reelection.

Jack McElhinney, Attorney for Southworth Mashpee Properties, commented it was his understanding Mr. Hansen has not had a chance to review the file, so there will not be a vote tonight. This brings us to the first meeting in May being May 3rd which is prior to election. Mr. Hanson could sit tonight and Mr. Richardson could still vote on May 3rd.

Ms. Waygan asked if they wanted her to seat Mr. Hansen, with the understanding Mr. Richardson would be seated and able to vote.

Mr. Lehrer stated either Mr. Hansen is seated and votes or Mr. Richardson is seated, and if not it is a four person vote.



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The Chair will not be seating Mr. Hansen for this Special Permit. It will be Mr. Balzarini, Mr. Richardson, Mr. Fulone, Ms. Faulkner, and Ms. Waygan.

Mr. McElhinney continued stating their application was filed on January 20th with their first Public Hearing on March 1st and a site visit on March 8th. The Public Hearing was continued to April 19th. On March 1st the Board asked for prior modifications, the Cape Cod Commission's decisions, operations of sewer treatment, a breakdown of every lot, confirmation from the Fire Department, as well as updated landscaping to reflect enhancement of buffer and cart path changes.

Matt Eddy with Baxter and Nye felt the site meeting was productive to see the vision of the project. The main modification was the buffer along Quinaquisset and the realignment of the cart path as it was pulled in substantially. The stormwater forebay was relocated and the village green area shifted with the cart path to expand the buffer. The landscape plan was prepared showing enhanced plantings along Quinaquisset. Revisions were made based on comments from Mr. Pesce. The Fire Department provided written notice of approval. The public benefits provided by this project include a restoration of 2.5 acres and converting to natural wetlands. This is upwards of \$250,000 in construction costs. It will eliminate the pesticides and nitrogen that affects the system and Quaker Run that goes to Shoestring Bay. He reminded the Board if this project is not approved there was a submitted concept that three lots can be done by-right. This is 3 lots that will not be part of Willowbend Special Permit and will have three septic systems which will provide additional nitrogen to Shoestring Bay. This project will also eliminate the current septic on site. The forebay will pick up existing runoff where it currently goes into wetlands right off the roads shoulder. This is significant benefits to the greater good at the cost of Willowbend.

Ms. Waygan stated the fire hydrant was added and the one proposed is before the turnaround. Mr. Eddy said they adjusted the turning radius for the fire truck. If they need to do any modifications they can. The radius would increase to 50 as it is currently at 40 feet.

Mr. Balzarini stated he has a problem with that one building on the corner relative to its proximity to the other unit. He also has a problem with the turnaround for the truck down to the last hydrant.

Mr. Fulone thinks the proponent has made reasonable accommodations and thinks it's fine. Any plans and proposed adjustments were gotten and he trusts the Fire Chief's memo.

Ms. Faulkner asked if this Special Permit of 14 units would close out any further building in Willowbend. She is asking for a condition to ensure that is capped. She noted the setback is 40ft. but a 1987 Special Permit said it was 100 ft. for a setback. What would it look like if they wanted it to be 100ft.? Mr. McElhinney answered the project would not be viable at that point.



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He went on to say the 100 ft. was established in 1987 as part of a design from a 400 acre site. That requirement has been applied in some cases but not others. In The Village the Board specifically waived 100ft. and allowed 40ft. Willow Circle has no specific buffer. She inquired about the less than 10ft. between buildings.

Mr. Eddy answered from a development project there has to be a return of the investment. 100 ft. buffers lose 3 or 4 units.

Ms. Waygan commented buildings need to have a 20 ft. separation per the 1987 Special Permit.

Mr. McElhinney realizes the project is dense, but there is zero density benefit for adding this five acres to their property. They are allowed to put the units elsewhere, but by using them here they are also able to add 5 acres to the total project. They are extending a sewer line and restoring a quarter million dollars' worth of bogs. He recognizes it's a big ask and they will bring in significant public benefit. If they lose four units the economics change.

Troy Miller, Chief Development Officer for Southworth, thanked the Board for their thorough review. There is an overwhelming public benefit with mitigation. He noted to provide full feedback and any other concerns tonight so the team can regroup.

Ms. Faulkner commented about parking and having to use the club house lot when visiting. People will be parking on both sides of the street and it already seems narrow. People don't want to park at the club and walk over.

Mr. Eddy noted for normal circumstances they provided two spots, and there are additional parking along shoulders. If you drive around any road in Mashpee or Cape, road sections are 18-20 ft. that have no shoulders, with houses on each side, and cars are parked in the travel way.

Ms. Waygan commented the project is conditioned 20ft. between buildings. It is being contested that it was modified. She is going with the fact it is required. In a Special Permit where you're annexing land, you have to use that zoning.

Mr. Balzarini clarified that is because new land is being added into the project thus using zoning from 1985.

Ms. Waygan stated she only received 5 out of 40 pages of the Commission's decision. The part with the actual decision isn't there. She asked if Willowbend complied with any and all and to the best of their knowledge they did and they have certificates of compliance as proof. She asked for the total number of parcels on the project. Mr. McElhinney answered the Special Permit maximum is 853 and that was modified. That number was driven by the sewage treatment plant. She would like to know how many bedrooms they currently have and how



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many bedrooms they are adding. The lawn lot area needs to be calculated as it cannot exceed 35%. There is also a condition that requires stormwater management remain in accordance with Special Permit regulations.

Mr. Eddy did the calculation for the lawns for nitrogen loading per Conservation and lawn area was low.

Mr. Pesce stated this approach is innovative, the incorporation a cranberry bog as a wetland resource area in tandem with stormwater management. It is their obligation to file and those comments were addressed with Conservation for wetland permits and they comply with DEP for stormwater. It's an extensive stormwater mitigation package.

Ms. Waygan reminded the proponent if they appear before other boards, those minutes need to be given to the Planning Board. She asked if the crosswalks are maintained by Willowbend. It was answered that the town is going to install the light but maintenance is on Willowbend's dime. Willowbend donated land and as a good faith gesture the town agreed to put in a crossing light.

Mr. Eddy directed attention to sheet 3.3 to point out the new entrance being wider, allowing for site distance and safe stopping. You can see 250ft. to the right and to the left.

Ms. Waygan asked if they speak with vendors who don't stop accordingly. They responded that there are speed bumps, flashing yellow lights, and gates in a couple different places. She asked if there will be a stop sign at the exit and it was answered it will be a full stop. She is looking for 100ft. buffer from Quinaquisset left in its vegetative state.

Mr. Eddy asked if she would support any number in between.

Ms. Waygan stated there is a lot in this site and she has correspondence stating the 100ft. buffer. The road is too narrow and is going to cause parking problems. She looked at rules and regulations and the lowest they go is a 20ft. road. She is not happy with having the fire truck turning around inside the driveway system. A 'T' turnaround is completely separate from other driveways. The 'T' is to be clear and standalone. They are upstream of a very fragile environmental area. 8 of the 14 units are in the Quaker Run River and 5 units are in the wetland buffer. 10 units are within 50 ft. All units are within 100 ft. It is an enormous ask while we are in a water crisis. If these bogs are polluting downstream, it would be advised they fix them.

Mr. McElhinney said Willowbend pays \$3Million a year. He would like some points of clarification. First, on the 100 ft. buffer, they have a difference of opinion on legality. He will provide the previous waiver. He would like a poll from other Board members that would entertain less than 100ft.



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Mr. Lehrer is not sure what to say. He sees the substantial benefit in the mitigation package. He suggests thoroughly considering the valuation along with the stormwater capture off Quinaquisset. He ask members be thoughtful.

Mr. Pesce commented that Mr. Eddy properly represented and discussed and made changes when asked and took advantage of the time the Board was deliberating. In listening to the list of questions, it would be a good idea to ask legal counsel to provide other precedents so the Board has that information to deliberate with. He has heard comments from Board members that aren't happy with density.

Lynne Barbee- She inquired about bog restoration and what that entails.

Mr. Eddy files formal plans through Conservation for reconstruction, it's where they take an active bog offline and restore the natural wetland system. It requires removal of material from the bog system and they add sand to bogs. It is regraded and they create micro typography to allow it to restore itself and thrive. As of right now it's an allowed agricultural use. A farmer has the right to farm and is exempt from fertilizer requirements. Fertilizers are being used. Willowbend leases the land to the farmer and he is unsure when that lease expires.

Ms. Waygan read the correspondence from Erin Copeland into the record. Ms. Copeland was inquiring about visibility and traffic issues. She also alluded to the runoff and water crossing the road. Ms. Waygan answered that the road will be widened, paved; allow for ample site distance, and will have a stop sign. They will implement stormwater management and grading as well as providing some additional Cape Cod berm along the edge of Quinaquisset Ave at request of the DPW Director.

Ms. Waygan read the correspondence from Michael and Terry Ronhock into the record. They discussed buffers and the access road. They are concerned about the safety of operating a golf cart on that road.

Mr. McElhinney noted that Quashnet, Willowbend, and New Seabury have golf cart crossings and insurance that allow for such. Buffers have been discussed along with drainage issues. He wanted to note they purchased off-site affordable housing for their employees and they also have a boarding house in Hyannis as well as several other homes in and around Mashpee. Most recently they acquired the Santuit Inn that is also used for employee housing.

Ms. Waygan would like to see some conceptual plans outlining the new requests.

Mr. Balzarini would like to see a 50ft. buffer or a little higher, this project has major benefit to fix the waters and help with pollution. He just thinks there is one too many units. Regarding the turnaround for the fire truck, as long as the Fire Chief says it is okay, he is okay.



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Ms. Faulkner felt positive about the project last time it was presented and she is thrilled about the water quality and the reconstruction of the bogs. She would like to further modifications. She agrees with Mr. Balzarini regarding proximity of the units, the last place seems squished. She asked if they anticipated seasonal use of these units.

Mr. McElhinney stated that is generally what happens, about 30% will be year round and the bulk would be seasonal months April – November.

Mr. Fulone likes this project and thinks the proponent did a nice job addressing issues that came forth and he isn't hard on the buffer discrepancy but he would be willing to look between 40ft.-100ft. as well.

Mr. McElhinney stated if they do not get this across the finish line before the election they will have to start over. They need to make more changes, and given the time frame they would appreciate as much direction as the Board can give. If he can provide the Board evidence of the 100ft. being waived, or is the Board open to consider more than 40ft. but less than 100ft.? With 100ft. he can confidently say it would not work.

Ms. Waygan stated this new land is part of the bylaw, its 1985 zoning. The benefit they get from using 1985 zoning is huge. There are wetlands all around the site. She wants to hear from Conservation before she makes a decision on this. It is a sensitive site flowing down into a very sensitive environment. This is going to improve the environment.

Mr. McElhinney stated this puts them in a difficult position when they have to guess what might satisfy a layperson on fire safety when they already got the okay from the Fire Department.

Mr. Pesce added that he consults with two other towns and he has seen both sides, the developer with best use and benefit to the town coupled with compliance to zoning. If there are waivers there has to be a balance. It is up to the proponent to come up with that balance. We owe it to Mr. McElhinney to ask the Board about middle ground between 40ft -100ft. He needs to be able to walk away to think with his team how to approach this ask.

Mr. McElhinney reiterated they are doing something creative with water quality and they have one meeting left so the more direction he can have the better. If this does not go through they will be putting forth three separate single family homes.

MOTION:

Mr. Balzarini made a motion to continue this Public Hearing to May 3rd at 7:11PM.

Seconded by Ms. Faulkner.

Roll Call:

Ms. Faulkner: Yes, Mr. Balzarini: Yes, Mr. Fulone: Yes, Ms. Waygan: Yes



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NEW BUSINESS

Lisciotti Development requests that the surety being held by the Town for completion of the Sherwin Williams project be reduced to \$0.00 after completing construction in accordance with the approved plans.

Mr. Lehrer is holding \$23,000 for outstanding items and they would like to reduce the amount of the bond to zero. With a few minor requests needing attention, he is wondering if the Board would approve the request with the condition that Lisciotti pays the final remaining invoice. Mr. Lehrer would like a receipt of that final invoice as well.

Mr. Pesce commented that the entire project had a dozen items needing completion like seeding and loaming that could only be done under certain weather conditions. Once the grass grows everything will be fine. Another remaining item is the establishment of a detention basin, as one grassy area didn't take and eroded. It was not loamed and seeded last fall so it eroded over the winter. They were asked to remove sediment and add more stone, loam, and seed which they completed. He would support approval to release funds subject to his final inspection in a couple weeks when there is grass. He will submit the invoice and that cannot be paid out of surety. Other than those couple items, everything looks great.

MOTION:

Mr. Balzarini made a motion to bring the surety being held for Lisciotti Development for the Sherwin Williams project down to zero balance with the condition that everything passes final inspection with the Consulting Engineer, final invoice is paid in full, and Mr. Lehrer receives final invoice. Seconded by Ms. Faulkner.

Roll Call:

Mr. Balzarini: Yes, Ms. Faulkner: Yes, Mr. Fulone: Yes, Ms. Waygan: Yes

TOWN PLANNER REPORT

District Local Technical Assistance Funding Request

Mr. Lehrer submitted a request for technical assistance funding. This will be a reimbursement after we have already paid. We have \$50,000 and we will get reimbursed \$25,000 from this DLTA. This will cover the HPP updates and a good consultant that will be kicking off soon.

The Regional Housing Strategy scheduled four community events that are all being held at the Mashpee Public Library.

Ms. Waygan would like to get the HPP Consultant on board for some of those meetings. A lot of comments will be provided and that information could be useful for the HPP.



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ADJOURNMENT

MOTION:

Mr. Balzarini made a motion to adjourn the meeting of the Mashpee Planning Board at 10:46PM. Seconded by Ms. Faulkner. All in favor.

Respectfully Submitted,

A handwritten signature in cursive script, reading "C. MacDonald".

Christine M. MacDonald
Board Secretary

LIST OF DOCUMENTS

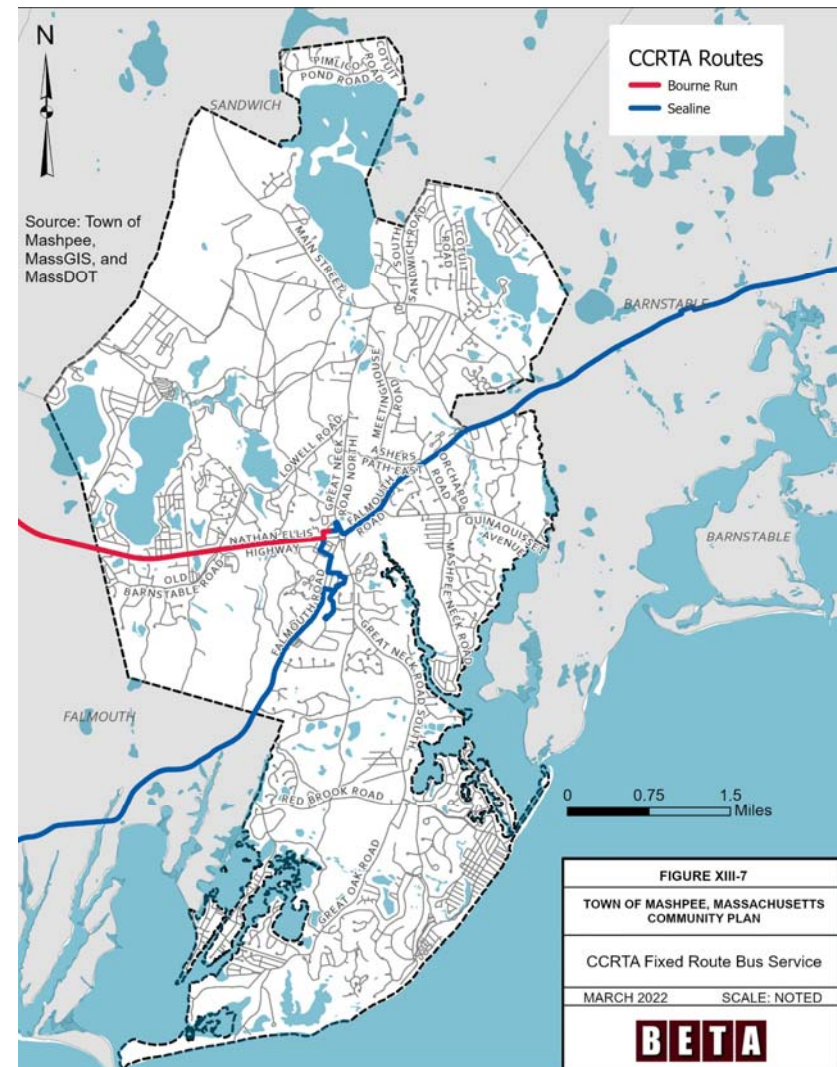
Additional documents may be available in the Planning Department.

- Chapter 91 Waterways Planning Board Notice – Amy Branton, Trustee, Amy Emily Nominee Trust, John A. & Maria Rousou (permittee) – 90 & 94 Summersea Road (location)
- Chapter 91 Waterways Planning Board Notice – Rodney Collins, Town Manager, Town of Mashpee (permittee) – 388 Mashpee Neck Road (location)
- Town of Falmouth Notices
- Town of Sandwich Notices
- Town of Barnstable Notices
- February 2023 Discharge Monitoring Report for South Cape Village – N= 4.0
- January 2023 Discharge Monitoring Report for South Cape Village – N= 5.1

Town of Mashpee Master Plan Project Transportation Element

May 3, 2023

Jeff Maxtutis
Project Manager



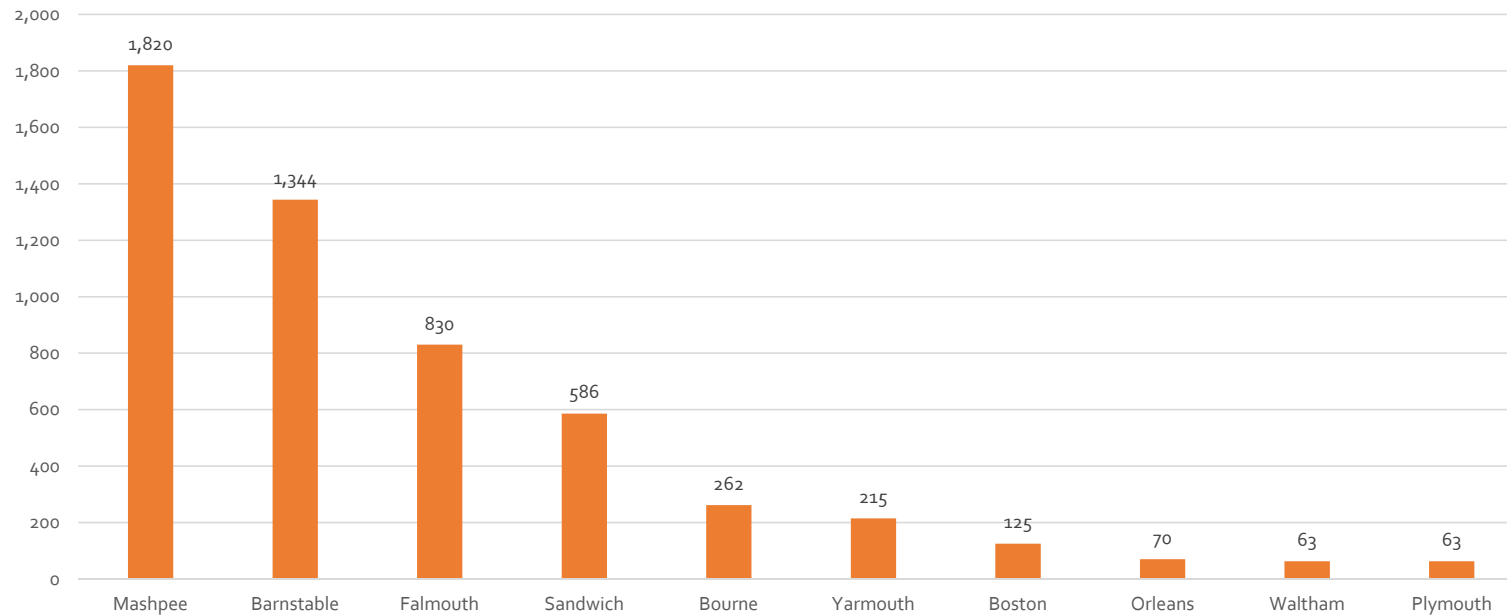
Transportation Elements

- Travel Characteristics
- Public Transportation
- Roadways
- Traffic Volumes
- Roadway Safety
- Pedestrians and Bicycles
- Marinas and Boat Ramps
- Maintenance
- Recent Projects
- Issues and Opportunities

Transportation Elements

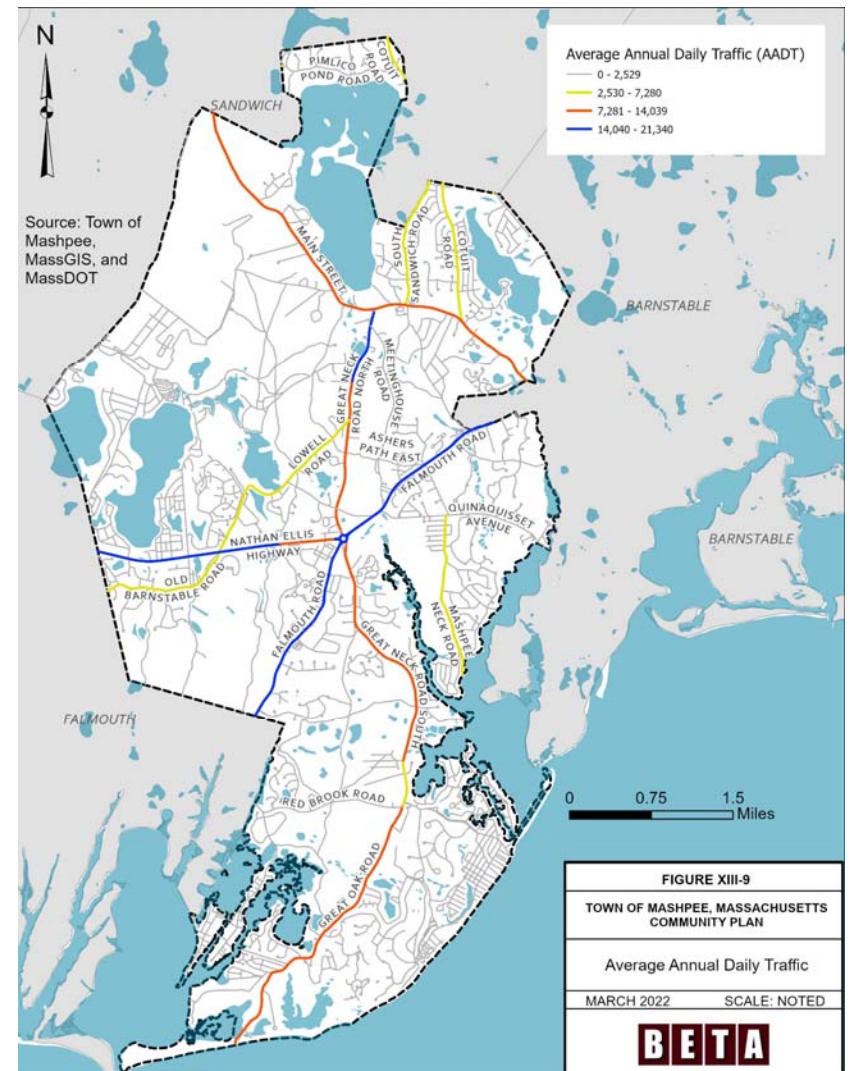
- Travel Characteristics

Figure 1: Workplace Location of Mashpee Residents



Transportation Elements

- Traffic Volumes



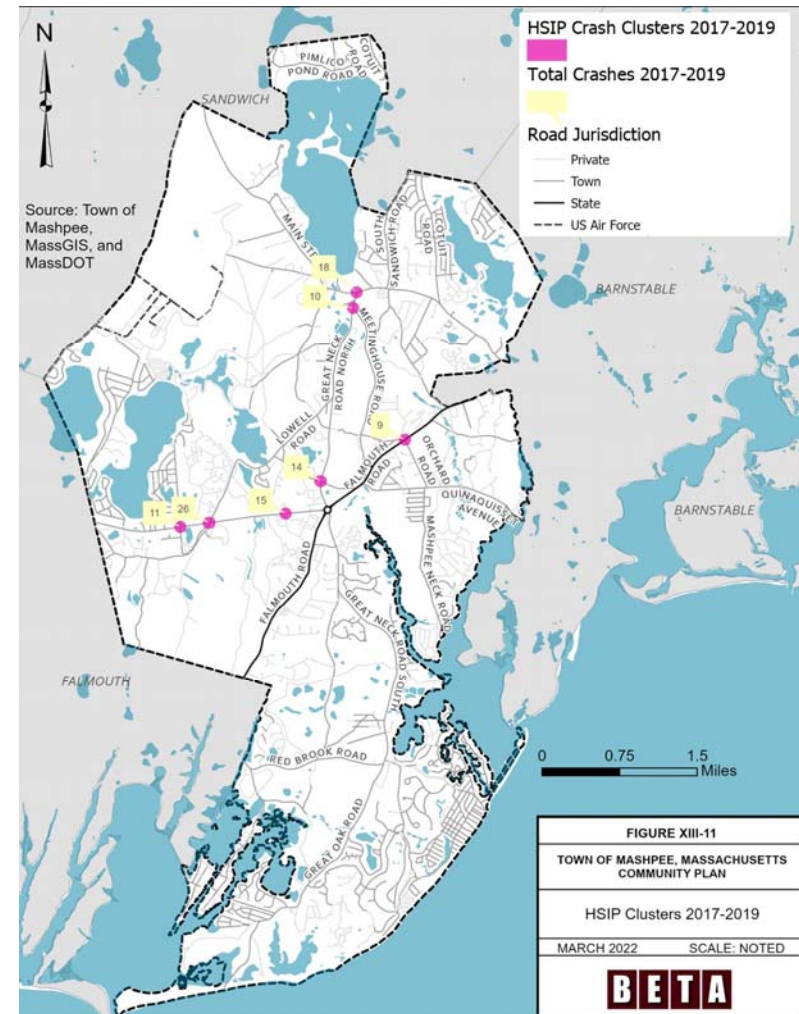
Transportation Elements

- Roadway Safety

Table 5: HSIP Locations 2017-2019	
Intersection	Total Crashes 2017-2019
Nathan Ellis Highway (Route 151) and Old Barnstable Road	26
Great Neck Road North and Main Street (Route 130)	18
Nathan Ellis Highway (Route 151) and Job's Fishing Road	15
Old Barnstable Road and Great Neck Road North	14
Algonquin Avenue and Nathan Ellis Highway (Route 151)	11
Great Neck Road North and Meetinghouse Road	10
Falmouth Road (Route 28) and Asher's Path East	9
Source: MassDOT Interactive Mapping for HSIP Clusters 2017-2019	

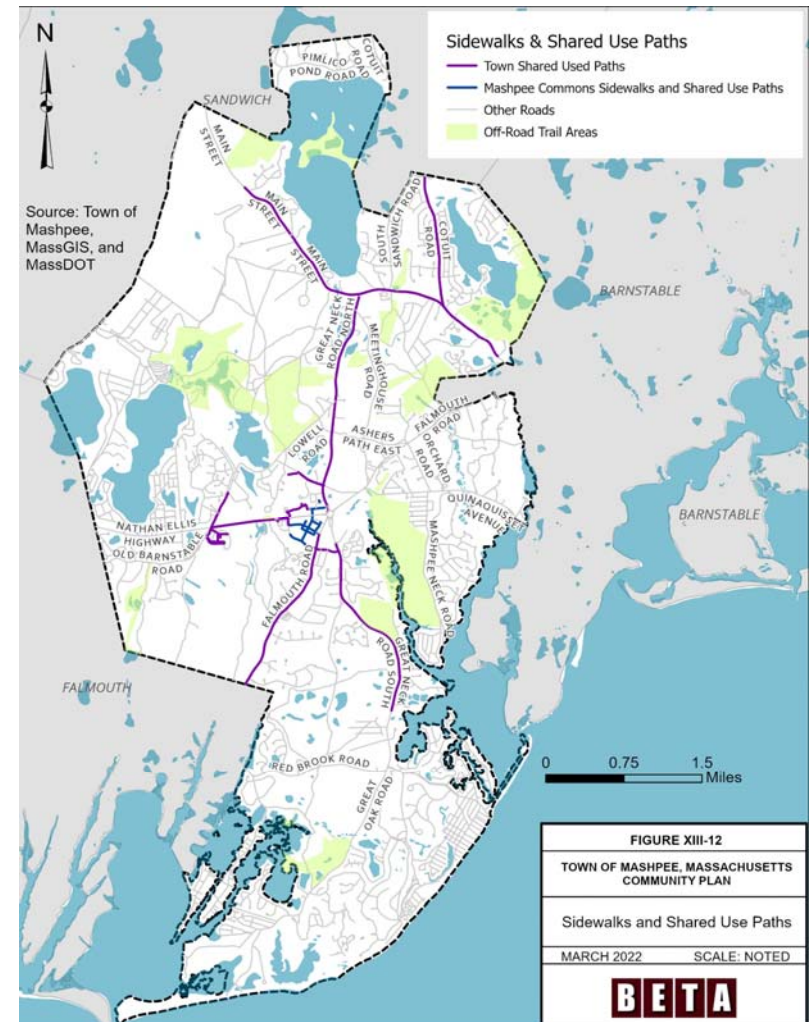
Transportation Elements

- Roadway Safety



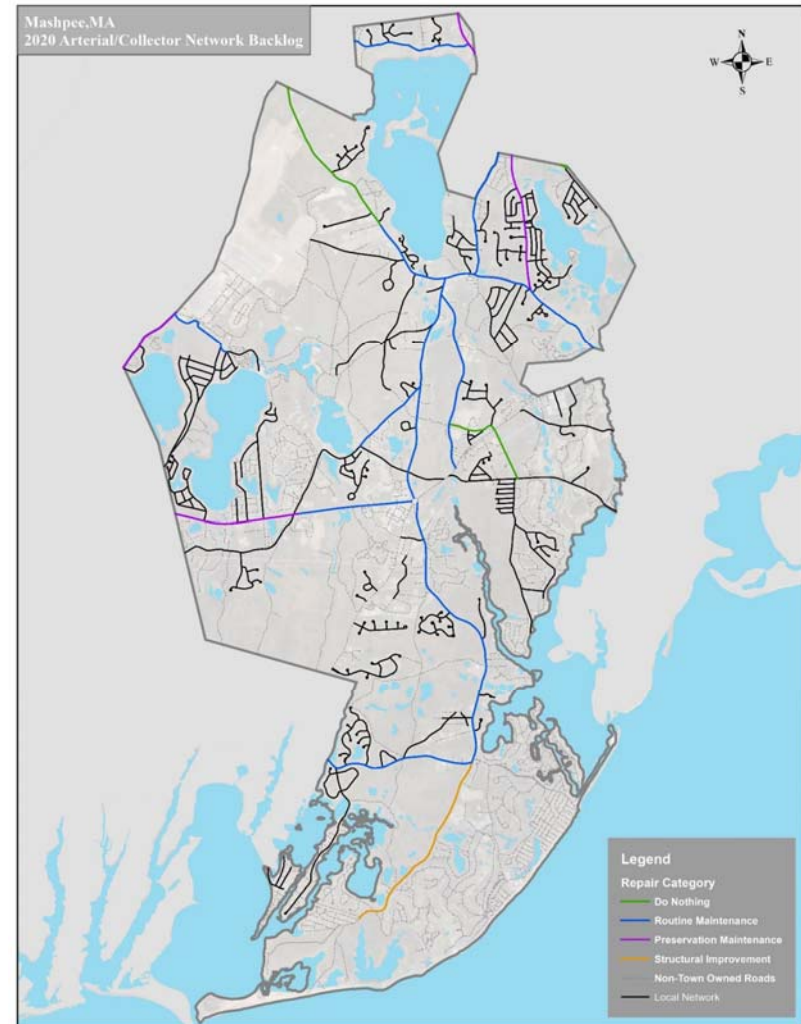
Transportation Elements

- Pedestrians and Bicycles



Transportation Elements

- Pavement Management



Transportation Elements

- Issues & Opportunities
 - Speeding on Rt. 28 and Rt. 151
 - Speed trailer and speed feedback radar signs
 - Only 30% of arterials and collectors have sidewalks or paths
 - Safety for all travel modes
 - Improve pedestrian lighting and crosswalk visibility
 - High truck volumes
 - Planned improvements at Mashpee Rotary
 - Tighten intersection curb radii to improve visibility, slow vehicles, reduce ped crossing distances

Transportation Elements

- Issues & Opportunities
 - Wayfinding to improve pedestrian connectivity
 - Update pedestrian and bicycle plan
 - Roundabout at Rt. 30 and Great Neck Road North
 - Rt. 151 corridor improvements
 - Electric vehicle charging stations
 - Complete Streets funding

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NOTES:

1. ALL CONSTRUCTION SHALL BE PERFORMED IN ACCORDANCE WITH MHDS, TOWN ORDINANCES, REQUIREMENTS, AND SPECIFICATIONS.
2. THE CONTRACTOR SHALL CONTACT THE ENGINEER TO SCHEDULE A PRE-CONSTRUCTION MEETING AT LEAST TWO (2) WEEKS PRIOR TO COMMENCING CONSTRUCTION.
3. THE CONTRACTOR SHALL MAKE SUBMITTALS TO THE ENGINEER FOR APPROVAL BEFORE ANY FABRICATION OR DELIVERY OF PRODUCTS OR MATERIALS.
4. ALL PROPOSED WALKWAYS WILL BE HANDICAPPED ACCESSIBLE WHERE REQUIRED. ALL PROPOSED RUNNING SLOPES ON WALKWAYS SHALL BE LESS THAN 8%. ALL CROSS SLOPES AND ALL LANDING SLOPES SHALL BE LESS THAN 2%. RAMPS WHERE NEEDED SHALL HAVE SLOPES LESS THAN 8%. RAILINGS SHALL BE PER ARCHITECT. THESE ARE MAXIMUM SLOPES WITH NO TOLERANCE. ALL WORK WILL BE IN ACCORDANCE WITH THE MOST CURRENT REQUIREMENTS OF THE U.S. ACCESS BOARD, AMERICANS WITH DISABILITIES ACT & COMMONWEALTH OF MASSACHUSETTS, ARCHITECTURAL ACCESS BOARD.
5. CONTRACTOR SHALL CONFIRM AND PROVIDE ALL LANDINGS OUTSIDE OF DOORWAYS, AT THE TOP AND BOTTOM OF STEPS, AND AT TOP AND BOTTOM OF RAMPS, TO BE CONSTRUCTED SO THE LANDING IS 5 FT X 5 FT MIN. (UGH) AND IS LESS THAN A 2% SLOPE IN ALL DIRECTIONS ON THE LANDING. THE CONTRACTOR SHALL VERIFY THE LANDING CONDITIONS IN THE FIELD AND CONTACT THE SITE ENGINEER WITH ANY QUESTIONS PRIOR TO INSTALLING LANDING.
6. DEMOLISH/REMOVE ALL EXISTING STRUCTURES, FOUNDATIONS, CONCRETE PADS, FENCES AND APPURTENANT ITEMS UNLESS OTHERWISE NOTED TO SAVE, SALVAGE OR RESET.
7. EXISTING PAVING EDGES SHALL BE SAWCUT TO CREATE A CLEAN EDGE WHERE IT IS TO BE TIED INTO NEW PAVING, OR WHERE ASPHALT IS REMOVED ADJACENT TO ASPHALT WHICH IS TO REMAIN. BROKEN OR UNSTABLE PAVEMENT SHALL BE REMOVED AND SUBBASE REPLACED WITH SUITABLE COMPACTED MATERIAL PER PAYMENT SECTION DETAIL HEREIN. ANY SAWCUT LINES SHOWN ON THE PLANS ARE APPROXIMATE ONLY. THE EXACT EDGE OF SAWCUT SHALL BE DETERMINED BY THE CONTRACTOR IN THE FIELD TO PROPERLY BLEND TO THE SURROUNDING GRADES. PROPOSED ASPHALT SHALL BE PROPERLY BUTTED AND BLENDED TO SURROUNDING ASPHALT WHICH IS TO REMAIN. THE BLENDED TRANSITION BETWEEN PROPOSED AND EXISTING ASPHALT SHALL BE WITH AN APPROXIMATE 1.5% GRADE UNLESS OTHERWISE IDENTIFIED. THE JOINT SHALL NOT BE ABRUPT.
8. THE PROPERTY LINE INFORMATION SHOWN HEREIN/HEREON IS PER THE PROPERTY LINES SET BY THE REGISTERED PROFESSIONAL LAND SURVEYOR (PLS) AS SHOWN ON THE CERTIFIED PLOT PLAN AS SEALED BY THE PLS WITHIN THIS PLAN SET. THE PROPERTY LINE AND SURVEY INFORMATION WAS COMMISSIONED AS PART OF THE PROJECT AND IS SHOWN AS BACKGROUND INFORMATION ON THE DESIGN PLANS. SETBACKS SHOWN ARE TO THE PROPERTY LINE SET BY THE PLS. DIMENSIONS SHOWN ARE TO OUTSIDE FACE OF FOUNDATION OR TO THE FACE OF CURB/BERM WHERE APPLICABLE.
9. ALL CURBING SHALL BE INSTALLED SO THAT WHEN A TERMINAL END OF A CURB EXISTS IT SHALL HAVE A TAPERED END PER MDOT SPECIFICATIONS SO THAT THERE IS NOT A BLUNT SQUARE END PROJECTING.
10. THE CONTRACTOR SHALL NOTIFY AND COORDINATE A SITE MEETING WITH THE ENGINEER PRIOR TO PLACING FINAL PAVING COURSE. LAYOUT AND FINAL REQUIRED DIMENSIONS ARE TO BE REVIEWED AT THIS MEETING PRIOR TO PAVING OPERATION. REQUIREMENTS SHALL BE PER MASSDOT STANDARD SPECIFICATIONS.
11. SITE LIGHTING – SEE ELECTRICAL DRAWINGS IN ARCHITECTURAL PLAN PACKAGE FOR DETAILED INFORMATION.
12. ALL WORK WITHIN THESE PLANS SHALL BE PERFORMED AND PROVIDED BY THE CONTRACTOR IN ACCORDANCE WITH THE CONSTRUCTION DETAILS PROVIDED IN THIS PLAN SET WHETHER OR NOT THE DETAIL NUMBER IS SPECIFICALLY REFERENCED.

ZONING TABLE

ZONING DISTRICT(S): R3*		PROPOSED USE:	
OVERLAY DISTRICTS: NONE		14 DETACHED SINGLE FAM. RESIDENTIAL UNITS	
ALLOWED USE: SINGLE FAMILY RES.		TYPICAL UNIT FOOTPRINT:	
EXIST USE: SINGLE-FAMILY RES.		BUILDING = 1,802 SF	
		REAR DECK = 309 SF	
		FREE STANDING GARAGE = 298 SF	
		TOTAL FOOTPRINT/UNIT = 2,407 SF	
EXIST BLDGS FOOTPRINT=3,873 SF		PROP TOTAL SITE BLDG FOOTPRINT = 33,698 SF	
EXIST BUILDING TO BE DEMOLISHED			
TOTAL PARCEL AREA: 220,650 SF TOTAL (UPLAND=152,288± SF; WETLAND=68,362 SF)			
		REQUIRED/ALLOWED	PROPOSED
LOT AREA:		40,000 SF (UPLAND)	152,288 SF
FRONTAGE:		150 FT	658 FT
BUILDING SETBACKS*			
FRONT SETBACK		40 FT	40.0 FT
SIDE SETBACK		15 FT*	N/A INTERIOR LOT LINE
REAR SETBACK		15 FT*	N/A INTERIOR LOT LINE
PARKING SETBACK TO ABUTTER LOTS		10 FT	N/A
MAX. BLDG. HEIGHT (STORIES)		2.5 STORIES / 35 FT	2 STORIES/30.7 FT
MAX. LOT COVERAGE (STRUCTURES):		20%*	N/A PER WILLOWBEND SPECIAL PERMIT
MAX. LAWN AREA		35% (77,228 SF)	20.0% (44,040 SF)
-ASSUMES 2,000 SF LAWN PER UNIT			
-ASSUMES 20,040 SF VILLAGE GREEN			
(TOTAL LAWN AREA/TOTAL LOT AREA)			
PARKING TABLE			
SINGLE FAMILY = 2 PER UNIT x 14 UNITS (1 GARAGE AND 1 DRIVEWAY SPACE)		28 SPACES	28 SPACES
PARKING STALL SIZE – 9’0”		19.33’ x 9’	19’ x 9’
DESIGN VEHICLE			AERIAL LADDER
*PROPOSED BUILDING REQUIREMENTS TO BE PER WILLOWBEND SPECIAL PERMIT MODIFICATION			

SIGN SUMMARY				
M.U.T.C.D. NUMBER	SPECIFICATION		TEXT/ GRAPHIC	QUAN.
	WIDTH	HEIGHT		
FIRE LANE SIGN ("F.L.S.")	12"	18"	NO PARKING FIRE LANE	3
R1-1	24"	24"	STOP	1

ALL SIGNAGE MUST BE IN CONFORMANCE WITH THE FEDERAL HIGHWAY ADMINISTRATION "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES" (MUTCD), LATEST EDITION, ALL APPLICABLE CODES, AND LOCAL REQUIREMENTS, ORDINANCES, AND BYLAWS. SEE SIGN INSTALLATION DETAIL HEREIN.

SIGN INSTALLER SHALL COORDINATE SPECIFIC SIGN WORDING AND COLOR REQUIREMENTS WITH LOCAL AGENCIES AS NECESSARY (NOTE TO CONTRACTOR TO VERIFY HANDICAP PARKING SIGN FORMAT – SEE DETAIL HEREIN)

* ADD "VAN ACCESSIBLE" SIGN WHERE ASTERISKED

FOR PERMIT ONLY - NOT FOR CONSTRUCTION

STAMP	STAMP
CONSULTANT	CONSULTANT
CONSULTANT	CONSULTANT

PREPARED FOR:

Southworth Mashpee
Properties, LLC
130 Willowbend Drive
Mashpee, MA 02649

PROJECT TITLE

Cranberry Point
275 Quinaquisset Avenue
Mashpee, MA 02649

SHEET TITLE

Master Layout Plan

SHEET NO

C3.0

DATE: JANUARY 16, 2023

30 0 30 60

SCALE IN FEET

SCALE: 1"=30'

DRAWN BY: JKL CHECKED BY: MWE

JOB NO: 2014-009 FILE: 2014-009 QUIN DM.dwg



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STAMP

STAMP

CONSULTANT

CONSULTANT

PREPARED FOR:

**Southworth Mashpee
Properties, LLC**
130 Willowbend Drive
Mashpee, MA 02649

PROJECT TITLE

Cranberry Point
275 Quinaquisset Avenue
Mashpee, MA 02649

JKL	4/28/2023	PER PLANNING BOARD COMMENTS
JKL	3/24/2023	PER PLANNING BOARD COMMENTS
	DATE	DESCRIPTION

SHEET TITLE

**Site Layout Plan
Sheet 1 of 2**

SHEET NO

C3.1

DATE: JANUARY 16, 2023

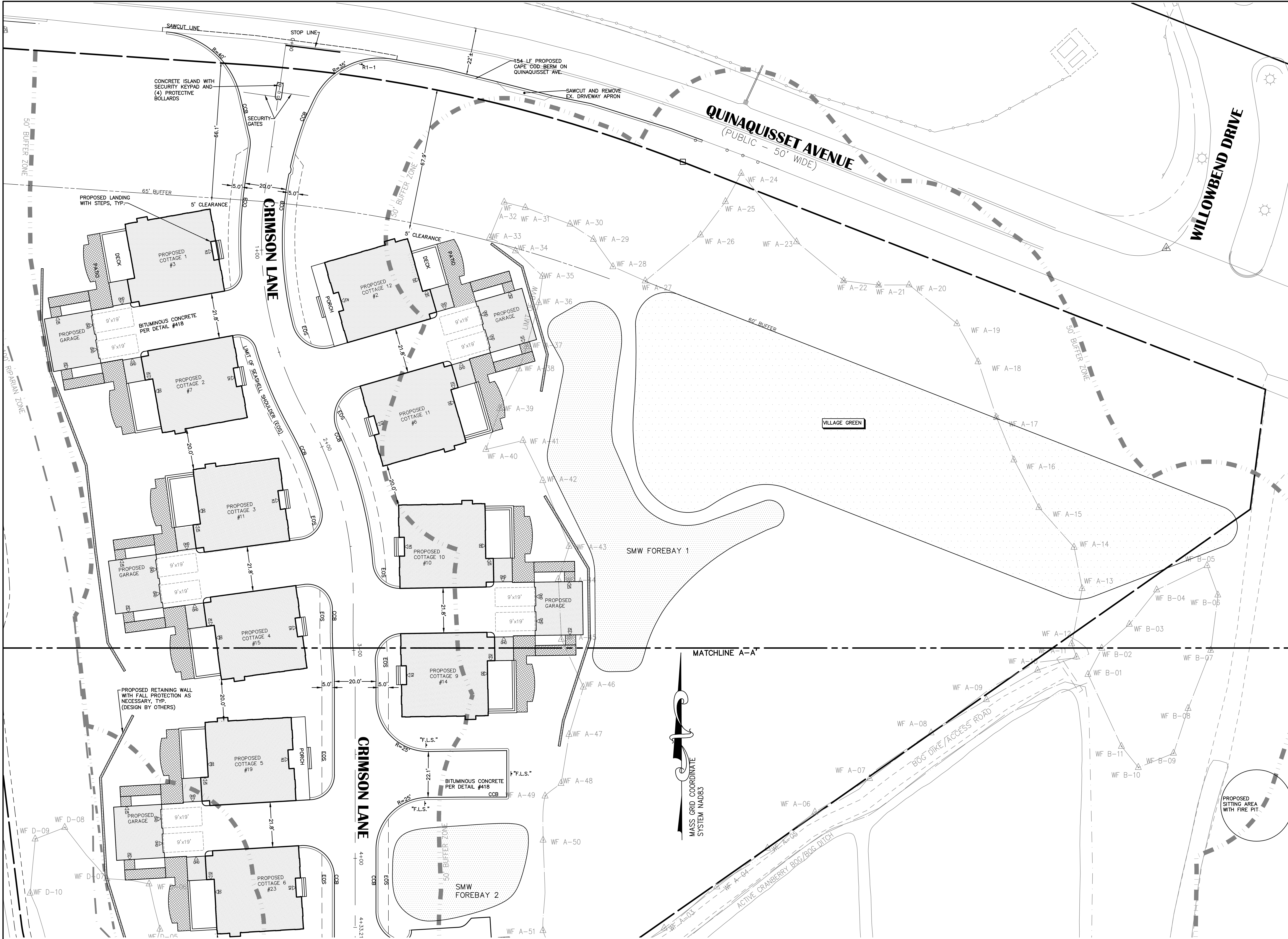
20 0 20 40

SCALE IN FEET

SCALE: 1"=20'

DRAWN BY: JKL CHECKED BY: MWE

JOB NO: 2014-009 FILE: 2014-009 QUIN.DWG



FOR PERMIT ONLY - NOT FOR CONSTRUCTION

**BAXTER NYE
ENGINEERING &
SURVEYING**

Registered Professional Engineers
and Land Surveyors

1597 Falmouth Road
Centerville, MA 02632

Phone - (508) 771-7502
Fax - (508) 771-7622
www.baxter-nye.com

STAMP

STAMP

CONSULTANT

CONSULTANT

PREPARED FOR:

**Southworth Mashpee
Properties, LLC**
130 Willowbend Drive
Mashpee, MA 02649

PROJECT TITLE

Cranberry Point
275 Quinaquisset Avenue
Mashpee, MA 02649

JKL	4/28/2023	PER PLANNING BOARD COMMENTS
JKL	3/24/2023	PER PLANNING BOARD COMMENTS
	DATE	DESCRIPTION

SHEET TITLE

**Site Layout Plan
Sheet 2 of 2**

SHEET NO

C3.2

DATE: JANUARY 16, 2023

20 0 20 40

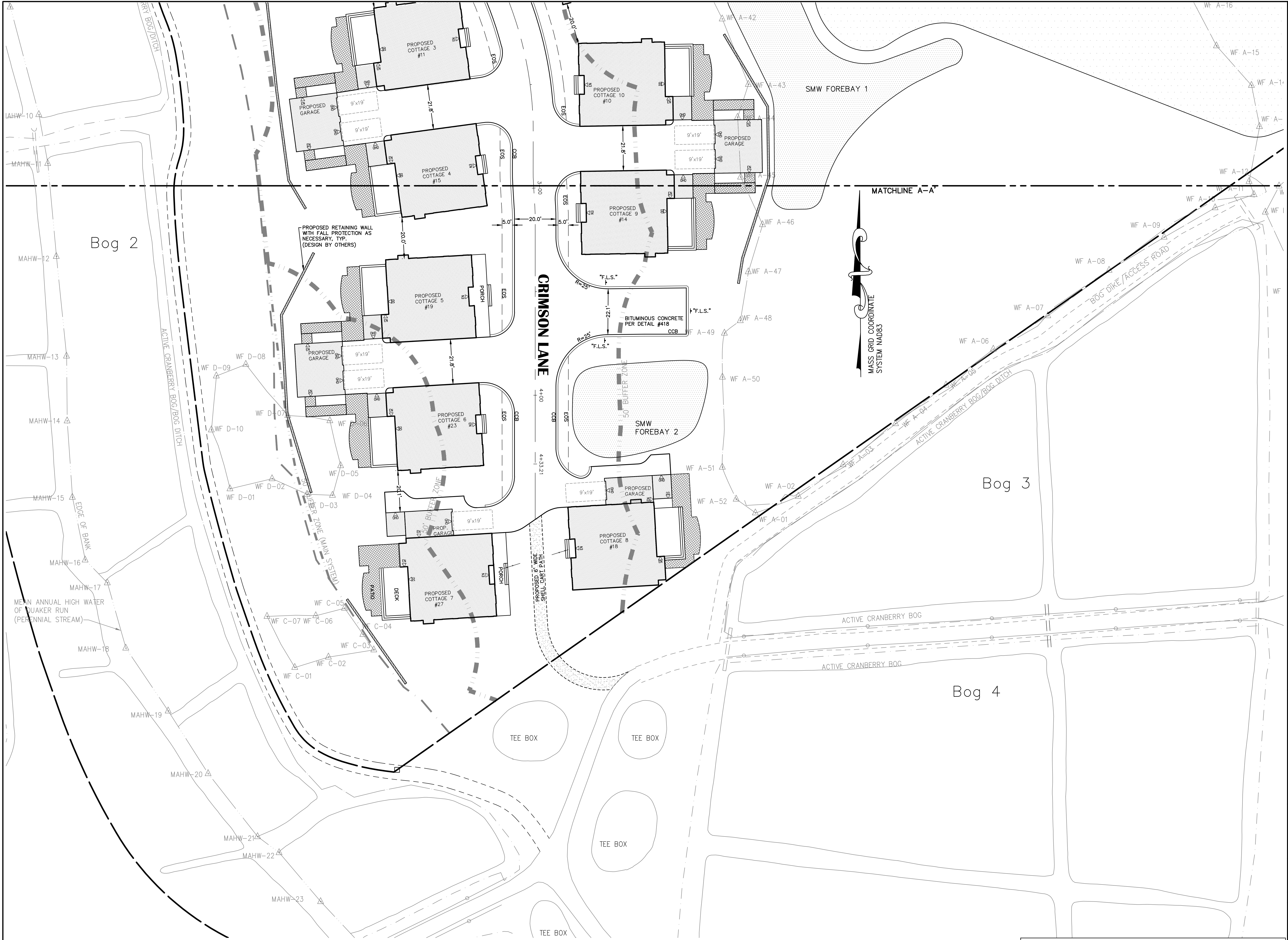
SCALE IN FEET

SCALE: 1"=20'

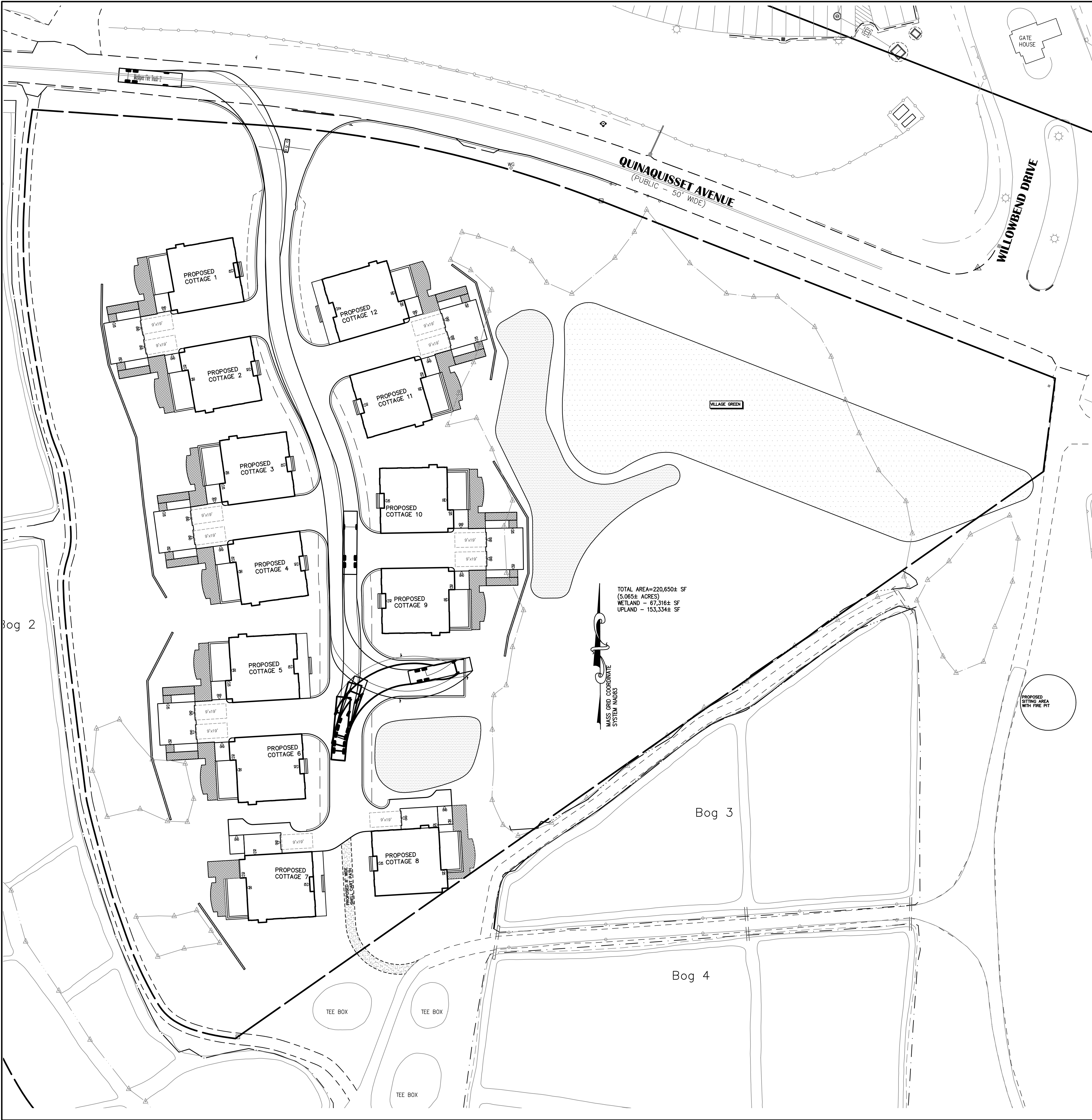
DRAWN BY: JKL CHECKED BY: MWE

JOB NO: 2014-009

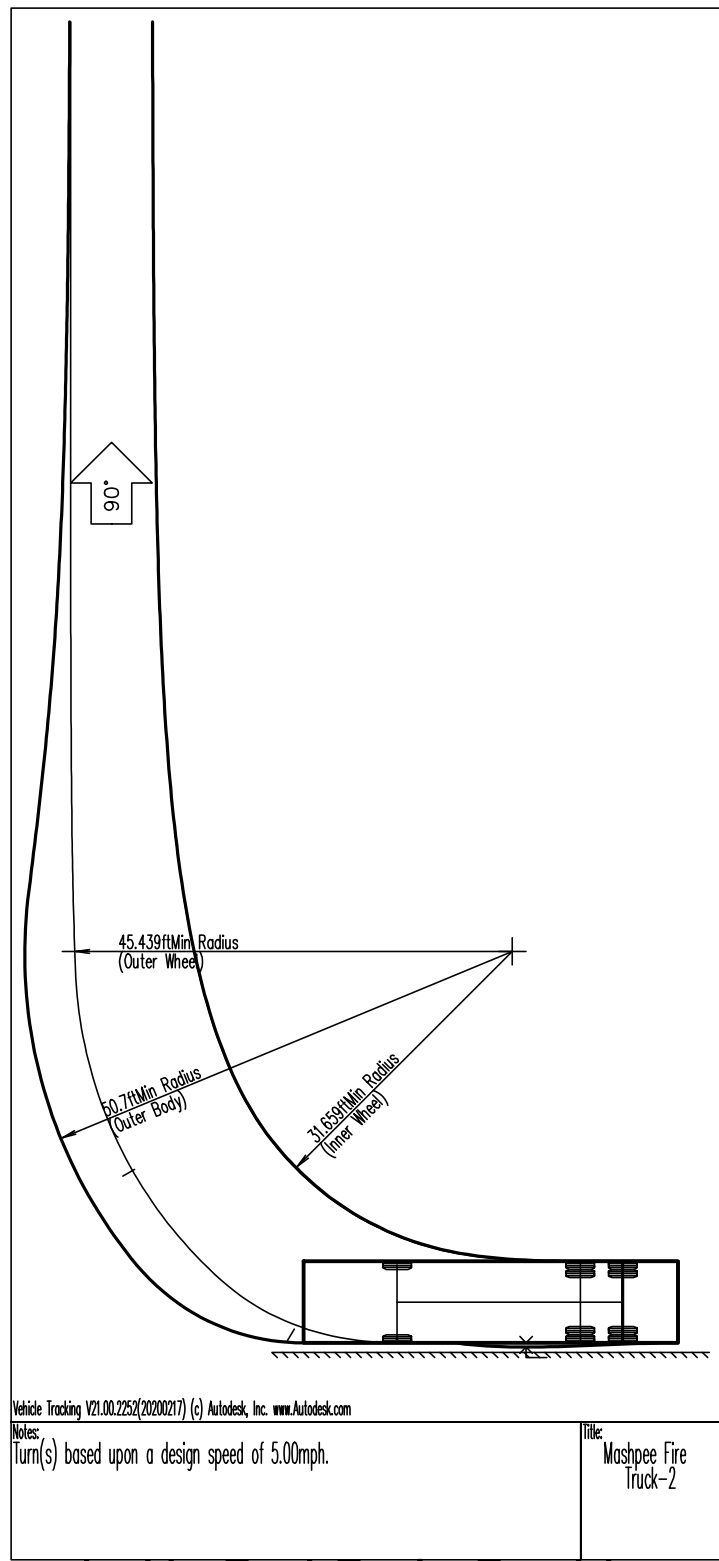
FILE: 2014-009 QUIN DM.dwg



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TOTAL AREA=220,650± SF
(5.065± ACRES)
WETLAND - 67,316± SF
UPLAND - 153,334± SF



Ladder Truck Turning Template

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130 Willowbend Drive
Mashpee, MA 02649

PROJECT TITLE

Cranberry Point
275 Quinaquisset Avenue
Mashpee, MA 02649

DATE	DESCRIPTION
JKL 4/28/2023	PER PLANNING BOARD COMMENTS
JKL 3/24/2023	PER PLANNING BOARD COMMENTS

SHEET TITLE

**Truck Turning
Template Plan**

SHEET NO

C3.4

DATE: JANUARY 16, 2023

30 0 30 60

SCALE IN FEET

SCALE: 1"=30'

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DRAWN BY: JKL CHECKED BY: MWE
JOB NO: 2014-009 FILE: 2014-009 QUIN TT.dwg

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Properties, LLC**
130 Willowbend Drive
Mashpee, MA 02649

PROJECT TITLE

Cranberry Point
275 Quinaquisset Avenue
Mashpee, MA 02649

4/28/2023 PER PLANNING BOARD COMMENTS
3/24/2023 PER PLANNING BOARD COMMENTS

DATE DESCRIPTION

SHEET TITLE

**Master
Mitigation Plan**

SHEET NO

C6.0

DATE: JANUARY 16, 2023

40 0 40 80

SCALE IN FEET

SCALE: 1"=40'

DRAWN BY: ZDP CHECKED BY: MWE

JOB NO.: 2014-009 FILE: 2014-009QUINPMMASTER

WETLAND MITIGATION CALCULATIONS

Buffer Impact Areas (SF)	Mitigation Multiple	Required Buffer Mitigation Area	Wetland Restoration Required (Ac)
(0-50) NR	8,698	2.9	25,369
(0-50) R	9,537	3.3	31,260
(50-100)	48,570	1.0	48,570
(100-200) R	31,566		
Total Mitigation for Buffer Impact			2.42

Upland Buffer Mitigation Provided on Existing Bog Road

0.11

Net Mitigation required for Buffer Impact

2.31

0.25 *

0.58

By/low Mitigation Table, Between a 5 to 6:1 ratio is required at 0 ft to 10 ft buffer impact. Reasoning a 4:1 credit ratio for actual wetland restoration vs. buffer restoration is a conservative assumption.

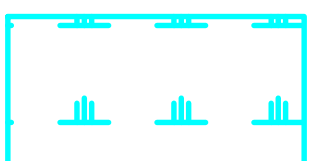
Wetland Impact Area (SF)	Wetland Number	Wetland Area (SF)	Required Wetland Replication Area	sf	Ac.
1	1	30,223			
2	2	691			
Total Mitigation for Wetland Impact		30,914	2.0	61,828	1.42

TOTAL MITIGATION REQUIRED

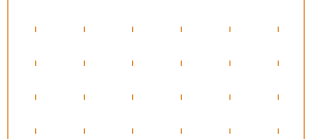
2.00

Mitigation Provided	Wetland Restoration Provided	sf	Ac.
Bog Areas			
Bog Number	Bog Area (SF)		
1+2	88,348	88,348	2.03
TOTAL WETLAND RESTORATION MITIGATION PROVIDED USING 1 & 2			2.03

SHADING KEY



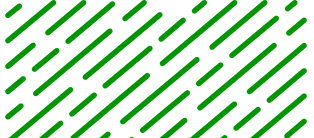
WETLAND IMPACT



OUTER RIPARIAN' BUFFER IMPACT



BOG TO WETLAND RESTORATION



BOG ROAD REVEGETATION



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JACK McELHINNEY
Attorney at Law

63 Shore Road, Suite 23
Winchester, MA 01890

Phone 781-729-7299
Fax 781-729-3506
E-mail- jmcclhin@aol.com

May 3, 2023

Mashpee Planning Board
Mashpee Town Hall
16 Great Neck Road
Mashpee, MA 02649

Attn: Evan Lehrer, Town Planner

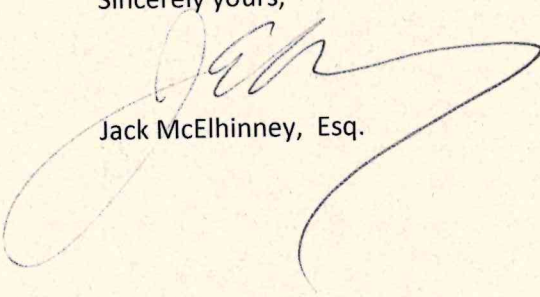
Re: Southworth Mashpee Properties – Request for Continuance

Dear Mr. Lehrer:

Southworth Mashpee Properties LLC, respectfully requests that tonight's public hearing on its Cranberry Point Project proposal be continued to Wednesday, June 7, 2023.

Thank you for your attention to this matter.

Sincerely yours,


Jack McElhinney, Esq.

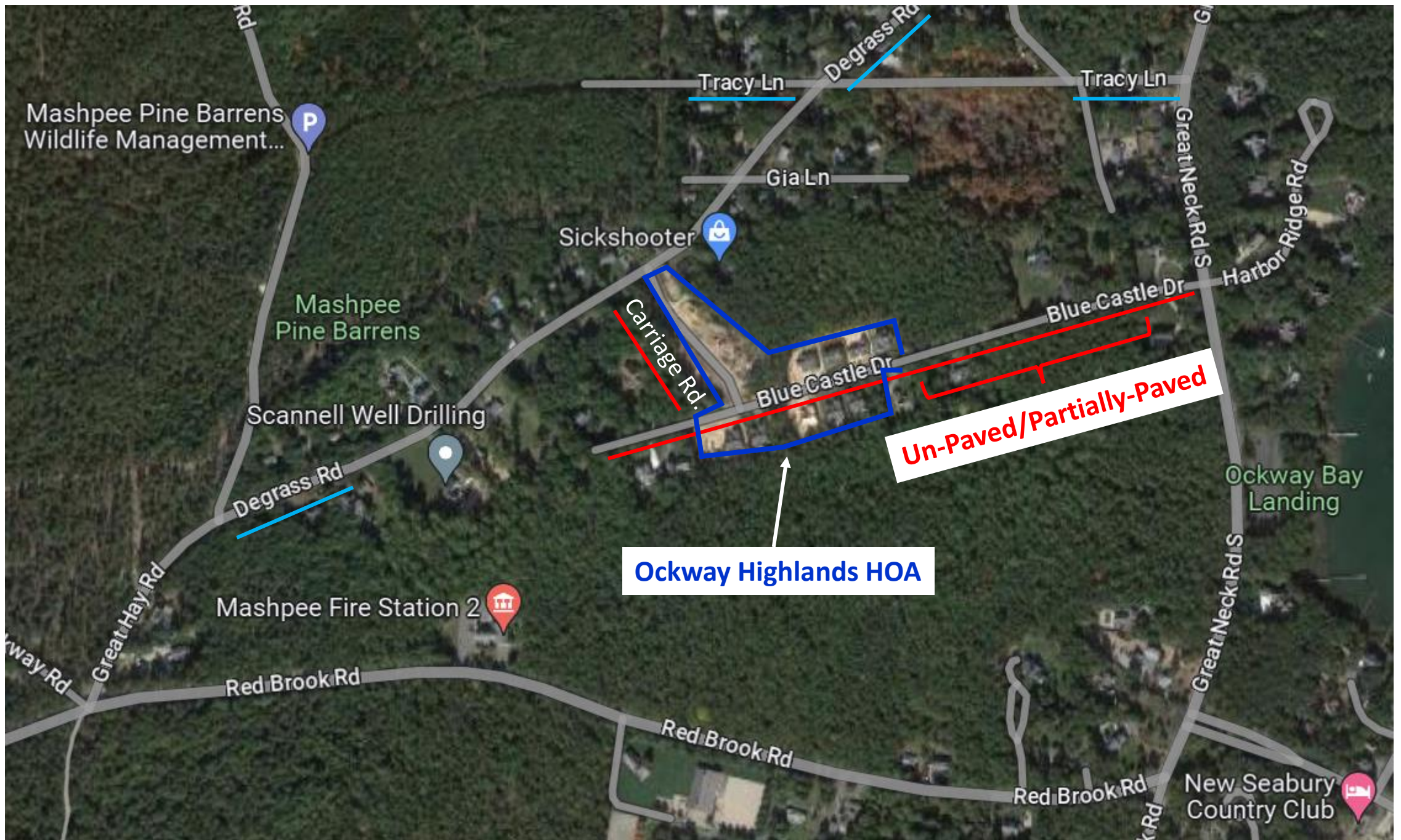
Blue Castle Drive

Property Owner Public Comments for Mashpee Planning Meeting

Tom McNabb (58 Blue Castle Drive)

Howard Rosen (51 Blue Castle Drive)

May 3, 2023



Discussion Topics

1. Sidewalk Plan
2. Road Maintenance



Topic #1: Sidewalk Plan

Blue Castle property owners do not want sidewalks (to nowhere)

35. In connection with the Definitive Subdivision Plan application submitted in conjunction with this Special Permit application, the Applicant requested a waiver from Section IX(I) of the Board's Rules and Regulations Governing the Subdivision of Land, which requires that "Sidewalks with a minimum width of 4' shall be installed on at least one side of a street." The final set of plans submitted showed a sidewalk on the north side of Blue Castle drive between the eastern boundary of the Project and Carriage Road, and a sidewalk on the east side of Carriage Road, but no sidewalk on the remainder of Blue Castle Drive to the west of carriage Road. On April 16, 2014 the Board voted unanimously to approve the requested waiver for that section of Blue Castle Drive west of Carriage Road.



Topic #2: Road Maintenance (Blue Castle Drive)



Actual 4/29/23 Blue Castle Drive Photos (this is Not an upgraded or maintained road)

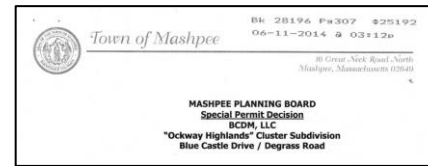
Topic #2: Road Maintenance

- Developer / Selling Agent never disclosed that a sub-section (Ockway Highlands HOA) of Blue Castle Drive would be responsible for maintaining All of Blue Castle Drive
- Property owners (14) of the Ockway Highlands HOA DO NOT agree that only Ockway Highlands HOA should be responsible for expenses related to the ENTIRE Blue Castle Drive maintenance – as stated, when there are already (16) existing property owners
 - Seems unreasonable, unfair, & disproportionate
- What Precedence has been set for establishing this in Mashpee?
- Proposed options – next slide

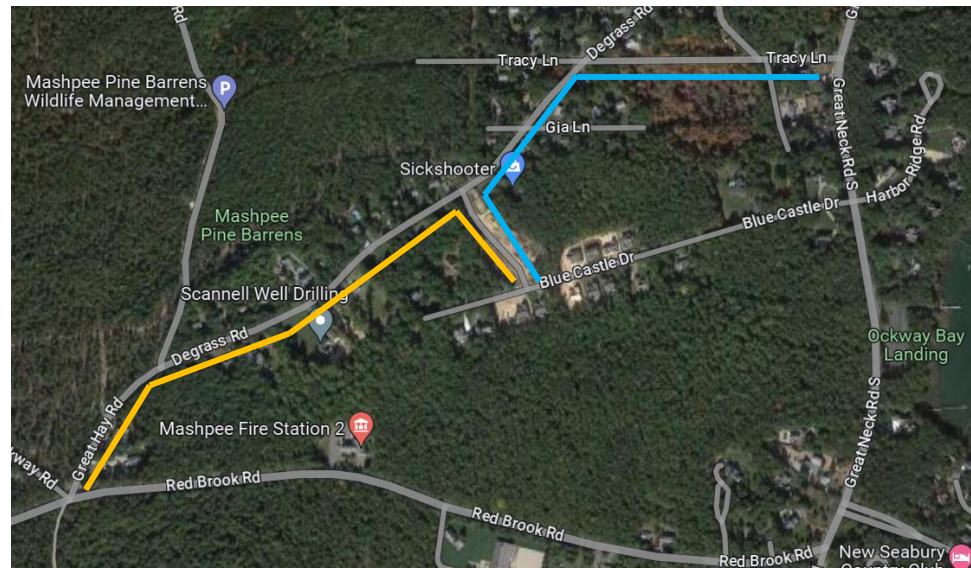
10. Per the Applicant's agreement to do so, the portion of Blue Castle Drive between the Project and Great Neck Road South shall be maintained on an annual basis at the

expense of the Applicant, or the proposed "Ockway Highlands Homeowner's Association, Inc." once it is established, by grading so as to preserve the crown of the road and the swales on each side as depicted in the cross section detail shown on the approved plans, so that it continues to provide the roadway capable of supporting fire apparatus in all weather conditions as specified in the previous Condition. Maintenance of Blue Castle Drive also includes inspection and cleaning as necessary of the drainage facilities located on the northerly side of Blue Castle Drive near the intersection with Great Neck Road South.

Topic #2: Road Maintenance - Proposed Options



- **Option 1 (“As-is Private Road Process”)**: Continue using whatever Blue Castle Drive Private Road maintenance process that has already been established over the past 25(?) years, with the current (16) property owners. The (14) new Ockway Highlands HOA property owners would pay their fair share of these costs, which would be closer to 47% (14 of 30) cost sharing. This would be more equitable.
 - Instead of Ockway Highlands developer upgrading the unpaved portion of Blue Castle Drive to “compacted crushed stone or equal surfacing top course” (per the Costa Associates plan) by **May 17th**, could he ensure his contractor uses recycled crushed asphalt road grindings/millings, which is allegedly lower cost, has better weather resistance, requires less maintenance, and lowers the use of scarce natural resources*
- **Option 2 (“Public Road”)**: Leverage Article 41 (5/1/23 Town Meeting), to explore converting Blue Castle Drive to a Public way - owned and maintained by the Town and conforming to the Town’s road building standards
- **Option 3 (“Alternate Access”)**: Discontinue using Blue Castle Drive as a primary road & use surrounding paved Degress Road or Tracy Lane to access Ockway Highlands Sub-division and other Blue Castle Drive residences



*A-1 Asphalt Inc

Closing & Wrap-up