



Town of Mashpee

Planning Board

16 Great Neck Road North
Mashpee, Massachusetts 02649

**Meeting of the Mashpee Planning Board
Wednesday, June 16, 2021
Waquoit Meeting Room
Mashpee Town Hall
16 Great Neck Road North
Mashpee, MA 02649
6:00 PM**

Broadcast Live on Local Channel 18

Call in Conference Number: 508-539-1400 extension 8585

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 June 9, 2021

Approval Not Required

**Applicant: Robert Allen and Michelle A. Wolpe
Location: 80 & 84 Punkhorn Point Road
Request: Propose to create and swap two parcels of land**

Public Comment relative to Mashpee Commons Development Agreement

Old Business

- Continued discussion and deliberation of proposed Community Activity Center Overlay District Proposal

New Business

Chairman's Report

Town Planner Report

- Local Comprehensive Plan RFP Update

Board Member Committee Reports

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

MASHPEE TOWN CLERK

JUN 14 2021

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Correspondence

- Mashpee Commons Public Comment – Presented previously at June 2, 2021
Planning Board Meeting
 - Anne Malone – 05-28-2021
 - Mary LeClair – 05-29-2021
 - Meaghan Mort – 06-01-2021
 - Marjorie Clapprood – 06-02-2021
 - Gretchen Wollerscheid – 06-02-2021
 - Beth Hennessey – 06-02-2021
 - Glenn McCarthy – 06-02-2021
 - Catherine Gallagher – 06-02-2021
 - Mary Adams Oleksak – 06-02-2021
- Mashpee Commons Public Comment – Presented previously at June 9, 2021
Planning Board Meeting
 - Sarah Johnson – 06-05-2021
 - Mary Waygan – 06-09-2021
- Town of Sandwich Notices
- Town of Falmouth Notices
- Waterways Application - 174 Captains Row
- March 2021 Discharge Monitoring Report for South Cape Village – N=4.1
- February 2021 Discharge Monitoring Report for South Cape Village – N=5.0
- January 2021 Discharge Monitoring Report for South Cape Village – N=6.1

Additional Topics (not reasonably anticipated by Chair)

Adjournment

MASHPEE TOWN CLERK

JUN 14 2021

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**Mashpee Planning Board
Minutes of Meeting
Wednesday, June 09, 2021 at 4:00PM
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: Chairman John Fulone, Mary Waygan, Joseph Callahan, Dennis Balzarini, Robert (Rob) Hansen, John (Jack) Phelan

Also Present: Evan Lehrer- Town Planner, Eliza Cox- Nutter McClennen & Fish LLP, John Cotton – Selectman, Douglass Kallfelze- Mashpee Commons Architect, Paul Niedzwiecki- Mashpee Commons Contractor

CALL TO ORDER

Chairman Fulone called the meeting to order at 4:01PM. He announced there will be a hard stop at 5:45PM as there is another meeting taking place. The Pledge of Allegiance was recited. All attendees were invited to sign in if they wished to speak during the Public Comment period.

APPROVAL OF MINUTES – June 02, 2021

Mr. Hansen requested an amendment to a statement he made on page 14. He had a math error and with the 1,700 units, he said 2,800 additional people, and he meant to say 3,400 people and subsequently 3,400 possible cars. One car ratio per person.

MOTION: With aforementioned amendment, Mr. Balzarini made a motion to approve the meeting minutes for June 02, 2021. Ms. Waygan seconded the motion. All in favor.

Chairman Fulone wanted to take a minute to speak in regards to last meeting. Being a resident for 34 years, he knows many people and some sought him out. He has heard two common themes amongst residents. Some are encouraged by what they heard and saw last week during the presentation by Mashpee Commons. They have all the same questions in regards to traffic, financial, and environmental impacts. They are also aware those are things that get discussed and agreed upon during the Development Agreement process. These people enjoy what they have today and view this as an expansion on what they currently enjoy. The second theme that was very common and universal, was the disappointment at the tone and conduct presented by some of the public during comment.

Chairman would like to reiterate the “rules of the road” in hopes that people are courteous to follow:

- Don't talk over one another, don't clap, don't carry on side conversation while others are talking, keep comments within 2 minutes, and new information is welcomed.
- We invite public comment in and outside of the meeting.



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- There will be no dialogue between the Board and the Public as time does not permit.
- There is plenty of opportunity between now and whenever the zoning amendments get submitted and the Development Agreement is consummated to vocalize questions, comments, and concerns.

Mr. Balzarini also mentioned speaking to the Planning Board, do not face the audience when speaking.

Chairman Fulone stated there is twenty minutes allotted for the public comment to commence.

PUBLIC COMMENT RELATIVE TO MASHPEE COMMONS DEVELOPMENT AGREEMENT

Anne Malone- Thanked the Select Board for responding to public calls in consideration for postponing the zoning bylaw to focus on the Mashpee Commons Development Agreement. You (PB) have heard some of us (citizens) express concern that the Town is under resourced to take its place as a full partner in these negotiations. Both the Cape Cod Commission and the applicant (Mashpee Commons) have access to substantial multidisciplinary expertise. She was pleased to hear the Town Manager announce the resources are available to assemble a first class team to examine the many facets of this agreement. Even a partial list of items is long and challenging. The Impact on fire, police, and public works, financial implications for the Town over decades, projected increased water needs, sewer and waste water capacity, traffic, and impact of loss of habitat on our stressed river systems. We need to approach this large overlay as if we were building a permanent Olympic village in the heart of Mashpee. Who will live there? How will it become integrated with our community? How many public resources will be dedicated to this one project? What community benefits will compensate for years of disruption? How many years of construction? The Board and Planning Dept. need to start right away to get external help and internal expertise amongst staff and boards to form and guide one of the most consequential decisions the Town has faced.

Judith Conway- She was wondering if anyone could tell her why we are considering an expansion of Mashpee Commons when stage one isn't finished. Was there any timeline developed that said by X year stage one will be finished, and then they will start on stage two?

Lynn Barbie- She brought her visual aids again (horse and carriage). She took them to the Board of Selectman meeting. They (Board of Selectman) were ready to talk about the horse as well. Urged the Planning Board to acknowledge and respect the patience that Selectman Sherman asked of all of us. We want the time and resources to get a good development plan in place. As the Board of Selectman unanimously voted, to postpone any article until we have an agreed upon plan. She thanked Selectman Cotton for supporting this and hopes the Planning Board will also support taking the time. She is happy Mr. Chace wants to build housing, but it is only part, and the details rest in the whole plan. She took the cart off the table so we can focus on the plan. The Board of Selectman say they want to meet with the Planning Board to know what other resources experts and impact analysis we need. Let's make this process work openly with transparency and do what's best for Mashpee.

Karen Faulkner- It was a wonderful meeting with Selectman, everyone was so kind and we did the right thing. Everyone felt good when they left. She was reading under Cape Cod Commission Chapter D.



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Something she wants to discuss is the Development Agreement regulations in Section 5C. It essentially says what the Development Agreement application shall include, and there are 10 items that are attached to the agreement. The application was filed on/around March 5, 2020. We have no information whether all ten items were satisfied to complete the Development Agreement application. Has Mashpee Commons completed the application and has the Cape Cod Commission certified the same? The application with all the requirements when all is complete, in her view, should be made public and each Board member should receive a copy to study at their leisure. After certification by the Cape Cod Commission and the application is complete, when the Development Agreement is being negotiated, Mashpee Commons can meet separately with Cape Cod Commission and separately with the Town, in a public meeting to see if they are in compliance with applicable regulatory standards. She would like to get a timeline on when that will happen. Another question...

[TWO MIN. WARNING - Richard Klein gave up his time]

Has the Cape Cod Commission subcommittee (she thinks it has been formed) reviewed the proposed development for consistency with the regional policy plan and local comprehensive plan? The subcommittee may prepare a Development Agreement for review by participating parties, meaning Mashpee Commons and the Town. Is that what is going to happen? At what point does the subcommittee and participating parties meet? What are the proffers from Mashpee Commons, what public benefits and improvements are they going to give for consideration for this Development Agreement. Lastly, independent consultants. She hopes the Board will look long and hard to see who we really need. Even though the Planning Board has more expertise than she, none have the expertise to analyze fiscal, environmental, and traffic impact, and other things we haven't thought about. She wants transparency.

[TWO MIN. WARNING - Rosa Whiting gave up her time]

She hopes the Town website can lay out a step by step with where we are at in the Development Agreement process. It would be helpful to her and people who are interested in this process.

Mr. Lehrer wanted to make a statement regarding the process of submitting comment. He understands the time constraints are frustrating. He wants to remind everyone that he is available to receive questions and comments in writing any day and any time. If time runs out and you still have unanswered questions, he is happy to accept them by email or written letter any time to present to the Board and add them to the meeting packet.

Ava Costello- She is usually standing here begging for money, as she is the Chair of the Mashpee Historical Commission, so this a different role she is playing. She wants to be clear she is here speaking as a citizen of Mashpee. She is also going into her 29th year as an adjunct faculty member at Northeastern University, standing before you as a certified History nerd. She wanted to mention she was pleased to see in the presentation, she did notice the word historical. History is a part of this development plan, as is required by law. Since Mashpee Commons has started its process, she is sure they are aware there are highly sensitive as well as moderately sensitive historic sites within the development area. She wants those sites to be taken into account and the due diligence be done.

[TWO MIN. WARNING]

History is not something that is quantifiable, please take into account what the history of this Town and development of this Town means to current and future residents.



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Kathy Jacobson- Her biggest concern with the expansion of this size is wastewater. Our Town has finally begun to make positive steps to clean up waters, and she feels this much development and housing units, assuming zero septic systems will be allowed, even if the developer expands the wastewater treatment plant, she doesn't see how our environment will handle this. The vote for the treatment facility is one step forward, this development is taking steps backwards.

Marjorie Hecht- Very happy the Planning Board and Community will have more time discuss the expansion plan. Her two minutes will focus on housing. We need a housing impact study for this project in addition to the other impact studies. We need to know what exactly the housing needs are and what exactly Mashpee Commons intends to build. How much rent or monthly mortgage can someone working at a minimum wage in Mashpee Commons pay? How much can a middle income family pay? What about a retired senior on Social Security? Or a teacher in our local schools, a nurse, a secretary, a town employee, we need an independent survey who finds this out. Last week we heard from a young woman who struggled to buy an affordable home in Mashpee with two incomes. Let's quantify that and see if Mashpee Commons plans to meet her and other family's needs. We need to know how much yearly income is required to rent or buy in Mashpee Commons. How large are the units? She has a friend in her eighties, a retired teacher, who looked at Mashpee Commons apartments, she could not afford the rent or live in that small space. What about a newly married couple or a couple with one child? What we don't need is more upscale housing for wealthy second home buyers. Let's prioritize a study of the real costs and affordability of this project.

Rory- Owns the business in the Commons, Rory's. She also recently moved into the Commons with her two young daughters and sold her house in Harwich. The proposed Development Agreement between the Town, Cape Cod Commission, and the Mashpee Commons must be negotiated in a civil and respectful manner. As a young person and young family hearing about the slow progress for housing for people in her age group, people who work for her company, is disheartening. She is speaking to this from a personal place. Bob Chace and his family have done nothing but care about the Town of Mashpee for the past 40 years. Just being a tenant for 9 years, they go above and beyond for all tenants. She feels for her employees and upper level management team who make good salaries, they cannot find a house to buy and they would love to buy a home they could afford in the Commons. They would love to have access to playgrounds, restaurants, and being able to walk to work. She really does not see how this is not the perfect scenario for a housing crisis for people especially in her age group. She is trying to get as many people as she can under 50 to speak to this, personally this is a slam dunk. This will put Mashpee on the map. How can you fix the problem without providing more housing? This is exactly what Mashpee Commons is proposing.

OLD BUSINESS

Continue discussion and deliberation on proposed Community Activity Center Overlay District Proposal



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Chairman wanted to reiterate, as he stated in the last meeting, the Planning Board does not intend to sign off on a zoning amendment for a vote with the residents of Mashpee until a Development Agreement is in place.

MOTION: Ms. Waygan puts forth a motion that the Planning Board does not send any bylaw to the Board of Selectman for inclusion on a Town Meeting warrant until the Development Agreement with Mashpee Commons is executed. Mr. Balzarini seconded. All in favor.

Chairman Fulone wants to recognize the Selectman's vote to hold a special Town Meeting in March. He fully intends to continue with the set scheduled meetings for the Planning Board that specifically focuses on the zoning amendment.

Mr. Cotton said they did vote at the Selectman meeting to push it back to a special meeting. What they were hoping for was continued effort and dialogue and we would make some progress, March was proposed, but if things progress and we want to discuss sooner than March, so be it. We did not want to put so much pressure, as there seemed to be too much intensity. This will hopefully lighten it up as we continue with the progress. He is speaking on behalf of one of five members but they threw out March because they wanted to initiate something.

Mr. Balzarini asked if they could hire a consultant, it would be prudent in reviewing all of the documents. He thinks it is important someone with more knowledge, and help Mashpee Commons to keep the process moving.

Mr. Fulone was wondering if he was speaking specifically to zoning. Ms. Waygan asked if he was speaking about a firm, as there are a lot of specialties here that one person cannot manage.

Mr. Lehrer elaborated that in consideration of consultants, there were some thoughtful comments about bringing on additional expertise. He thinks they need a solid idea of who those consultants could be, to reiterate what Ms. Waygan was saying, he doesn't think one firm can get the entire scope of what we need to look at technically with regards to the Development Agreement. In regard to the zoning proposal, zoning is mechanically pretty simple, but he thinks they could go through what has been proposed. Some of the externalities that we need to give thoughtful consideration to like traffic, natural resources, wastewater, and archeological resources. He thinks it would be prudent to consider conversations with the Commission, after last meeting, in relation to process and where they are and information they are receiving. He is going to suggest this Board receive a package of all the filings and requirements of the Commission subsequent to the presentation to the Board. We can then assess what consultants we may need throughout the process. He does not want to speak for the Board, but he does not know what consultants they would need at this time and he does think they are equipped to deal with the bylaw.

Ms. Waygan asked what kind of timing? Sometimes consultants have to be procured with public money, Mr. Lehrer was talking about some meetings, what time frame is he thinking?



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Mr. Lehrer stated their participation at the meeting on June 16th. Cape Cod Commission did commit to the meeting. Board of Selectmen is also interested in having a conversation as well as the Planning Board.

Mr. Cotton wanted to say a lot of this dialogue is a developing situation, the thought process is to have a joint meeting with the Planning Board, Selectmen, and Cape Cod Commission to decipher the next steps. They have already discussed the potential of having advisors or whatever it takes, we have at our disposal anything it takes. That was what they discussed at Mondays meeting. The Chairs can discuss joint meetings between them and the Commission. Out of that we may have more direction with what we are hiring for, we just don't know because the Development Agreement and zoning are separate but comingled.

Mr. Lehrer said by way of the Cape Cod Commissions requirements with the Development Agreement regulations, Mashpee Commons have contracted traffic studies with consultants, and there has been expressed interest in having those assessments and analysis' vetted by a third party designated by the Board. We will have clarity once that is all provided.

Chairman Fulone would like the Town Planner to take us through the parking analysis.

Mr. Lehrer noted before he gets into parking, he wanted to break down what we are looking at in the proposed zoning bylaw. Mechanically, it is relatively simple, not form based code, composed of a few things: The layout of districts (core, transition, and edge) and dimensional criteria (lot coverage, setbacks, parking ratios, inclusionary requirements, and open space provisions). It is the details contained therein that require these extra meetings throughout the next month. There are administrative requirements, the zoning bylaw doesn't just achieve a desired built form, it also needs the regulation to be implemented and enforced. There are provisions within this proposal indicating how it will be administrated. He received public comment about parking. He wanted to break down the ratios as to what they are in the existing bylaw and what is proposed. The Memo in the packet is a layout of what is different. The parking ratios are nuanced and different in areas, but what is trying to be achieved is a pattern of development different to what we currently accommodate. We just need some clarity. Additionally, he received questions regarding building height, lot coverage, and setbacks. Dimensionally, it's difficult to compare what is allowed today with what is allowed in the zoning bylaw overlay. The lot coverage is currently 25% in overlay district, everyone needs to understand there are very specific urban design elements that are intentional differences in the built form that's achieved by way of those differences. This can be elaborated upon by Mashpee Commons, who will be prepared to make a presentation relative to dimension criteria proposed in this bylaw. Will it achieve in the built form in terms of walkable urbanism or urban design principals? He would like to see building height, dimension criteria, parking ratios, and administrative function. The bylaw is simple. Zoning enables development. Approved zoning would have positive and negative externalities. When we have an understanding of density and parking and building height and built form we will be better equipped to negotiate those proffers. Another thing to address is density calculations. Numbers can seem arbitrary, 1,000 units in the core or 400 units here, how do we come that number? Is it adequate? The Community deserves an understanding of methodology behind that maximum. Density is a key point of



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the Development Agreement and it will trigger a number of externalities as we navigate through the process. For the next couple meetings, if the Board could work through details of the bylaw like dimensionality, parking ratio, and administration and work through this process. By the end of the month we have a technically functional bylaw and have time to tweak and work on nuanced refinements of that language without the deadline. Are high dense uses such as residential and office generally consistent? America historically over provides for parking and has for a very long time, like to see a walkable pedestrian friendly neighborhood.

Chairman Fulone had a question on the OSID reference. He is not familiar with OSID. He could use an explanation.

Mr. Lehrer shed light on the OSID bylaw that was voted on and approved at the 1986 Town Meeting. It replaced the Open Spaced Multifamily Development bylaw. It was the regulatory tool used to build the higher density condos in Town like Sea Oaks, Deer Crossing, and parts of Willowbend etc. It allowed 4 units per acre. In 1986 the OSMD was replaced by OSID, which operates under the principle premise of transferring of development rights. Any units above the basic number allowed on the property by the underlying zoning, must be transferred from other land, which may be located elsewhere in Town, and must be set aside as open space. A certain number of units from that now protected land could be transferred into a project of at least 20 acres and that would allow for mixed use development. One thing he will note about OSID, it is mechanically complicated. In the 1998 Comprehensive Plan, it discussed the OSID needs amendments to function well. Another critical piece, it is not naïve to think that zoning needs to be responsive to market conditions. There are two potential development pathways under the current zoning, OSID and conventional commercial subdivisions. The private sector is going to invest in projects that the market responds to. If in the 1986 OSID, the market was allowing for development under that bylaw, he thinks it would have been developed by now. Now in 2021 it hasn't occurred, there is a new option on the table. Two options here: one is mechanically complicated and expensive and the other is mechanically simple and cheaper. As we consider how to analyze zoning we need to make an honest assessment that OSID isn't responsive to current market conditions. The other option is very feasible financially and thus why we are going through this route now. Conventional commercial subdivision option has zero benefits from built, environment, public realm, traffic or a natural resources standpoint.

Chairman Fulone asked if the OSID had been amended since 1986. To which Mr. Lehrer mentioned there had been some, but he would need to look into what specifically they were.

Mr. Balzarini asked if there would be parking for visitors. A dwelling with 1 or 2 bedrooms and only one parking space, it is difficult to have a two bedroom dwelling with one parking spot. Noted garages with stories.

Mr. Lehrer reiterated we should go through the nuances of dimensional criteria with why it's proposed and what it achieves by way of urban design principle and urban form and a presentation will be given by a traffic professional in regards to parking at a future meeting.



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Ms. Cox did receive Evans Memo, she purposefully deviated from many parking provisions, and the trick is to provide adequate but not excess parking. They have been consulting with experts who examine trends and views this development as a standalone project, not in context of Mashpee Commons. She understands that is a question this Board wants to understand. At a subsequent meeting we will bring in an expert to elaborate on the numbers in greater detail.

Mr. Balzarini says a lot of traffic and fire and ambulance has to go in there. Setbacks with the alleyways and cars parked, it may be hard to get a hose or truck through.

Mr. Niedzwiecki stated there is a lot that has happened since last week's meeting, he thanked Selectmen and Planning Board for the thoughtful consideration of how this process is navigated. Zoning was rolled out first for transparency, this is local process, and not having to think about October Town Meeting is a relief to them as well. He looks forward to discussion, and there is opportunity for a structured discussion, maybe one that doesn't have the same pace, we want to make sure the right people are here to answer those questions. They are going to meet with Cape Cod Commission tomorrow, we need to come up with an explanation of the Development Agreement, and local zoning process is a component. In an effort to be more transparent, all public comments were about impacts. Those are dealt with in the Development Agreement process. Zoning is a mechanical discussion about form and function. We don't want to come here and not answer impact questions. We anticipated that being part of the Development Agreement process. He feels good that the zoning is out there for consideration. As this process continues to move through and analyze it mechanically, paced on weekly or biweekly basis, and have these conversations be targeted to parking, density, public safety, etc. This would help narrow public comment and allowed the Commons to provide the right speakers at the right time to allow for productive discourse. His team appreciates the extra time as much as anyone else.

Chairman Fulone asked if there has been consideration to the presented schedule.

Mr. Niedzwiecki mentioned after tomorrow's meeting they will be more keyed into the schedule. When Cape Cod Commission comes on 16th they will have a better idea as well. He does not think it is crucial to meet tomorrow evening. He appreciates the tone and the progress of the dialogue. He would like to meet on the 16th, it is important to meet with Cape Cod Commission, but parking and density could be structured over four or five or more meetings. He does think having meetings that are targeted would be beneficial. Zoning is dense and difficult and when it all is happening at the same time as Development Agreement, this extra times gives opportunity to pace better.

Ms. Cox stated between now and 16th we can have conversations with Town Planner to discuss suggested schedule as well as come up with topics under zoning so they can coordinate with their consultants to have the right people to present to the Planning Board.

Mr. Balzarini doesn't know if this is the time to say, but there are only three exits to get out of this project now. Is the zoning part of accessing the property better than what we have? Is there a separate access road for construction?



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Mr. Niedzwiecki stated this was an excellent example of what we are trying to deal with. Construction and roadways is part of the Development Agreement. Parking is zoning. When Cape Cod Commission comes and commits to a schedule, it could be they want to wait for their public hearing on transportation. It will be a complicated process, but the good news is there will be a lot of process. Because it is so complicated, taking the opportunity to structure point by point dialogue will be the way to bring the most clarity to the entire process.

Mr. Fulone knew this would be a learn as we go process. His first suggestion is to cancel tomorrow's meeting.

MOTION: A motion has been made by Ms. Waygan to cancel the meeting scheduled for June 10, 2021. Seconded by Mr. Callahan. All in favor.

Chairman Fulone would like to stick to the rest of the scheduled meetings, but if they could have topics for each one of those meetings would be terrific.

Mr. Phelan knows the pattern book is artistic impression. On page 21 it shows a 5.5 story building. Contrary to what we are looking at, we need to be careful about what we present for wrong interpretation, just a minor thing to note.

Mr. Kallfelze directed the Board to look at zoning for a 4.5 story, if the intention is for a hotel we wanted to show an example of what was in the zoning and remain up front and transparent about that.

Ms. Waygan asked if design guideline is closest to form based code. In the Regulating Plan, she is looking for something that talks about road widths. Is that regulating plan or design guidelines? Will we be able to see those soon?

Mr. Kallfelze states the design guidelines cover a huge range, everything from the situation of the building to the relationship to parking all the way down to trim and height of floors. It is as close as you would get in context of this to form based component. It is a combination of both regulating plan and design guidelines.

Ms. Cox has done a Development Agreement through Cape Cod Commission but never three party. Similar to this, the buildings weren't designed, and design guidelines created examples and requirements of what would happen as buildings become designed. She envisions the design guidelines will be an exhibit to the Development Agreement.

Ms. Waygan reminded the Mashpee Commons about her list of questions. She hopes that her questions are not forgotten about from last meeting.

Mr. Cotton heard at the last Planning Board and Selectmen's meetings, and heard tonight from the public, and he knows he will get to topics, but it revolves around wastewater. If they could state presently what is the current capacity for waste water? Some information had been given on the tour,



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as far as present capacity of wastewater at the facility, what can it handle now and with intention to upgrade, what is to be developed? Make everyone aware there is going to be no additional septic systems, it will all be handled by present or new adapted treatment.

Mr. Feronti, wastewater expert for the Commons, remarked about how there were all these comments about how the Town is starting to make an effort. The wastewater has been being dealt with since 1986, it was built in 1988, upgraded in 1990, expanded in 2014. Current uses are four municipal buildings, Commons, and adjacent property owner as an opportunity. Long answer to short questions, all future development will be connected. No plans to install septic's as part of anything Mashpee commons does or has ever done. The actual flow in the plant is somewhere between 30-40,000/gal a day. In the summer it can reach 50-60,000 gal. Title V is what we use as a basis for the capacity calculation. Our usage in the plant is about 90,000 gallons. As part of our groundwater discharge permit, there is contemplated expansion for another 100,000 gallons a day.

Mr. Cotton has a request on typography. He is concerned where these 4.5 story buildings will sit. Where do those large structures tend to be and where is the ground floor? He would like to see elevation maps for the placement of structures.

Mr. Phelan also has that concern. The Town does have an accessible typography as the rocks area across the Commons is quite elevated vs. Steeple St. Included in the core area, 4.5 story, you'll be looking at the top of steeple. He figured that would be an individual discussion.

Mr. Fulone wants to direct the Board to correspondence in the packet. There was an E-mail from Mashpee commons that lays out many questions the Board had from last week. He appreciates the endorsement from Housing Assistance Corp. with what they are trying to do for housing.

ADDITIONAL TOPICS

[Not reasonably anticipated by Chair]

ADJOURNMENT

MOTION: Mr. Balzarini made a motion to end the meeting at 5:13PM. Ms. Waygan seconded the motion. All in favor.

The meeting ended at 5:13PM.

Next Meeting: June 16, 2021 6:00PM



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Respectfully Submitted,

Christine M. MacDonald
Board Secretary

LIST OF DOCUMENTS

Additional documents may be available in the Planning Department.

- Karen Faulkner correspondence- Mashpee Commons Expansion
- Town of Sandwich Notices
- Town of Falmouth Notices
- Waterways Application – 45 Popponesset Island Road – Lisa and Christopher Conti
- March 2021 Discharge Monitoring Report for South Cape Village – N=4.1
- February 2021 Discharge Monitoring Report for South Cape Village – N=5.0
- January 2021 Discharge Monitoring Report for South Cape Village – N=6.1



FORM A

APPLICATION FOR ENDORSEMENT OF PLAN BELIEVED NOT TO REQUIRE APPROVAL

Date: May 7, 2021

To the Planning Board: The undersigned, believing that the accompanying plan of his or her property in the Town of Mashpee does not constitute a subdivision within the meaning of the Subdivision Control law, herewith submits said plan for a determination and endorsement that Planning board approval under the Subdivision Control Law is not required.

Name of Applicant Robert Allen and Michelle A. Wolpe Phone 508-477-7272

Address 31 Heritage Drive, Walpole, MA 02801

Owner, if different Same and James C. Atkins Phone 508-477-7272

Address 92A Beach Street Cohasset, MA 02025

Attach copies of (a) most recent recorded deed and (b) tax bill or Assessor's certification.

Engineer or Surveyor Cape & Islands Engineering Inc. Phone 508-477-7272

Address 800 Falmouth Road, Suite 301 C, Mashpee, MA 02649

Deed of property recorded in Barnstable County Registry Book 27544 Page 240
32859 62

Land Court Certificate of Title No. _____

Location and description of property 80 and 84 Punkhorn Point Road, Mashpee, MA. #80 consists of 74,850 +/- sq. ft. of upland and #84 consists of 64,500 +/- sq. ft. of upland. Zone R-3. Propose to create and swap two parcels of land. Parcels A & B are non-buildable. Parcel A to be conveyed from Lot 2 (#84) and annexed to Lot 1 (#80). Parcel B to be conveyed from Lot 1 (#80) and annexed to Lot 2 (#84).

Mashpee Assess map(s) and Block(s) 100 - 4 (#80) and 100 - 5 (#84)

Signature of Owner or Authorized Representative _____

Cape & Islands Engineering, Inc.

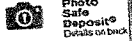
Attach written authorization signed by owner.

ROBERT A WOLPE
MICHELLE A WOLPE
31 HERITAGE DR
WALPOLE, MA 02081-2207

9418
53-13/110 MA
26687

5/2/21 Date

Pay to the Order of Town of Marjpee \$ 100.00
One Hundred ⁰⁰/₁₀₀ Dollars



BANK OF AMERICA

ACH R/T 011000138

For ANR fly fee Ruth RP

⑆011000138⑆ 000021215732⑆9418

April 29, 2021

Mr. Evan Lehrer, Town Planner
Town of Mashpee Planning
16 Great Neck Road North
Mashpee, MA 02649

**RE: Application for Approval Not Required for 80 and 84 Punkhorn Point
Road, Mashpee, MA**

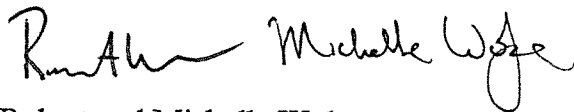
Dear Mr. Lehrer:

This letter is in regard the above referenced application.

Please accept this letter as my written authorization to allow Matthew C. Costa, P.L.S., R.S., President, Cape and Islands Engineering, Inc. and/or his Associates to represent this Approval Not Required Application on my behalf.

If you have any questions, please feel free to contact me at 508-941-9630.

Sincerely,

Handwritten signature of Robert and Michelle Wolpe in cursive script.

Robert and Michelle Wolpe
31 Heritage Drive
Walpole, MA 02081
508-941-9630

Cc: Cape & Islands Engineering, Inc.

Planning Board
Form N

Notice of Filing
of Application with the Mashpee Planning Board

To the Mashpee Town Clerk:

This is to notify you that on May 6, _____, 20 21 an application for

- endorsement of a plan believed not to require approval
 approval of preliminary plan
 approval of definitive plan

was submitted to the Mashpee Planning Board at its public meeting by

Robert A. and Michelle Wolpe _____, 31 Heritage Drive, Walpole, MA 02081 _____
Applicant name Applicant address

The land to which the application relates appears on the current Mashpee Assessors Maps as
100 - 4 and 100 - 5

and is generally described as located

80 and 84 Punkhorn Point Road, Mashpee, MA. #80 consists of 74,850 +/- sq. ft. of Upland and #84 consists of 64,500 +/- sq. ft. of Upland. Zone R-3. Propose to create and swap two parcels of Land. Parcels A & B are non-buildable. Parcel A to be conveyed from Lot 2 (#84) and annexed to Lot 1 (#80). Parcel B to be conveyed from Lot 1 (#80) and annexed to Lot 2 (#84).

This notice must be submitted to the Town Clerk by delivery or by registered or certified mail, postage prepaid, along with a copy of the application and submitted plans.

Received by Planning Board on _____, 20 21 .

for Mashpee Planning Board

Dear Mr. [Name]

Mr. [Name]
[Address]
[City, State, Zip]
[Phone Number]

Re: [Subject]

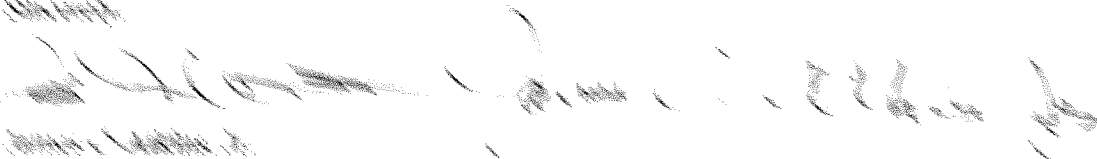
Dear Mr. [Name]

[Text]

[Text]

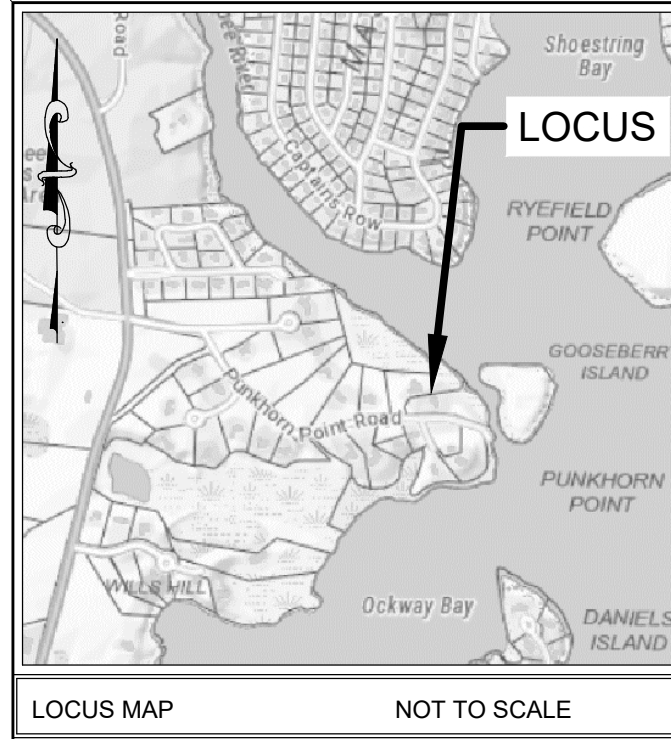
[Text]

[Text]



[Text]

[Text]



PLANNING BOARD APPROVAL UNDER THE
SUBDIVISION CONTROL LAW NOT REQUIRED

DATE APPROVED _____ DATE SIGNED _____

MASHPEE PLANNING BOARD

NO DETERMINATION AS TO COMPLIANCE WITH ZONING
REQUIREMENTS HAS BEEN MADE OR INTENDED BY THIS
ENDORSEMENT UNDER MGL CHAPTER 41, SECTION 81L.

I HEREBY CERTIFY THAT THIS PLAN DOES CONFORM WITH THE
REQUIREMENTS FOR RECORDING OF PLANS IN THE REGISTRY
OF DEEDS.

MATTHEW C. COSTA P.L.S. DATE

I CERTIFY THAT THIS PLAN AND SURVEY CONFORMS TO THE
ETHICAL, PROCEDURAL AND TECHNICAL STANDARDS FOR THE
PRACTICE OF LAND SURVEYING IN THE COMMONWEALTH OF
MASSACHUSETTS.

MATTHEW C. COSTA P.L.S. DATE

FOR REGISTRY USE ONLY

GENERAL NOTES

LOCATIONS ARE BASED ON AN "ON THE GROUND"
INSTRUMENT SURVEY AND ELEVATIONS BASED ON THE NAVD
1988 DATUM. COORDINATE SYSTEM USED IS THE
MA-MAINLAND COORDINATE SYSTEM, DATUM: NAD 83.
UNITS: U.S. SURVEY FEET.

ZONING DISTRICT: R-3

PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE
DESIGNATION OF AE (ELEV. 11) & X (.02%) BY THE FEDERAL
EMERGENCY MANAGEMENT AGENCY (FEMA), ON FLOOD
INSURANCE RATE MAP NO. 25001C0752J, WITH A MAP
EFFECTIVE DATE OF
JULY 16, 2014.

DEED REFERENCE: DEED BOOK 32859 PAGE 62
DEED BOOK 27544 PAGE 240

PLAN REFERENCE: PLAN BOOK 557 PAGE 4

PLAN PURPOSE

THE PURPOSE OF THIS PLAN IS TO CREATE AND SWAP TWO
PARCELS OF LAND.

PARCELS A & B ARE NOT BUILDABLE LOTS.

PARCEL A IS TO BE CONVEYED FROM LOT 2 AND ANNEXED TO
LOT 1.

PARCEL B IS TO BE CONVEYED FROM LOT 1 AND ANNEXED TO
LOT 2.

OWNERS

LOT 1 (80 PUNKHORN POINT ROAD)
JAMES C ATKINS &
JOHN J. WELTMAN
92A BEACH STREET
COHASSET, MA 02025
DEED BOOK 27544 PAGE 240

LOT 2 (84 PUNKHORN POINT ROAD)
ROBERT ALLEN WOLPE & MICHELLE WOLPE
31 HERITAGE DRIVE
WALPOLE, MA 02081
DEED BOOK 32859 PAGE 62

NOTICE
THIS PLAN MAY NOT BE ADDED TO, DELETED FROM, OR ALTERED IN ANY WAY BY ANYONE OTHER THAN CAPE &
ISLANDS ENGINEERING, INC.
UNLESS AND UNTIL SUCH TIME AS AN ORIGINAL (RED) STAMP APPEARS ON THIS PLAN NO PERSON OR
PERSON, MUNICIPAL OR PUBLIC OFFICIAL MAY RELY UPON THE INFORMATION CONTAINED HEREIN, AND THIS
PLAN REMAINS THE PROPERTY OF CAPE AND ISLANDS ENGINEERING, INC.

COPYRIGHT (C) BY CAPE & ISLANDS ENGINEERING, INC. ALL RIGHTS RESERVED

03/26/21	REVISE: SUBMITTER INFORMATION	JVB	MC
DATE	DESCRIPTION	BY	CHK

PREPARED FOR:
ROBERT ALLEN & MICHELLE WOLPE
31 HERITAGE DRIVE
WALPOLE, MA 02081

PROJECT:
80 & 84 PUNKHORN POINT ROAD
MASHPEE, MASSACHUSETTS

SHEET NO.: 1 OF 1 DATE: APRIL 21, 2021

DRAWN BY: JVB CHECKED BY: MC

PREPARED BY:

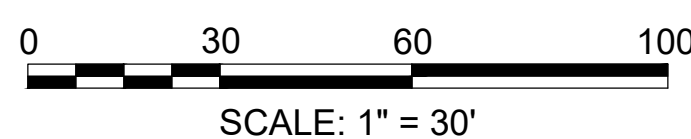
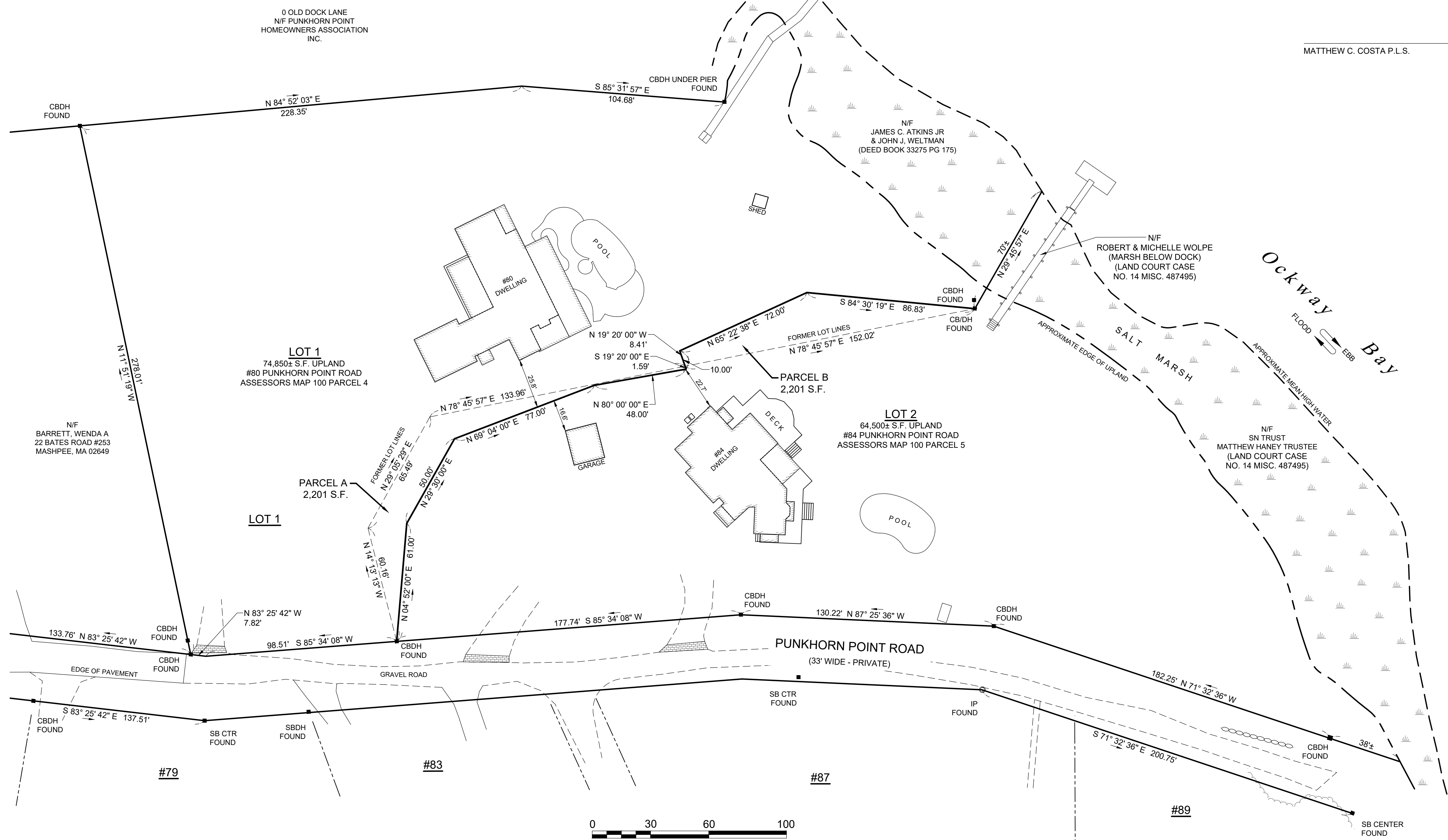
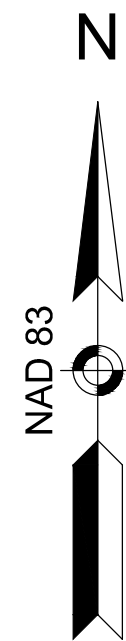


SUMMERFIELD PARK 800 FALMOUTH ROAD SUITE 301C MASHPEE, MA 02649 508.477.7272 PHONE 508.477.9072 FAX www.CapeEng.com

DRAWING TITLE:

PLAN OF LAND

ASSESSORS INFORMATION: MAP 100 PARCEL 5



From: Eliza Cox [<mailto:ECox@nutter.com>]
Sent: Tuesday, June 15, 2021 3:16 PM
To: Evan Lehrer <ELehrer@mashpeema.gov>
Subject: Proposed Topical Meeting Schedule

WARNING! EXTERNAL EMAIL: : This message originated outside the Town of Mashpee mail system. DO NOT CLICK on links or attachments unless you are absolutely certain the content is safe.

Dear Evan,

At the last Planning Board meeting, we offered to propose a revised schedule for future meetings with the Planning Board on the proposed Community Activity Center ("CAC") Overlay District zoning amendment, with topical meetings to discuss various components of the proposed amendment. After consulting with the members of the Mashpee Commons' team and coordinating their availability, we propose the following:

- Tomorrow, Wednesday, June 16th – No meeting. Originally, the thought was that this meeting was going to be a discussion surrounding the Development Agreement process with attendance by the Cape Cod Commission Staff leadership. However, we understand that this has been scheduled for a joint meeting with the Planning Board and Board of Selectmen for Monday, June 21st (see below).
- Monday, June 21st – 6:30pm – Joint meeting with the Planning Board and Board of Selectmen, with Cape Cod Commission staff, to discuss the 3-Party Development Agreement process.
- Wednesday, June 30th – Discussion of Proposed CAC subzones and uses
- Wednesday, July 7th – Overview of Neighborhood Design, including proposed CAC setbacks and lot coverage dimensional requirements
- Wednesday, July 21st – Discussion of Proposed CAC maximum densities and building height
- Wednesday, July 28th – Discussion of Proposed CAC parking and parking ratios

I will also give you a call in a few minutes to discuss.

Thank you very much.

Kind wishes,

Eliza



Eliza Cox
Nutter McClennen & Fish LLP
1471 Iyannough Rd, P.O. Box 1630 / Hyannis, MA 02601
Direct / 508-790-5431
ECox@nutter.com

This Electronic Message contains information from the law firm of Nutter, McClennen & Fish, LLP, which may be privileged and confidential. The information is intended to be for the use of the addressee only. If you have received this communication in error, do not read it. Please delete it from your system without copying it, and notify the sender by reply e-mail, so that our address record can be corrected. Thank you.



JUN 09 2021

TOWN OF FALMOUTH
MASSACHUSETTS

BOARD OF APPEALS

Notice of Decision

Notice is hereby given that the Board of Appeals of the Town of Falmouth has made a decision on a petition by **Wings Pond LLC**, 63 North Falmouth Highway, North Falmouth, Ma. (Map 15, Lot 000) **under** chapter 40B, as amended to **deny** the comprehensive permit to construct a six (6) duplex development (12 units total), 3 of which will be affordable.

Appeals, if any, shall be made pursuant to the Massachusetts General Laws, Chapter 40A, Section 17, and shall be filed within twenty (20) days after **June 4, 2021** which is the date the Decision was filed in the office of the Town Clerk.

Please contact Noreen Stockman at 508-495-7460
or Noreen.stockman@falmouthma.gov if you have any questions or comments
full text of decision available at <http://www.falmouthmass.us>



JUN 04 2021

TOWN OF FALMOUTH
MASSACHUSETTS

BOARD OF APPEALS

Notice of Decision

Notice is hereby given that the Board of Appeals of the Town of Falmouth has made a decision on a petition by Barnstable County Agricultural Society, 1220 Nathan S. Ellis Highway, East Falmouth.

(Map 18, Lot 180 and associated parcels) under of the Zoning by-Law, as amended to **grant** the special permit to allow non-agricultural events with associated parking and parking for a fee.

Appeals, if any, shall be made pursuant to the Massachusetts General Laws, Chapter 40A, Section 17, and shall be filed within twenty (20) days after **June 1, 2021** which is the date the Decision was filed in the office of the Town Clerk.

Please contact Noreen Stockman at 508-495-7460
or Noreen.stockman@falmouthma.gov if you have any questions or comments
full text of decision available at <http://www.falmouthmass.us>



JUN 04 2021

**TOWN OF FALMOUTH
MASSACHUSETTS**

BOARD OF APPEALS

Notice of Decision

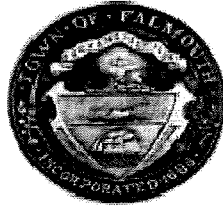
Notice is hereby given that the Board of Appeals of the Town of Falmouth has made a decision on a petition by Lorien LLC, 108 Gansett Road, Woods Hole, Ma.

(Map 49, Lot 002B) under 240-3 A. and 0240-68A (8) of the Zoning by-Law, as amended to **grant** the modification of special permit No.075-18 to allow modifications to previously approved plans.

Appeals, if any, shall be made pursuant to the Massachusetts General Laws, Chapter 40A, Section 17, and shall be filed within twenty (20) days after **June 1, 2021**, which is the date the Decision was filed in the office of the Town Clerk.

Please contact Noreen Stockman at 508-495-7460
or Noreen.stockman@falmouthma.gov if you have any questions or comments
full text of decision available at <http://www.falmouthmass.us>

JUN 04 2021



TOWN OF FALMOUTH
MASSACHUSETTS

BOARD OF APPEALS

Notice of Decision

Notice is hereby given that the Board of Appeals of the Town of Falmouth has made a decision on a petition by William J. and Gina C. Webber, 47 Rockville Avenue, East Falmouth, Ma.

(Map 27, Lot 012) under 240-38 G(4)(b) of the Zoning by-Law, as amended to **grant** the special permit to park a commercially registered vehicle with a gross vehicle weight of more than 13,000 pounds on subject property.

Appeals, if any, shall be made pursuant to the Massachusetts General Laws, Chapter 40A, Section 17, and shall be filed within twenty (20) days after **May 28, 2021** which is the date the Decision was filed in the office of the Town Clerk.

Please contact Noreen Stockman at 508-495-7460
or Noreen.stockman@falmouthma.gov if you have any questions or comments
full text of decision available at <http://www.falmouthmass.us>



TOWN OF FALMOUTH

ZONING BOARD OF APPEALS

59 TOWN HALL SQUARE, FALMOUTH, MA 02540
508-495-7460 – FAX 508-495-7463

BOARD OF APPEALS NOTICE OF PUBLIC HEARING

JUN 02 2021

Being all persons deemed affected by the Board of Appeals under Section 11 of Chapter 40A of the Massachusetts General Laws you are hereby notified that:

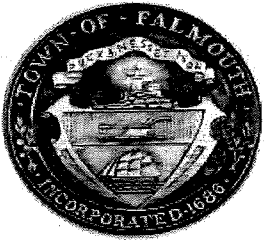
Application #035-21 Michael W. Domingues, 134 Carriage Shop Road, East Falmouth, Ma.: Applied to the Zoning Board of Appeals for a special permit pursuant to section(s) 240-38 G. of the Code of Falmouth to allow an accessory structure exceeding 900s/f in size on subject property known as 134 Carriage Shop Road, East Falmouth, Ma.

Map 29 Section 08 Parcel 008 Lot(s) 003

A public hearing will be given on this application, in the Selectmen's Meeting Room, Town Hall, on **Thursday, June 17, 2021 at 6:30PM - *MEETING WILL BE HELD IN-PERSON***
You are invited to be present.

By Order of the Board of Appeals,
Chairman, Terrence Hurrie

Plans are available for review prior to the hearing at the Board of Appeals office, Town Hall during the hours of 8:00 AM to 4:00 PM. *Plans are available to review at <http://www.falmouthmass.us/1113/Applications-under-review-by-the-ZBA>*



TOWN OF FALMOUTH

ZONING BOARD OF APPEALS

59 TOWN HALL SQUARE, FALMOUTH, MA 02540
508-495-7460 – FAX 508-495-7463

JUN 02 2021

BOARD OF APPEALS NOTICE OF PUBLIC HEARING

Being all persons deemed affected by the Board of Appeals under Section 11 of Chapter 40A of the Massachusetts General Laws you are hereby notified that:

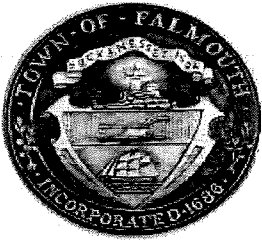
Application #034-21 Martin Thomas Griffin, 46 Ocean Street, Quincy, Ma: Applied to the Zoning Board of Appeals for a special permit pursuant to section(s) 240-3 C. of the Code of Falmouth to raze and reconstruct the existing non-conforming detached garage on subject property known as 134 Gifford Street, Falmouth, Ma.

Map 38A Section 07 Parcel 018 Lot(s) 001

A public hearing will be given on this application, in the Selectmen's Meeting Room, Town Hall, on **Thursday, June 17, 2021 at 6:30PM - *MEETINGS WILL BE HELD IN-PERSON***
You are invited to be present.

By Order of the Board of Appeals,
Chairman, Terrence Hurrie

Plans are available for review prior to the hearing at the Board of Appeals office, Town Hall during the hours of 8:00 AM to 4:00 PM. *Plans are available to review at <http://www.falmouthmass.us/1113/Applications-under-review-by-the-ZBA>*



TOWN OF FALMOUTH

ZONING BOARD OF APPEALS

JUN 02 2021

59 TOWN HALL SQUARE, FALMOUTH, MA 02540
508-495-7460 – FAX 508-495-7463

BOARD OF APPEALS

NOTICE OF PUBLIC HEARING

Being all persons deemed affected by the Board of Appeals under Section 11 of Chapter 40A of the Massachusetts General Laws you are hereby notified that:

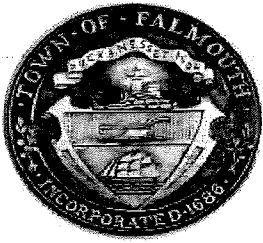
Application #036-21 James F. Mooney, III, Trustee, c/o Ament Klauer LLP, 39 Town Hall Square, Falmouth, Ma: Applied to the Zoning Board of Appeals for a special permit pursuant to section(s) 240-68 A. (8) and 240-3 C. of the Code of Falmouth to allow the existing nonconforming boathouse to be reconstructed and allow a detached garage with living space above in the front yard, more than 50' from the front property line. The subject property is 188 Gansett Road, Woods Hole, Ma.

Map 49 Section 03 Parcel 011 Lot(s) 089

A public hearing will be given on this application, in the Selectmen's Meeting Room, Town Hall, on **Thursday, June 17, 2021 at 6:30PM - *MEETING WILL BE HELD IN-PERSON***
You are invited to be present.

By Order of the Board of Appeals,
Chairman, Terrence Hurrie

Plans are available for review prior to the hearing at the Board of Appeals office, Town Hall during the hours of 8:00 AM to 4:00 PM. *Plans are available to review at <http://www.falmouthmass.us/1113/Applications-under-review-by-the-ZBA>*



TOWN OF FALMOUTH

ZONING BOARD OF APPEALS

59 TOWN HALL SQUARE, FALMOUTH, MA 02540
508-495-7460 – FAX 508-495-7463

BOARD OF APPEALS

NOTICE OF PUBLIC HEARING

JUN 02 2021

Being all persons deemed affected by the Board of Appeals under Section 11 of Chapter 40A of the Massachusetts General Laws you are hereby notified that:

Application #038-21 Thomas J. Scarduzio, Trustee, 186 Meadowneck Road, East Falmouth, Ma.:

Applied to the Zoning Board of Appeals for a special permit pursuant to section(s) 240-23 G(1)(b) of the Code of Falmouth to allow an attached three car garage, exceeding 900 s/f in size on subject property known as 192 Meadow Neck Road, East Falmouth, Ma.

Map 31 Section 04 Parcel 005 Lot(s) 002C

A public hearing will be given on this application, in the Selectmen's Meeting Room, Town Hall, on **Thursday, June 17, 2021 at 6:30PM - *MEETING WILL BE HELD IN-PERSON***
You are invited to be present.

By Order of the Board of Appeals,
Chairman, Terrence Hurrie

Plans are available for review prior to the hearing at the Board of Appeals office, Town Hall during the hours of 8:00 AM to 4:00 PM. *Plans are available to review at <http://www.falmouthmass.us/1113/Applications-under-review-by-the-ZBA>*



TOWN OF FALMOUTH

ZONING BOARD OF APPEALS

59 TOWN HALL SQUARE, FALMOUTH, MA 02540
508-495-7460 – FAX 508-495-7463

JUN 02 2021

BOARD OF APPEALS

NOTICE OF PUBLIC HEARING

APPLICATION NO: 050-20

June 17, 2021

A list of abutters is on file in the office of the Board of Appeals, Town Hall Falmouth, Massachusetts.

Being all persons deemed affected by the Board of Appeals under Section 11 of Chapter 40A of the Massachusetts General Laws you are hereby notified that:

Village at Brick Kiln, LLC

of

Milton, Ma

applied to the Zoning Board of Appeals for a Comprehensive Permit pursuant to MGL Chapter 40B to raze the existing buildings and construct thirty-two (32) single family dwellings; eight (8) units will be affordable. The subject property is 511 Brick Kiln Road, West Falmouth, Ma.

Map 26 Section 01 Parcel 019A Lot 000A

A public hearing will be given on this application, in the Selectmen's Meeting Room, Town Hall, on **Thursday, June 17, 2021 at 6:30 pm. - *MEETINGS WILL NOW BE HELD IN-PERSON***

You are invited to be present.

By Order of the Board of Appeals,
Chairman, Terrence Hurrie

Plans are available for review prior to the hearing at the Board of Appeals office, Town Hall during the hours of 8:00 AM to 4:00 PM. *Plans are available to review at <http://www.falmouthmass.us/1113/Applications-under-review-by-the-ZBA>*



JUN 09 2021

**TOWN OF SANDWICH
PUBLIC HEARING NOTICE
BOARD OF APPEALS**

The Sandwich Board of Appeals will hold a public hearing on the application of WingsWay, LLC, applicant and property owner, for a Special Permit under Sections 1330, 2420, 2600 (c) and 4300 of the Sandwich Protective Zoning By-Law for property located at 14 Beach Way, East Sandwich, MA, Assessor's Map #57, Parcel #1, for the purpose of renovating and enlarging a pre-existing nonconforming structure with associated site improvements. The Public Hearing will be held on June 22, 2021, in the upper meeting room of the Human Services Building, 270 Quaker Meetinghouse Road, East Sandwich, MA at 6:00 p.m. The public record information can be viewed at the Planning & Development office, 16 Jan Sebastian Drive, Sandwich, MA, Monday-Friday 8:30 a.m. to 4:30 p.m.

Erik Van Buskirk, Chair
Sandwich Board of Appeals
Publication: Sandwich Enterprise
Publication Dates: June 4 and June 11, 2021

Town of Sandwich
THE OLDEST TOWN ON CAPE COD



Board of Appeals

16 Jan Sebastian Drive
Sandwich, MA 02563
Phone: 508-833-8001
Fax: 508-833-8006
E-mail: planning@sandwichmass.org

**TOWN OF SANDWICH
PUBLIC HEARING NOTICE
BOARD OF APPEALS**

JUN 09 2021

The Sandwich Board of Appeals will hold a public hearing on the application of SCG Development Partners, LLC and Commons at the Wing Limited Partnership (to be formed), Applicants, and SCG Development Partners, LLC and the Town of Sandwich, Property Owners, for a Comprehensive Permit with Waivers under MGL Chapter 40B for property located at 33 Water Street, Sandwich, MA, Assessor's Map #43 Parcel #5 for the proposed three-phased new construction development consisting of 128 units of senior housing. The Public Hearing will be held on June 22, 2021 in the upper meeting room of the Human Services Building, 270 Quaker Meetinghouse Road, East Sandwich, MA at 6:00 p.m. The public record information can be viewed at the Planning & Development office, 16 Jan Sebastian Drive, Sandwich, MA, Monday – Friday 8:30 a.m. to 4:30 p.m.

Erik Van Buskirk, Chair
Sandwich Board of Appeals
Publication: Sandwich Enterprise
Publication Dates: June 4 and June 11, 2021



**TOWN OF SANDWICH
PUBLIC HEARING NOTICE
BOARD OF APPEALS**

JUN 02 2021

In accordance with M.G.L. Ch. 138, and Governor Baker's Executive Order of March 12, 2020, due to the current State of Emergency in the Commonwealth due to the outbreak of the "COVID-19 Virus" and the Board of Appeals Open Meeting Law Declaration providing explanatory language on the use of Virtual Meetings, the Sandwich Board of Appeals will hold a public hearing on Tuesday, June 8, 2021 at 6:00 p.m. which shall be convened remotely via a ZOOM videoconference and broadcast live on SCTV to consider the application of Paul Chicco, applicant and property owner, for a Special Permit under Sections 1330 & 4300 of the Sandwich Protective Zoning By-Law for property located at 17 Dewey Avenue, Sandwich, MA, Assessor's Map #74, Parcel 45-002, for the purpose of placing fill in a flood zone. The public record information can be viewed at the Planning & Development office, 16 Jan Sebastian Drive, Sandwich, MA, Monday-Friday 8:30 a.m. to 4:30 p.m.

Anyone wishing to be heard on the subject will be afforded an opportunity to comment by email to planning@sandwichmass.org. This comment line will be monitored during the meeting.

Erik Van Buskirk, Chair
Sandwich Board of Appeals

Publication: Sandwich Enterprise
Publication Dates: May 21 and May 28, 2021



JUN 03 2021

**Variance
Certificate of Denial**

TOWN CLERK
TOWN OF SANDWICH

JUN 01 2021

3 11 P M
RECEIVED & RECORDED

Petition # 21-12
Name of Applicant: Cary Casoli
Address: 0 Route 6A Lot 1A

On May 25, 2021 the Board of Appeals voted to deny a variance from Section 1321 and 2550c of the Sandwich Zoning By-law for property located at 0 Route 6A Lot 1A, as shown on Assessor's Map 67, Parcel 052 for the purpose of granting dimensional relief from lot area and frontage requirements.

The Board of Appeals certifies that the decision attached hereto is a true and correct copy of its decision to deny a variance and that copies of said decision, and of all plans referred to in the decision, have been filed with the Board of Appeals and the Town Clerk.

The Board of Appeals also calls to the attention of the owner or applicant that General Laws, Chapter 40A, Section 11 provides that no variance, or any extension, modification or renewal thereof, shall take effect until a copy of the decision bearing the certification of the town clerk that twenty days have elapsed after the decision has been filed in the office of the town clerk and no appeal has been filed or that, if such appeal has been filed, that it has been dismissed or denied, is recorded in the registry of deeds for the county and district in which the land is located and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title. The owner or applicant shall pay the fee for such recording or registering. A copy of that registered decision shall be returned to the Planning & Development office as proof of filing.

Any person aggrieved by this decision may appeal to the Superior Court or Land Court as in Section 17 of Chapter 40A, M.G.L. by filing a NOTICE OF ACTION AND COMPLAINT with the Town Clerk within twenty (20) days of the date of filing of this decision.


Board of Appeals Member

6/1/2021
Date

Motion: I, James Killion, move to adopt these findings as the findings of the Board of Appeals.

Second: Christopher Neeven

Vote:	Erik Van Buskirk	Yes
	Christopher Neeven	Yes
	James Killion	Yes
	Robert Jensen	Yes
	Chase Terrio	Yes
	Gerry Nye	Yes
	Jack Casali	Yes

DECISION:

After reviewing the application, the plan and other materials submitted and after giving due consideration to testimony given at the public hearing, the Board hereby denies the variance application for property located at 0 Route 6A Lot 1A, as shown on Assessor's 67, Parcel 052 for the purpose of granting dimensional relief from lot area and setback requirements.

Motion: I, James Killion, move to deny the variance application.

Second: Robert Jensen

Vote:	Erik Van Buskirk	Yes
	Christopher Neeven	Yes
	James Killion	Yes
	Robert Jensen	Yes
	Chase Terrio	Yes
	Gerry Nye	Yes
	Jack Casali	Yes

JUN 02 2021

DEPARTMENT OF ENVIRONMENTAL PROTECTION
WATERWAYS REGULATION PROGRAM

Notice of License Application Pursuant to M. G. L. Chapter 91
Waterways License Application Number W21-5974
John S. & Carol D. Kelley

NOTIFICATION DATE: June 11, 2021

Public notice is hereby given of the waterways application by John S. & Carol D. Kelley to construct and maintain a pier, ramp, float, and piles at 174 Captains Row in the municipality of Mashpee, in and over flowed tidelands of Mashpee River. The proposed project has been determined to be water-dependent.

The Department will consider all written comments on this Waterways application received within thirty (30) days subsequent to the "Notification Date". Failure of any aggrieved person or group of ten citizens or more, with at least five of the ten residents residing in the municipality(s) in which the license or permitted activity is located, to submit written comments to the Waterways Regulation Program by the Public Comments Deadline will result in the waiver of any right to an adjudicatory hearing in accordance with 310 CMR 9.13(4)(c).

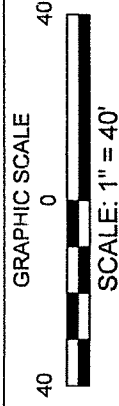
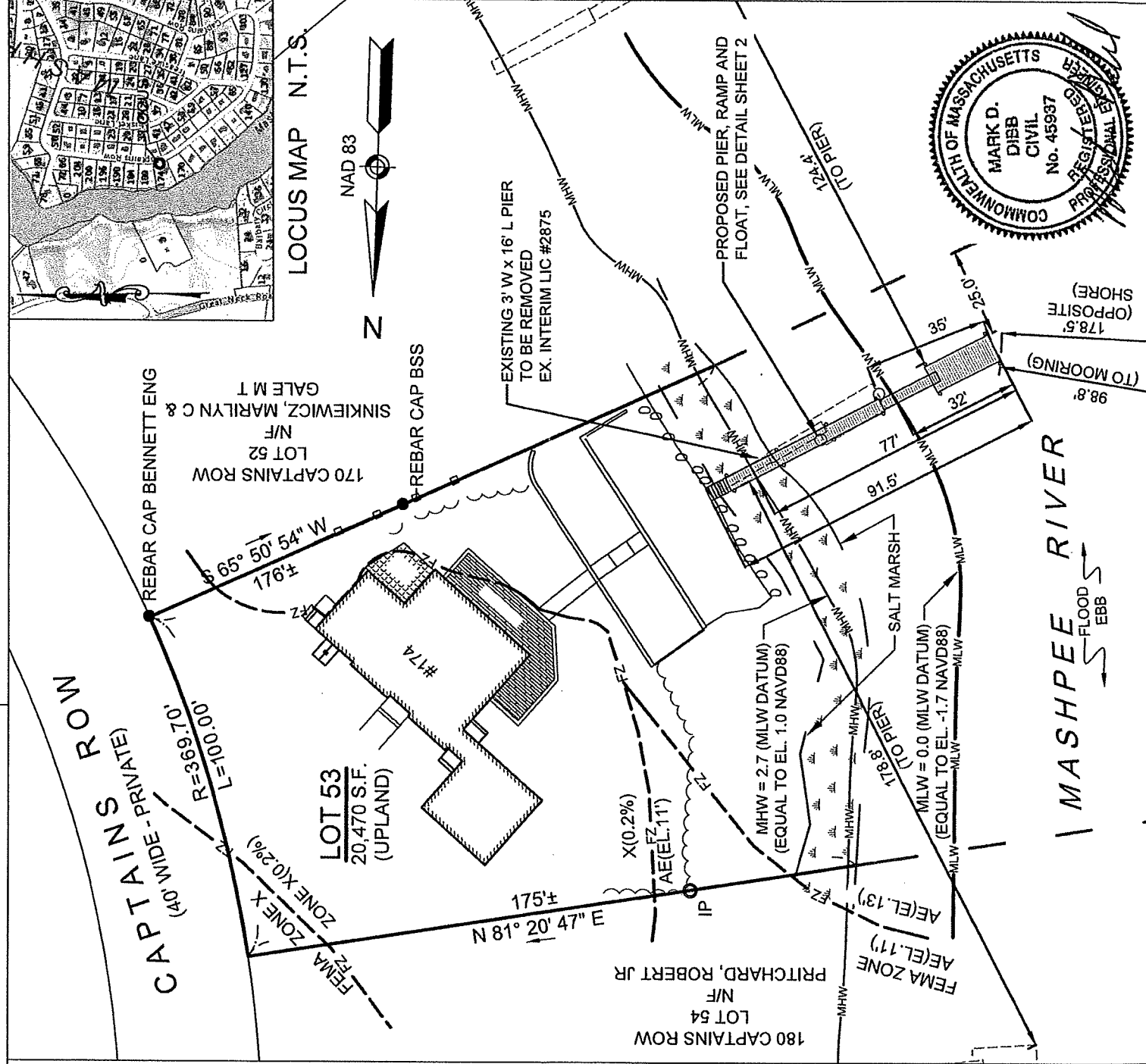
Additional information regarding this application may be obtained by contacting the Waterways Regulation Program at (508) 946-2707. Project plans and documents for this application are on file with the Waterways Regulation Program for public viewing, by appointment only, at the address below.

Written comments must be addressed to: Brendan Mullaney, Environmental Analyst, DEP Waterways Regulation Program, 20 Riverside Drive, Lakeville, MA 02347 or brendan.mullaney@mass.gov.

I HEREBY CERTIFY THAT THIS PLAN DOES CONFORM WITH THE REQUIREMENTS FOR RECORDING OF PLANS IN THE REGISTRY OF DEEDS.

Mark D. Dibb

MARK DIBB, P. E.



TIDE RANGE: ±2.7
LATITUDE: 41°35'57.03"
LONGITUDE: 70°28'18.67"
DATUM: M.L.W. = 0.00 FT.
ELEVATIONS IN FEET

PROPOSED PIER, RAMP & FLOAT PLAN

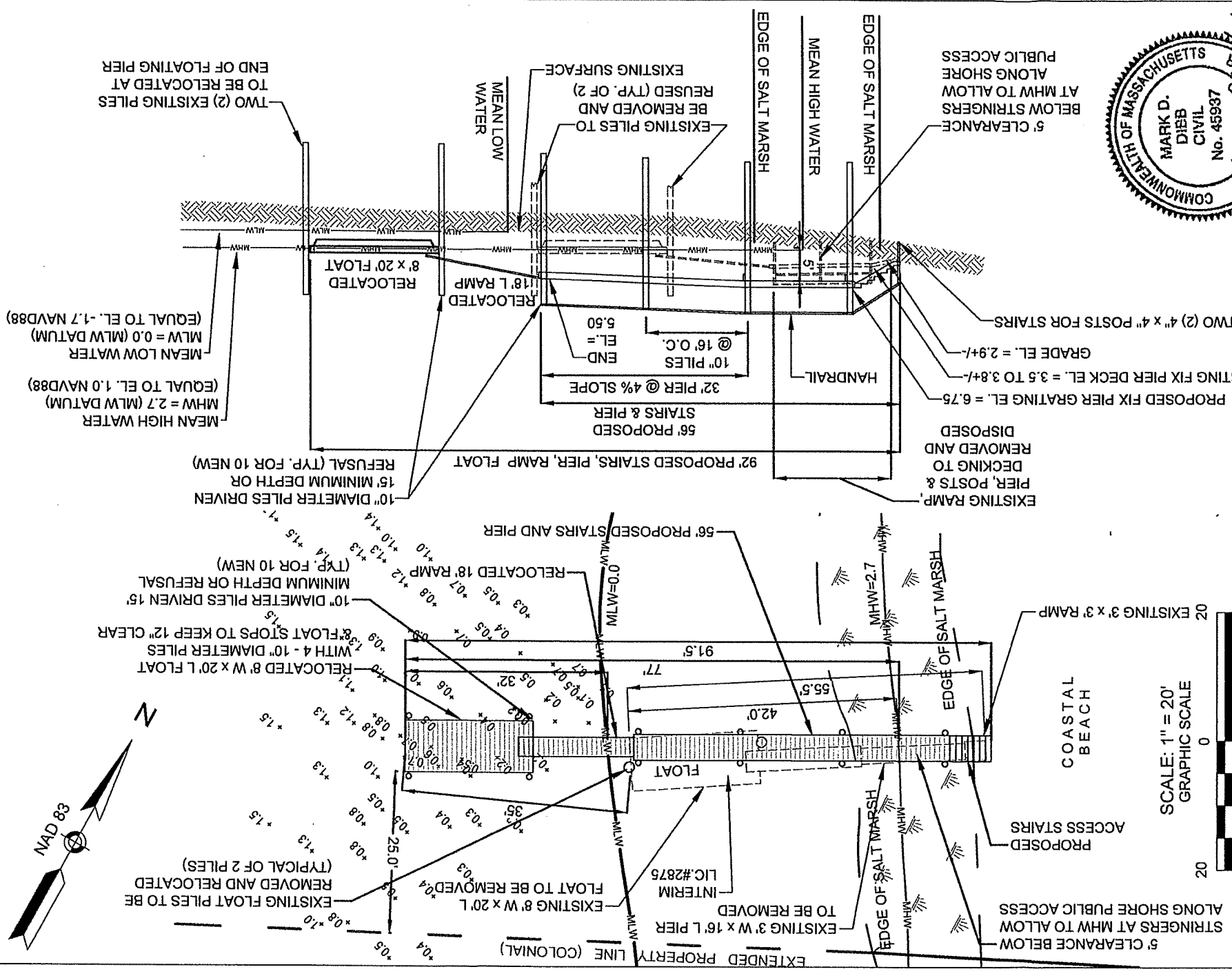
PARCEL ADDRESS: 174 CAPTAINS ROW, MASHPEE, MA. PARCEL ID MAP 96 PARCEL 30 SHEET 1 OF 4
PLANS ACCOMPANYING PETITION OF JOHN S & CAROL D KELLEY TO CONSTRUCT & MAINTAIN STAIRS, PIER, PILES, FLOAT AND RAMP IN AND OVER THE WATERS OF MASHPEE RIVER, MASHPEE, MASSACHUSETTS

PLAN BY: CAPE & ISLANDS ENGINEERING, INC.
508.477.7272 DATE: MARCH 11, 2021
REVISED MAY 26, 2021

I HEREBY CERTIFY THAT THIS PLAN DOES CONFORM WITH THE REQUIREMENTS FOR RECORDING OF PLANS IN THE REGISTRY OF DEEDS.

Mark D. Dibb

MARK DIBB, P.E.



PROPOSED DETAIL PLAN

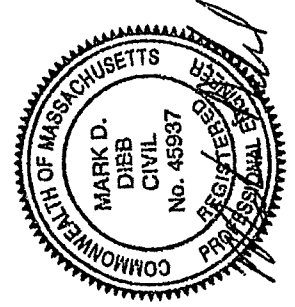
PARCEL ADDRESS: 174 CAPTAINS ROW, MASHPEE, MA

PLAN BY: CAPE & ISLANDS ENGINEERING, INC.

508.477.7272 DATE: MARCH 11, 2021

REVISED MAY 26, 2021

PARCEL ID MAP 96 PARCEL 30 SHEET 2 OF 4

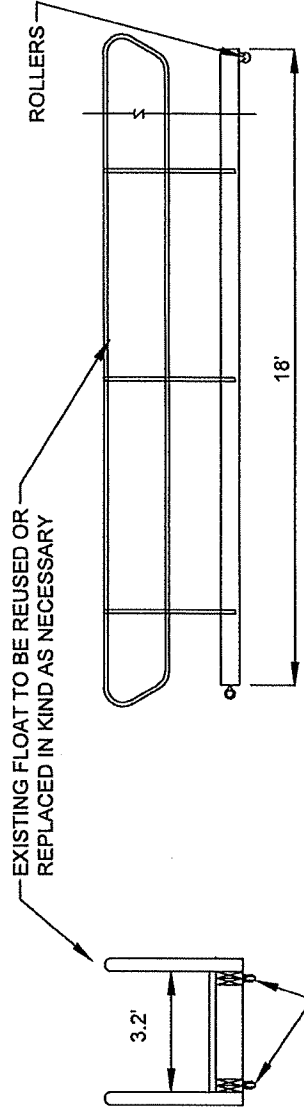


DATUM: M.L.W. = 0.00 FT.
ELEVATIONS IN FEET

I HEREBY CERTIFY THAT THIS PLAN DOES CONFORM WITH THE REQUIREMENTS FOR RECORDING OF PLANS IN THE REGISTRY OF DEEDS.

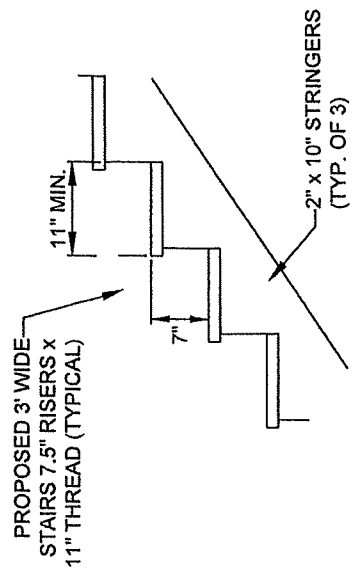
Mark D. Dibb

MARK DIBB, P. E.



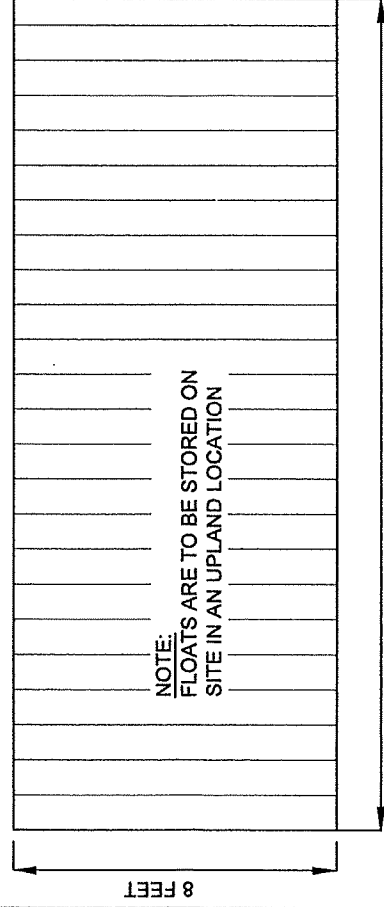
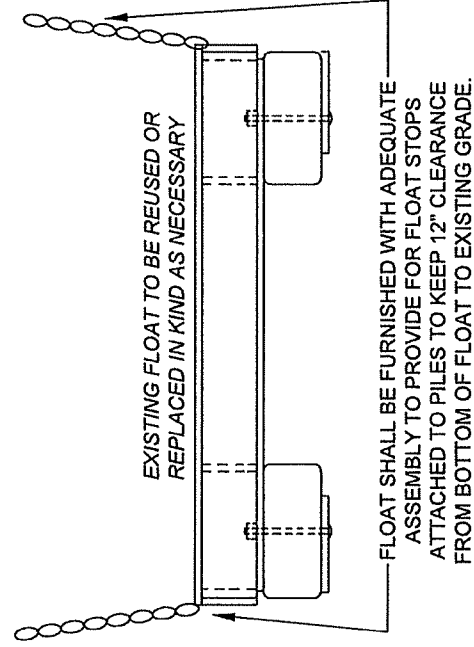
EXISTING RAMP DETAIL

NOT TO SCALE



STAIR DETAIL

NOT TO SCALE

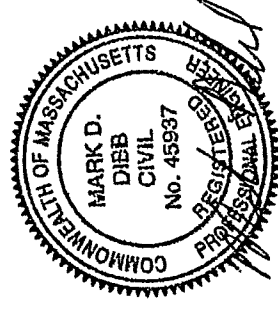


EXISTING FLOAT DETAIL

NOT TO SCALE

FLOAT DETAILS

PARCEL ADDRESS: 174 CAPTAINS ROW, MASHPEE, MA
 PLAN BY: CAPE & ISLANDS ENGINEERING, INC.
 508.477.7272 DATE: MARCH 11, 2021



DATUM: M.L.W. = 0.00 FT.
 ELEVATIONS IN FEET

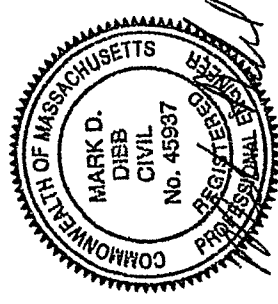
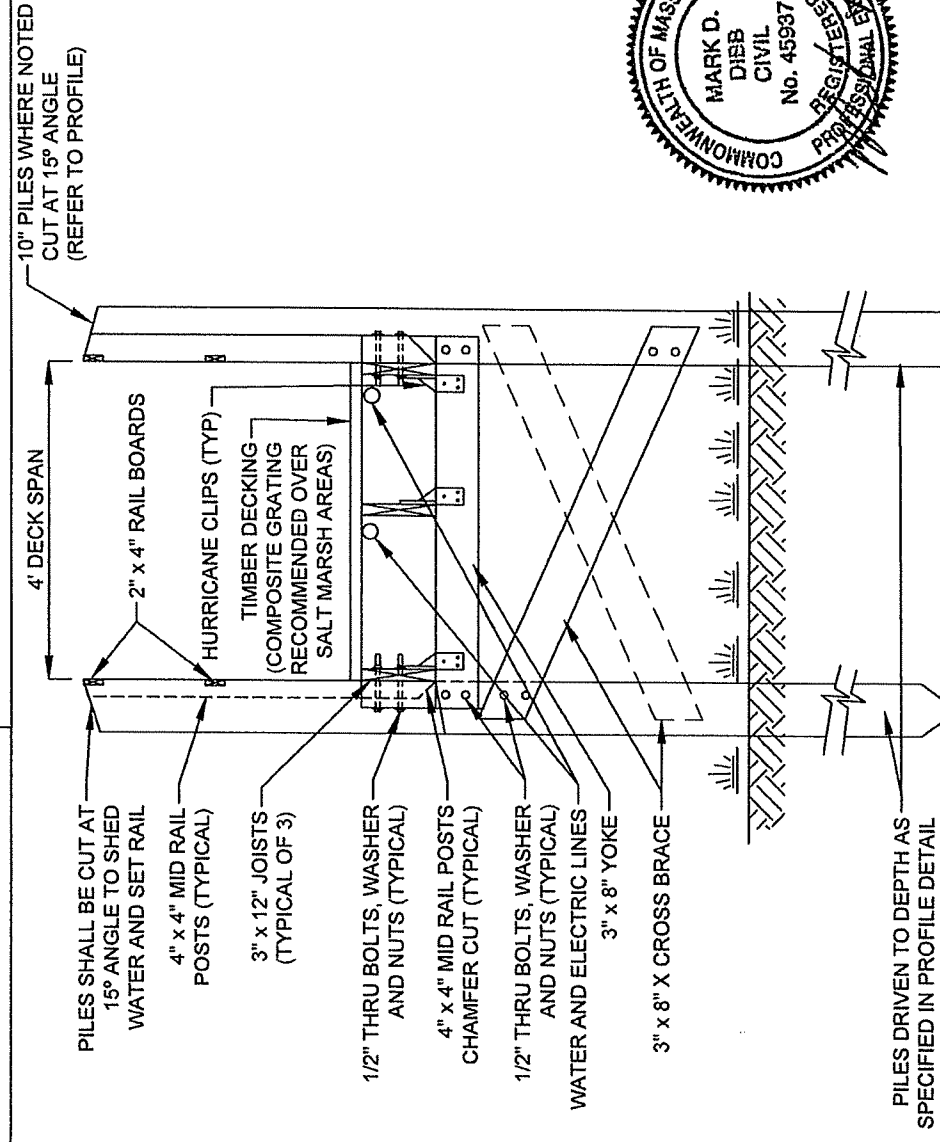
PARCEL ID MAP 96 PARCEL 30 SHEET 3 OF 4

REVISED MAY 26, 2021

I HEREBY CERTIFY THAT THIS PLAN DOES CONFORM WITH THE REQUIREMENTS FOR RECORDING OF PLANS IN THE REGISTRY OF DEEDS.

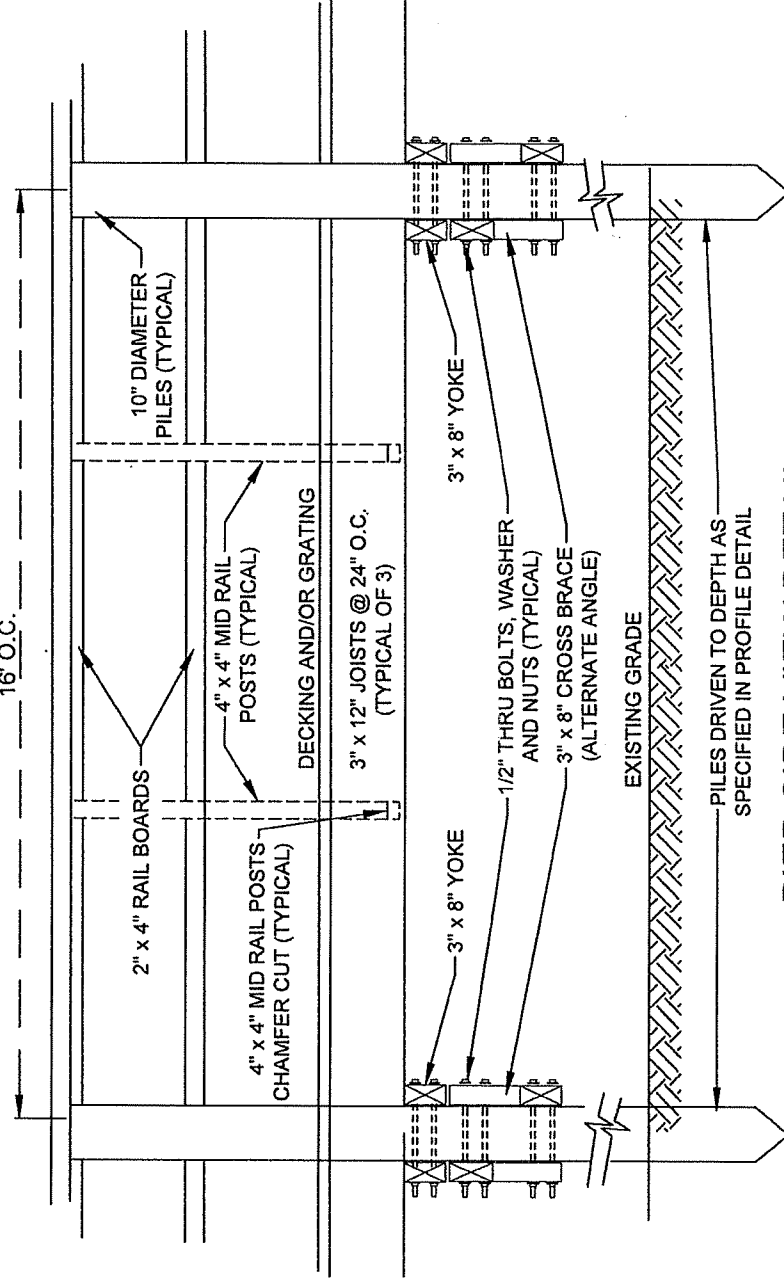
Mark D. Dibb

MARK DIBB, P.E.



PIER SECTION DETAIL

NOT TO SCALE
16' O.C.



BENT SECTION

NOT TO SCALE

PIER SIDE VIEW DETAIL

NOT TO SCALE

PARCEL ADDRESS: 174 CAPTAINS WAY, MASHPEE, MA
 PLAN BY: CAPE & ISLANDS ENGINEERING, INC.
 508.477.7272

DATUM: M.L.W. = 0.00 FT.
 ELEVATIONS IN FEET

DATE: MARCH 11, 2021
 REVISED MAY 26, 2021

PARCEL ID MAP 96 PARCEL 30

SHEET 4 OF 4