Mashpee Planning Board Minutes of Meeting February 5, 2020 at 7:00 p.m. Mashpee Town Hall-Waquoit Meeting Room 16 Great Neck Road North

Present: Chairman Mary Waygan, Joe Cummings, Dennis Balzarini, Joseph Callahan, Robert (Rob) Hansen (Alt.)
Also: Evan Lehrer-Town Planner; Charles Rowley-Town Consultant Engineer
Absent: John (Jack) Phelan

CALL TO ORDER

The Town of Mashpee Planning Board meeting was opened with a quorum in the Waquoit Meeting Room at Mashpee Town Hall by Chairman Waygan, at 7:00 p.m. on Wednesday, February 5, 2020. The Pledge of Allegiance was recited.

APPROVAL OF MINUTES—January 15, 2020

The Chair and Board members had no comments for the minutes.

MOTION: Mr. Balzarini made a motion to approve the minutes as presented. Mr. Callahan seconded the motion. All voted unanimously.

DEFINITIVE PLAN

Applicant: Bayswater Development LLC Location: Lot #1594 located at Rock Landing Road & Red Brick Road, identified on Assessors Map 110-Parcel 116-74

Request: To construct an 81(+/-) lot "Cottage Development" on 16.29 acre lot The Chair read the request. John Falacci, with Bayswater Development, delivered the plan and application packet to the Town Planner to set a Public Hearing date for consideration of the applicant's request. Mr. Falacci stated that Phase IV would be located off of Rock Landing Road and would include 81 lots, the density pre-calculated based on the 2005 Agreement for Judgement. The Chair asked for a copy of the Agreement for Judgement to be provided to the Board by email. Mr. Lehrer confirmed that the packet was complete and was available to the Board for their review. The Chair provided a copy of the Public Hearing Notice to Mr. Falacci to confirm its accuracy. There was discussion regarding reference to State and/or Town regulations and Mr. Lehrer confirmed that noticing referenced State statutes. Mr. Falacci confirmed that they were continuing to work with their 1964 Special Permit. The Chair asked that Mr. Falacci provide a PDF of the Special Permit dated February 21, 1964. Mr. Rowley inquired whether the noticing included Mashpee's Subdivision Rules and Regulations, noting that it was normal practice. Mr. Lehrer stated that he would amend it accordingly and there was consensus among Board members to do so.

MOTION: Mr. Balzarini made a motion to approve the notice as amended with local rules and regulations. Mr. Callahan seconded the motion. All voted unanimously.

MOTION: Mr. Balzarini made a motion to hold a Public Hearing on Wednesday, March 4, 2020 at 7:10 p.m. Mr. Callahan seconded the motion. All voted unanimously.

MOTION: Mr. Balzarini made a motion that Charles Rowley review the plan. Mr. Callahan seconded the motion. All voted unanimously.

Mr. Rowley confirmed that he would work with the applicant's engineer.

NEW BUSINESS

Special Permit Modification #1, Modi LLC, 10 Evergreen Circle-The Chair read the conditions attached to the Modification and Mr. Rowley confirmed that the conditions listed were appropriate. Mr. Lehrer confirmed that changes had been made to the plans and properly cited. The Chair signed the Modification.

Special Permit Modification #36, Willowbend-The Chair inquired whether the plan reference had been added and Mr. Lehrer confirmed that it had. The Chair signed the Modification.

Charles Rowley Billing-The Planning Board was in receipt of an invoice from Mr. Rowley totaling \$445, for meetings and inspections during the month of January 2020.

MOTION: Mr. Balzarini made a motion to pay Charles Rowley \$445. Mr. Callahan seconded the motion. All voted unanimously.

The release of funds was signed by Planning Board members.

OLD BUSINESS

Review and discussion regarding update of Local Comprehensive Plan-It was Mr. Balzarini's opinion that much of the content could remain, as it continued to be relevant. Mr. Callahan added that half of the Economic Development objectives continued to be pertinent. Mr. Hansen, Mr. Callahan and Mr. Phelan would be working on Scopes of Work for the hiring of a consultant. Mr. Callahan noted that he recently attended an EDIC meeting where there was discussion regarding a survey of Mashpee business owners. Mr. Callahan recommended Patrice Pimental, from Rockland Trust, who had been completing a study regarding Cape Cod's economy, with a focus on Mashpee. The Chair agreed to inviting her to a future meeting and there was consensus from the Board. The Chair suggested also working with Ms. Pimental to update the Economic Development portion of the LCP and asked if her report could be forwarded to the Board.

The Chair reported that she had been in contact with the Town Manager regarding the survey. Mr. Collins has agreed to draft a letter requesting funding in order to issue the survey. Mr. Lehrer confirmed that he had also been in contact with the Town Manager. Mr. Lehrer explained that, although the Board had voted to support a request for \$12,000, the release of funds from the Cape Cod Commission would need to be drawn down by invoice and authorized vote from the Board of Selectmen to request the funds for the purpose of drafting the LCP. The Cape Cod Commission would then certify the use as allowable before funds could be authorized. It was Mr. Collins recommendation to request the full amount from the Cape Cod Commission so as not to repeatedly submit individual requests for the funds. Mr. Lehrer confirmed that \$153,000 was available at the Cape Cod Commission for planning purposes. Mr. Lehrer and Mr. Collins suggested requesting \$150,000 from the Cape Cod Commission, and if additional funds were needed, request an additional \$150,000 at Town Meeting.

MOTION: Mr. Balzarini made a motion to request that the Town Manager seek mitigation funds from the Cape Cod Commission of up to \$150,000 for use of LCP planning related work. Mr. Callahan seconded the motion. All voted unanimously.

The Chair asked that Mr. Lehrer send the Town Manager a letter and share a copy with the Board.

The Board reviewed existing survey questions. As Mr. Phelan was not in attendance at the meeting, the survey questions would not be finalized until his return.

#4-Mr. Lehrer will confirm the location of Question 4 #5-Strike

#6-Strike and replace with a map which Mr. Lehrer would draft. The Chair asked that Mr. Lehrer review survey results for Round 1 and Round 2.

#7-Strike

#11-Mr. Lehrer will look into appropriate gender verbiage

#17-Greater clarification was needed regarding build out and population

#19-The Chair and Mr. Balzarini recommended replacing the question with a more concise description of building heights by stories.

#22-Two additions should include: Ease of commute to work and Prefer Cape Cod style or New England style character.

#23-Two additions should include: Ease of commute to work and Prefer Cape Cod style or New England style character and will be finalized between the Chair and Mr. Balzarini.

#24-Add Vulnerability to impacts of climate change.

#26, #28, #30, #31-Strike

#32-Add Popponesset Spit

#33-Mr. Lehrer would be working on updating statistics and the Chair would re-work the question.

#34-Add Disc golf, Splash pad, Pickle ball courts

#35-Add Uber/Lyft

#37-Add All of these

#38-Strike

#40-Strike Accessory apartment, rank options instead of identifying as high/medium/low, the Chair will re-work the question

#41-Strike

#42-Add **Independent Living, Rehab/All Care Centers**, rank options instead of identifying as high/medium/low

#43-Change to top 5 ranking #44-Add Computer & cellular service, Cannabis, Professional Services, Construction

The Chair inquired about comments provided by Mr. Phelan and Mr. Lehrer confirmed that he had been discussing the survey with Human Services and comments were not yet available. The Chair suggested launching the survey in March, closing it two weeks after Town Meeting. There was discussion about extending the survey into June, possibly to the 5th. Mr. Lehrer planned to draft a press release and develop an informational flyer.

Regarding the Preference Survey, it was suggested that its purpose would be to provide visuals for the viewer, focusing on building type rather than building height. The Chair suggested that it be considered for fall review. The Chair requested that photos for Mashpee's Preference Survey reflect buildings located on Cape Cod and recommended Board members take such photos as they noticed appropriate buildings on Cape.

UPDATES FROM TOWN PLANNER

Solar Energy Systems Zoning Proposal-Board members reviewed the latest version of the Proposal updated by Mr. Lehrer.

Mr. Lehrer confirmed that the definitions matched the State's definitions. Mr. Rowley suggested an anomaly of the area versus the capacity between the medium and the small systems. Mr. Lehrer suggested consistency with the State guidelines. Mr. Hansen stated that it was a performance issue and should not be restrictive. There was extensive discussion regarding kilowatts and square footage. There was consensus to strike "(equivalent to a rated nameplate capacity of about 15KW DC or less)."

In Landscape Requirements Table, Footnote 4, there was discussion regarding roof mounted exceeding height restrictions and State standards that did not allow for unreasonable restrictions. There was discussion regarding locating panels below the roof line, adding a dimensional requirement. Mr. Lehrer recommended accepting the amendment due the State's guidelines. The Landscape Requirement Article was struck.

In Landscape Requirements Table, Footnote 15 allowed a frontage of 25 feet. Depending upon topography, Mr. Rowley suggested that 40 feet to 50 feet frontage may be necessary. There was consensus to increase the frontage from 25 feet to 50 feet.

A recess was taken at 9:16 p.m. and the meeting reconvened at 9:18 p.m.

Regarding the Article proposed for Solar Energy Systems, Mr. Hansen inquired about the definition for carport solar arrays and Mr. Lehrer responded that it could be defined as an accessory structure with roof mounted panels, requiring appropriate setbacks. The Chair expressed concern about the height of systems located on the ground and requested that a 15 foot height cap be considered and Mr. Lehrer confirmed that it was added to E, Dimensional Criteria, and there was consensus supporting the addition. It was determined that E-3 would be struck. The Chair inquired about glare and Mr. Lehrer confirmed that language was contained for

medium and large scale, but could be added to small scale. There was consensus from Board members to add the language and Mr. Lehrer confirmed he would do so by taking language from B to subsection A, to protect neighbors from glare also in small scale solar arrays. There was discussion about inverters and energy storage systems and Mr. Rowley noted that utility poles required minimum setbacks for clearance. There was discussion regarding potential sound from inverters. Mr. Lehrer confirmed that he referenced good bylaws as recommended by a developer. Mr. Rowley note that adjustments could be made if needed. In G, #2 there was consensus from Board members that Mr. Lehrer add verbiage for an option to add if appropriate visual screening should there be insufficient natural state. In #9, Mr. Rowley recommend that verbiage be added to allow for erosion control and stormwater management.

MOTION: Mr. Balzarini made a motion to submit these Articles as amended to the Board of Selectmen, for the May Town Meeting. Mr. Cummings seconded the motion. All voted unanimously.

The Chair confirmed that she would attend the Board of Selectmen meeting and provide a cover letter explaining the reasons why the matter should be considered in May instead of October, to protect Mashpee residences.

Municipal Vulnerability Preparedness Program Update-Mr. Lehrer confirmed that the draft findings report would be shared at the Listening Session scheduled for Thursday, February 13 at 6 p.m. at the Library, and would include public comment. Public comments were also currently being accepted by email, at the Planning Department.

Stormwater Task Force-Mr. Lehrer stated that he would be consulting with Tighe & Bond regarding Zoning and Bylaw changes needed to become compliant with State stormwater requirements. The Planning Board should plan to consider draft Bylaws for October Town Meeting.

Planning Board APA Membership-Mr. Lehrer inquired about interest among members to maintain their membership. The Chair, Mr. Balzarini and Mr. Hansen were interested in maintaining membership.

CHAIRMAN'S REPORT

None at this time.

BOARD MEMBER COMMITTEE UPDATES

Cape Cod Commission-No update

Community Preservation Committee-The Chair reported that the CPC was recommending two Articles to the Board of Selectmen to benefit Santuit Pond. One Article recommended funds in the amount of \$23,500 to restore the wetlands of abandoned Town owned bogs. The other Article would purchase a 14 acre bog at a cost of \$675,000, recommending an appraisal to negotiate the price. In addition, the Board of Selectmen drafted a Warrant Article to reduce the CPC property surcharge to 2%, and establish a WIIF 2% surcharge on the property tax to address the Nitrogen Mitigation Plan.

Design Review Committee-No update

Plan Review-No update Environmental Oversight Committee-No update Greenway Project & Quashnet Footbridge-Historic District Commission-A meeting has been scheduled to consider a detached

garage.

Military Civilian Advisory Council-No update

CONSULTING ENGINEER REPORT

MOTION: Mr. Balzarini made a motion to authorize Mr. Rowley to work with the Town Planner regarding State stormwater requirements. Mr. Cummings seconded the motion. All voted unanimously.

CORRESPONDENCE

December 2019 Discharge Monitoring Report for South Cape Village-no flow due to plant upgrade work November 2019 Discharge Monitoring Report for South Cape Village N=4.52 October 2019 Discharge Monitoring Report for South Cape Village N=4.40 September 2019 Discharge Monitoring Report for South Cape Village N=3.40 August 2019 Discharge Monitoring Report for South Cape Village N=3.40 July 2019 Discharge Monitoring Report for South Cape Village N=6.50

ADDITIONAL TOPICS

ADJOURNMENT

MOTION: Mr. Balzarini made a motion to adjourn. Mr. Cummings seconded the motion. All voted unanimously. The meeting adjourned at 10:00 p.m.

Respectfully submitted,

Jennifer M. Clifford Board Secretary

LIST OF DOCUMENTS PROVIDED

Additional documentation may be available online at Mashpee's Planning Board website page -2/14/20 Bayswater Development LLC Public Hearing Notice -Special Permit Modification #1, Modi LLC, 10 Evergreen Circle -Special Permit Modification #36, Willowbend -2/3/20 Charles Rowley Invoice -2/2/20 LCP Chart -LCP Survey Questions -Preference Survey -Solar Energy Systems Zoning Proposal and Accompanying Articles -2/13/20 Public Listening Session for Mashpee Climate Change Planning -DEP Groundwater Discharge Reports for Southcape Village

L. P	re you a Town of Mashpee
	Year-round resident
	Seasonal resident
	Non-resident property owner
	a seasonal resident or non-resident property owner, do you plan to make Mashpee your full-time dence in the next 10 years?
	Yes
	No
	Unsure
	I am a year-round resident
3. V	/hat type is your residence in Mashpee?
	Single family home
	Apartment
	Condo unit
	Mobile home
	Other
	I am a non-resident property owner
4. N	leighborhood. In what precinct is your residence located?
	Precinct #1
	Precinct #2
	Precinct #3
	Precinct #4
	Precinct #5
	Unknown

5. How long have you lived in Mashpee	
Less than 5 years	
5-10 years	
11-25 years	
over 25 years	
I am a non-resident property owner	
6. Does your household include children under the age of 19?	
Yes	
No	
7. What group best describes your current age?	
Under 19	
19-29	
30-39	
40-49	
50-65	
Over 65	
8. What is your gender?	
Female	
Male	
X	
9. Which of the following best describes your current employment status?	
Employed	
Self-employed	
Un-employed	
Homemaker	
Retired	
Retired, working part-time	

10. Where is your primary place of employment?
Mashpee
Barnstable
Falmouth
Sandwich
Elsewhere on the Cape
Off Cape Cod
Not employed
11. How often do you attend Town Meetings?
Most always
Occasionally
Never
12 How often de veu vete e Teum electione?
12. How often do you vote a Town elections? Most Always
Occasionally
Never
13. In your opinion, is Mashpee's population
Growing too fast
Growing at an acceptable rate
Growing too slowly
Unsure about growth rate
14. Would you enjoy living in Mashpee if its population increased to the "buildout" level? (The current buildout
level is"
Yes
No
Unsure

15. Would you support an increase in buildout level?
Yes
No
Unsure
16. Are you satisfied with the appearance of new development built in Mashpee during the last 20 years?
Very much
Somewhat
Not satisfied
17. What is the number of stories you would favor in a mixed-use development with commercial, retail and
17. What is the number of stories you would favor in a mixed-use development with commercial, retail and residential uses?
residential uses?
residential uses?
residential uses? 2 stories 2 1/2 stories
residential uses? 2 stories 2 1/2 stories 3 stories
residential uses? 2 stories 2 1/2 stories 3 stories 3 1/2 stories

18. In general, how would you rate the Town of Mashpee as...

	Excellent	Good	Fair	Poor	Unsure
A place to live	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc
A place to raise children	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc
A place to work	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc
A place to retire	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc

19. In the past twenty years has the quality of life in Mashpee...

Improved

Stay the same

Worsened

) Unsure

20. Please indicate how important the following factors are/were in your decision to live in/move to Mashpee					
	Very Important	Important	Not Important		
Rural character	\bigcirc	\bigcirc	\bigcirc		
Lower taxes	\bigcirc	\bigcirc	\bigcirc		
Affordable housing	\bigcirc	\bigcirc	\bigcirc		
Small town lifestyle	\bigcirc	\bigcirc	\bigcirc		
Good public services	\bigcirc	\bigcirc	\bigcirc		
Good for children	\bigcirc	\bigcirc	\bigcirc		
Job opportunities	\bigcirc	\bigcirc	\bigcirc		
Near friends/family	\bigcirc	\bigcirc	\bigcirc		
Open space	\bigcirc	\bigcirc	\bigcirc		
Air/water quality	\bigcirc	\bigcirc	\bigcirc		
Beaches/ponds	\bigcirc	\bigcirc	\bigcirc		
Recreational facilities	\bigcirc	\bigcirc	\bigcirc		
Restaurants	\bigcirc	\bigcirc	\bigcirc		
Tranquility	\bigcirc	\bigcirc	\bigcirc		
Shopping facilities	\bigcirc	\bigcirc	\bigcirc		
Golf courses	\bigcirc	\bigcirc	\bigcirc		
Boating	\bigcirc	\bigcirc	\bigcirc		
Fishing	\bigcirc	\bigcirc	\bigcirc		
Ease of commute to work	\bigcirc	\bigcirc	0		
Native American History	\bigcirc	\bigcirc	\bigcirc		

21. Please indicate whether the factors from the previous questions have improved, worsened, or stayed the same.

	Better	Worse	Same
Rural character	\bigcirc	\bigcirc	\bigcirc
Lower taxes	\bigcirc	\bigcirc	\bigcirc
Affordable housing	\bigcirc	\bigcirc	\bigcirc
Small town lifestyle	\bigcirc	\bigcirc	\bigcirc
Good public services	\bigcirc	\bigcirc	\bigcirc
Good for children	\bigcirc	\bigcirc	\bigcirc
Job opportunities	\bigcirc	\bigcirc	\bigcirc
Near friends/family	\bigcirc	\bigcirc	\bigcirc
Open space	\bigcirc	\bigcirc	\bigcirc
Air/water quality	\bigcirc	\bigcirc	\bigcirc
Beaches/ponds	\bigcirc	\bigcirc	\bigcirc
Recreational facilities	\bigcirc	\bigcirc	\bigcirc
Restaurants	\bigcirc	\bigcirc	\bigcirc
Tranquility	\bigcirc	\bigcirc	\bigcirc
Shopping facilities	\bigcirc	\bigcirc	\bigcirc
Golf courses	\bigcirc	\bigcirc	\bigcirc
Boating	\bigcirc	\bigcirc	\bigcirc
Fishing	\bigcirc	\bigcirc	\bigcirc
Ease of commute to work	\bigcirc	\bigcirc	\bigcirc
Native American History	\bigcirc	\bigcirc	\bigcirc

22. Which of the following are the most serious problems facing Mashpee today. Rank your top five (5) choices in order of 1 (most serious) through 5. *** YOU MAY ONLY SELECT 5 OF THE PROBLEMS LISTED BELOW**

	1	2	3	4	5
Population Growth	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc
Sluggish Economy	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc
Pollution of Groundwater	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc
Traffic Congestion	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc
Inconvenient shopping facilities	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc
Inadequate medical services	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc
Overburdened Town services	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc
Lack of job opportunities	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc
Lack of affordable housing	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc
Property taxes	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc
loss of small-town character	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc
Pollution of bays and ponds	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc
Loss of open land	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc
Cost of trash disposal	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc
Residential sprawl	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc
Quality of schools	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc
Lack of public transportation	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc
Historic preservation	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc
Vulnerability to the impacts of Climate Change	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc

23. How important are the following factors in keeping families and young people from leaving Mashpee? Rank your top three choices in order 1 (most important) through 3 ***YOU MAY ONLY SELECT 3 OF THE FACTORS LISTED BELOW**					
	1	2		3	
Good jobs	\bigcirc	С)	\bigcirc	
Affordable housing	\bigcirc	С)	\bigcirc	
Recreational opportunities	\bigcirc	С)	\bigcirc	
Quality schools	\bigcirc	С)	\bigcirc	
Public health/medical facilities	\bigcirc	С)	\bigcirc	
Public safety/low crime rate	\bigcirc	С)	\bigcirc	
Swimming None of these					
None of these	e given to protecti High	ng the following natural Medium	resource areas? Low	Unsure	
None of these 25. What priority should b Freshwater ponds				Unsure	
None of these None of these S. What priority should b Freshwater ponds Rivers				Unsure	
None of these None of these S. What priority should b Freshwater ponds Rivers Vernal pools				Unsure	
None of these None of these S. What priority should b Freshwater ponds Rivers Vernal pools Salt marches				Unsure O O O O O O O O	
None of these None of these S. What priority should b Freshwater ponds Rivers Vernal pools Salt marches Coastal bays				Unsure	
None of these None of these None of these None of these None of these None of these Freshwater ponds Rivers Vernal pools Salt marches Coastal bays Shellfish beds				Unsure O O O O O O O O O O O O O	
None of these None of these S. What priority should b Freshwater ponds Rivers Vernal pools Salt marches Coastal bays				Unsure O O O O O O O O O O O O O O O O O O O	
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None of these None of the None of the None of the None of the None of the None of the None of the None of the None of the None of the None of the None of the None of				Unsure Unsure Unsure	
None of these None of the None of the None of the None of the None of the None of the None of the None of the None of the None of the None of the None of the None of the None of the None of the None of the None of the None of the None of the None				Unsure Unsure Unsure Unsure	

26. Almost ___% of the Town's land area has been protected as open space or recreational land, while over 52% has been developed or approved for development. There still remains almost 1,000 acres of available open land. What percentage of Mashpee's remaining undeveloped lands should be protected as open space?

- 0%
- 1-25%
- 26-50%
- 51-75%
- 76-100%
- O Unsure

27. As the Town grows, what priority should be given to the following recreational facilities?					
	High	Medium	Low	Unsure	
Neighborhood playgrounds	\bigcirc	\bigcirc	\bigcirc	\bigcirc	
Baseball fields	\bigcirc	\bigcirc	\bigcirc	\bigcirc	
Softball fields	\bigcirc	\bigcirc	\bigcirc	\bigcirc	
Soccer fields	\bigcirc	\bigcirc	\bigcirc	\bigcirc	
Indoor basketball courts	\bigcirc	\bigcirc	\bigcirc	\bigcirc	
Outdoor basketball courts	\bigcirc	\bigcirc	\bigcirc	\bigcirc	
Tennis courts	\bigcirc	\bigcirc	\bigcirc	\bigcirc	
Indoor swimming pool	\bigcirc	\bigcirc	\bigcirc	\bigcirc	
Outdoor swimming pool	\bigcirc	\bigcirc	\bigcirc	\bigcirc	
Walking/hiking trails	\bigcirc	\bigcirc	\bigcirc	\bigcirc	
Bicycle trails	\bigcirc	\bigcirc	\bigcirc	\bigcirc	
Nature study/conservation areas	\bigcirc	\bigcirc	\bigcirc	\bigcirc	
Ocean beaches and parks	\bigcirc	\bigcirc	\bigcirc	\bigcirc	
Pond beaches and parks	\bigcirc	\bigcirc	\bigcirc	\bigcirc	
Indoor ice skating rink	\bigcirc	\bigcirc	\bigcirc	\bigcirc	
Town boat landings	\bigcirc	\bigcirc	\bigcirc	\bigcirc	
Town marina	\bigcirc	\bigcirc	\bigcirc	\bigcirc	
Town golf course	\bigcirc	\bigcirc	\bigcirc	\bigcirc	
Public access to bays and ocean	\bigcirc	\bigcirc	\bigcirc	\bigcirc	
Picnic areas	\bigcirc	\bigcirc	\bigcirc	\bigcirc	
Town campground	\bigcirc	\bigcirc	\bigcirc	\bigcirc	
Disc golf course	\bigcirc	\bigcirc	\bigcirc	\bigcirc	
Splash pads	\bigcirc	\bigcirc	\bigcirc	\bigcirc	
Pickleball courts	\bigcirc	\bigcirc	\bigcirc	\bigcirc	
Dog parks	\bigcirc	\bigcirc	\bigcirc	\bigcirc	

Occasionally	Rarely	 O O<	
Isportation, what is	the reason? Ch	eck all that apply.	
Isportation, what is	the reason? Ch	eck all that apply.	
Isportation, what is	the reason? Ch	eck all that apply.	
o sportation, what is	the reason? Ch	eck all that apply.	
onsportation, what is	s the reason? Ch	eck all that apply.	
nsportation, what is	the reason? Ch	eck all that apply.	
you like to see mo	ore of in Mashpe	e.	
d for more Affordab	ole Housing?		
9	d for more Affordal	d for more Affordable Housing?	d for more Affordable Housing?

32. As a matter of priority, how would you rate the following options to increase the Town's supply of affordable housing units:? **YOU MAY CHOOSE ONLY 5 OF THE FOLLOWING***

	1st priority	2nd priority	3rd priority	4th priority	5th priority
Donation of Town-owned lands to nonprofit organizations for the construction of affordable housing projects	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc
Create districts zoned for multi-family housing	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc
Support privately- initiated affordable housing by for-profit or not-for-profit organizations	0	\bigcirc	\bigcirc	\bigcirc	\bigcirc
Require developers of new housing units to make a portion affordable for low/moderate income households	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc
Provide expedited permitting for projects that include a specific percentage of affordable housing units	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc
Require developers of non-residential projects to contribute housing or fees for the construction of new housing units at affordable prices/rents	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc
Re-use /conversion of existing building to affordable housing	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc

33. The appeal of Cape Cod for retirees will increasingly lead to new and different service needs. In terms of priority, what services/facilities should be developed or improved to accommodate Mashpee's growing senior population? **YOU MAY CHOOSE ONLY FIVE OF THE FOLLOWING ***

	1st priority	2nd priority	3rd priority	4th priority	5th priority
Nursing homes, rehabilitation facilities, all-care facilities	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc
Age-appropriate housing	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc
Sidewalks/walking trails	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc
Arts and cultural programs	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc
Medical transportation	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc
Community parks (not active recreational fields)	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc
Community gardens	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc
Bike pathways	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc
Nutrition service facilities	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc
Assisted living facilities	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc
Accessible living facilities	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc
Independent living facilities	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc

34. Mashpee's economic growth has mostly been in the form of shopping/retail facilities concentrated at the Town's center and light industrial/contractor/services uses located in three separate industrial areas. In terms of priority, what additional commercial/industrial business activities would be best suited f?**YOU MAY CHOOSE ONLY FIVE OF THE FOLLOWING ***

	1st priority	2nd priority	3rd priority	4th priority	5th priority
Technology/research & development	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc
Light manufacturing	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc
Medical offices/clinic	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc
Other professional offices	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc
Neighborhood shopping and service centers	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc
Large discount stores like Wal-Mart or BJs	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc
Artisan studios/galleries	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc
Specialty retail	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc
Contractors/landscapers	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc
Assisted living facilities	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc
Full-service resort/hotel/motel	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc
Restaurants	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc
Theatres/entertainment facilities	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc
Shellfish/aquaculture	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc

35. In which of the following locations do you purchase the majority of your goods and services?							
	Mashpee	Falmouth	Barnstable	Sandwich	Elsewhere	Not applicable	
Gasoline	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc	
Groceries	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc	
Hardware/building supplies	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc	
Meals (dining out)	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc	
Prescriptions	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc	
Medical services	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc	
Dental	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc	
Hospital	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc	
Clothing/apparel	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc	
Banking	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc	
Auto service	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc	
Legal Services	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc	
Professional services such as financial and engineering	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc	
Construction/property management services	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc	
Nursery/garden supplies	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc	
Liquor	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc	
Appliances	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc	
Movies/entertainment	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc	
Recreational cannabis	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc	
Cell phone services	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc	
Computer services	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc	\bigcirc	

Article ____:

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

Solar Energy Systems

Purpose and Intent

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 section ordinance is adopted pursuant to the Commonwealth of Massachusetts Green Communities Act and Massachusetts General Laws Chapter 40A Section 3.

General Provisions

- A. Small scale ground mounted solar energy systems and roof mounted solar energy systems shall be considered an accessory use allowed as-of-right in the R-3, R-5, C-1, C-2, C-3, and I-1 districts. In issuing such building permit, the Building Inspector shall ensure that neighboring properties are effectively protected from any adverse impacts from glare.
- **B.** Any medium or large scale solar energy system shall be allowed in the R-3, R-5, C-1, C-2, C-3 and I-1 Zoning Districts only after the issuance of a Special Permit by the Planning Board. In issuing such Special Permit, the Board shall ensure that neighboring properties are effectively protected from any significant adverse impacts from glare, that any such systems are properly fenced or otherwise secured, and that no hazardous materials are stored in quantities greater than permitted by other sections of this bylaw.
- **C.** The construction and operation of all ground-mounted solar energy systems shall be consistent with all applicable local, state and federal requirements, including but not limited to all applicable safety, construction, electrical, and communications requirements. All buildings and fixtures forming part of a ground-mounted solar energy system shall be constructed in accordance with the Massachusetts State Building Code.
- D. The solar energy system's owner or operator shall maintain the facility in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures. Site access shall be maintained to a level acceptable to the local Fire Chief and Emergency Management Director. The owner or operator shall be responsible for the cost of maintaining the ground-mounted solar energy system and any access road(s).

E. Dimensional Criteria

Small Scale Solar Energy Systems

- 1. Small scale ground mounted systems shall comply with the setback requirements typical of the zoning district and shall not exceed fifteen (15') feet in height.
- 2. Small scale ground mounted systems shall be exempt from the performance standards defined in Section G of this chapter.

Medium and Large Scale Solar Energy Systems

- 1. Medium and Large Scale Solar energy systems may be accessory to another principal structure or use provided that they satisfy the dimensional criteria and performance standards contained in this section.
- 2. Ground-mounted solar energy systems shall be set back a distance of at least 100 feet from a public or private way. The Planning Board may reduce the minimum setback distance as appropriate based on site-specific considerations.
- 3. Ground-mounted solar energy systems shall be set back a distance of at least 125 feet from any inhabited Residence, and 100 feet from any property in residential use. For the purposes of this section, a Residence is defined as the primary living structure and not accessory structures. The Planning Board may reduce the minimum setback distance as appropriate based on site-specific considerations.
- 4. Ground-mounted solar energy systems shall be set back a distance of at least 50 feet from any commercial property or use, and 25 feet from any industrial property or use notwithstanding the provisions of paragraph 2 above (relative to medium and large scale solar energy systems). The Planning Board may reduce the minimum setback distance as appropriate based on site-specific considerations.
- Ground-mounted solar energy systems shall be set back a distance of at least 50 feet from abutting conservation land and any property not included in the Ground-mounted solar array application. The Planning Board may reduce the minimum setback distance as appropriate based on sitespecific considerations.
- 6. Fixed tilt Ground-mounted solar energy systems shall have a maximum height of 15 feet above grade. In the case of single or dual axis tracking Ground-mounted solar energy systems, the Planning Board may increase the maximum height as appropriate based on site-specific considerations.
- 7. Inverters, energy storage systems, and transmission system substations shall be set back a distance of at least 200 feet from any residence. The Planning Board may reduce the minimum setback distance as appropriate based on site-specific considerations.

F. Special Permits Rules and Application Requirements

A Solar Energy System Special Permit shall not be granted unless each of the following requirements, in addition to the requirements in §174-24 C Special Permit use, are satisfied:

- 1. A properly completed and executed application form and application fee
- 2. Any requested waivers
- 3. Name, address, phone number and signature of the project proponent, as well as all coproponents or property owners, if any
- 4. Name, contact information and signature of any agents representing the project proponent
- 5. Name, address, and contact information for proposed system installer
- 6. Documentation of actual or prospective access and control of the project site sufficient to allow for construction and operation of the proposed solar energy system
- 7. Proposed hours of operation and construction activity
- 8. Blueprints or drawings of the solar energy system signed by a Massachusetts licensed Registered Professional Engineer showing the proposed layout of the system and any potential shading from nearby structures
- 9. Utility Notification evidence that the utility company that operates the electrical grid where a grid-intertie solar energy system is to be located has been informed of the system owner or operator's intent to install an interconnected facility and acknowledges receipt of such notification, and a copy of an Interconnection Application filed with the utility including a one or three line electrical diagram detailing the solar electric installation, associated components, and electrical interconnection methods, with all Massachusetts Electrical Code (527 CMR § 12.00) compliant disconnects and overcurrent devices. Off-grid solar energy systems shall be exempt from this requirement.
- 10. Documentation of the major system components to be used, including the electric generating components, battery or other electric storage systems, transmission systems, mounting system, inverter, etc.
- 11. Preliminary Operation & Maintenance Plan for the solar energy system, which shall include measures for maintaining safe access to the installation, storm water management, vegetation controls, and general procedures for operational maintenance of the installation
- 12. Abandonment & Decommissioning Plan Any ground-mounted solar energy system which has reached the end of its useful life or has been abandoned (i.e., when it fails to operate for more than one year without the written consent of the Planning Board) shall be removed. The owner or operator shall physically remove the installation within 150 days of abandonment or the proposed date of decommissioning. The owner or operator shall notify the Planning Board by certified mail of the proposed date of discontinued operations and plans for removal. The Abandonment & Decommissioning Plan shall include a detailed description of how all of the following will be addressed:
 - a. Physical removal of all structures; equipment, building, security barriers and transmission lines from the site, including any materials used to limit vegetation.
 - b. Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations.
 - c. Stabilization or re-vegetation of the site as necessary to minimize erosion. The Planning Board may allow landscaping or below-grade foundations left *in situ* in order to minimize erosion and disturbance of the site.

- d. Description of financial surety for decommissioning Proponents of groundmounted solar energy systems shall provide a form of surety, either through escrow account, bond or other form of surety approved by the Planning Board to cover the cost of removal in the event the Town must remove the installation and remediate the landscape, in an amount and form determined to be commercially reasonable by the Planning Board, but in no event to exceed more than 125 percent of the cost of removal and compliance with the additional requirements set forth herein, as determined by the project proponent and the Town. Such surety will not be required for municipal or state-owned facilities. The project proponent shall submit a fully inclusive estimate of the costs associated with removal, prepared by a qualified engineer. The amount shall include a mechanism for calculating increased removal costs due to inflation.
- e. It shall be a condition of any special permit that all legal documents required to enable the Town to exercise its rights and responsibilities under the plan to decommission the site, enter the property and physically remove the installation shall be provided prior to the issuance of a building permit.
- 13. Proof of liability insurance
- 14. A storm water management plan prepared by a Massachusetts licensed Registered Professional Engineer
- 15. A Site Plan, with stamp and signature of the Massachusetts licensed Registered Professional Engineer that prepared the plan, including the following:
 - a. Everything required under this bylaw and Site Plan Approval
 - b. Existing Conditions Plan, showing property lines, map and lot from the Assessor's records, and physical features, including roads and topography, for the entire project site, signed and sealed by a Massachusetts licensed Registered Land Surveyor
 - c. Proposed changes to the landscape of the site, grading, vegetation clearing and planting, exterior lighting, screening vegetation, fencing or structures including their height, and placement of system components, including solar arrays and related structures and equipment
 - d. An estimate of earthwork operations including the volume of cut and fill and the amount of soil material to be imported or exported from the site
 - e. Locations of wetlands, vernal pools, and Priority Habitat Areas defined by the Natural Heritage & Endangered Species Program (NHESP)
 - f. Locations of floodplain area(s)
 - g. Zoning district designation for the parcel(s) of land comprising the project site (submission of a copy of a zoning map with the parcel(s) identified is suitable for this purpose)
 - h. Materials storage and delivery and equipment staging area(s)
 - i. Location of screening vegetation or structures

G. Required Performance Standards – Medium and Large Scale Solar Energy Systems

- 1. Visual Impact Mitigation The site plan for a ground-mounted solar energy system shall be designed to screen the array to the maximum extent practicable year round from adjacent properties in residential use and from all roadways.
- All required setbacks shall be left in their undisturbed natural vegetated condition for the duration of the solar energy system's installation. In situations where the naturally vegetated condition within required setbacks is not wooded and does provide adequate screening of the solar array, the Planning Board may require additional intervention including, but not limited to:
 - a. A landscaping plan showing sufficient trees and understory vegetation, of a type common in natural areas of Mashpee, to replicate a naturally wooded area and to constitute a visual barrier between the proposed array and neighboring properties and roadways
 - b. Berms along property lines and roadways with suitable plantings to provide adequate screening to neighboring properties and roadways.
- Lighting Lighting of ground-mounted solar energy systems shall be limited to that required for safety and operational purposes, and shall be reasonably shielded from abutting properties. Lighting shall be directed downward and shall incorporate full cut-off fixtures to reduce light pollution.
- 4. Signage Signs on ground-mounted solar energy systems shall comply with all applicable regulations of this bylaw and/or any Town sign bylaw. A sign shall be required to identify the owner, operator and interconnected utility and provide a 24-hour emergency contact phone number. Ground-mounted solar energy systems shall not be used for displaying any advertising signage.
- 5. Utility Connections Within setback distances and except where soil conditions, location, property shape, and topography of the site or requirements of the utility provider prevent it, all utility connections from grid-intertie solar energy systems shall be placed underground. Electrical transformers for utility interconnections may be above ground if required by the utility provider.
- 6. Vegetation Management All land associated with the ground-mounted solar energy system shall be covered and grown in natural vegetation. The height of vegetation must be managed by regular mowing or grazing so as to minimize the amount and height of combustible material available in case of fire. Herbicides, pesticides, or chemical fertilizers shall not be used to manage vegetation. To the greatest extent practicable, a diversity of plant species shall be used, with preference given to species that are native to New England. Use of plants identified by the most recent copy of the "Massachusetts Prohibited Plant List" maintained by the Massachusetts Department of Agricultural Resources is prohibited. Management of all vegetated areas shall be maintained throughout the duration of the

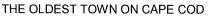
solar energy system's installation through mechanical means without the use of chemical herbicides.

- Noise Generation Noise generated by ground-mounted solar energy systems and associated equipment and machinery shall conform to applicable state and local noise regulations, including the DEP's Division of Air Quality noise regulations, 310 CMR 7.10.
- 8. Fencing Fencing around solar arrays shall provide a minimum 6" clearance between the fence bottom and the ground to allow passage of small wildlife. The Planning Board shall require residential style fencing where necessary to screen the solar energy systems year round from adjacent residences.
- Land Clearing and Soil Erosion Clearing of natural vegetation and topsoil shall be limited to what is necessary for the construction, operation and maintenance of the ground-mounted solar energy system. No topsoil removed during construction shall be exported from the site.
- 10. Erosion Control and Stormwater Erosion Control and Stormwater Management notation shall be included to show that adequate provisions against erosion and adverse impacts of runoff are appropriately mitigated.
- 11. Emergency Services The ground-mounted solar energy system owner or operator shall provide a copy of the project summary, electrical schematic, and site plan to the Mashpee Fire Department, and any other neighboring Fire Department upon request. Upon request the owner or operator shall cooperate with local emergency services in developing an emergency response plan. All means of shutting down the solar energy system shall be clearly marked. The owner or operator shall identify a responsible person for public inquiries throughout the life of the installation.
- H. The Planning Board may, upon the prior written request of the applicant, waive any of the requirements of this Section, but must state their reasons for doing so in writing as part of their decision.

Submitted by Planning Board

EXPLANATION

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. Town of Sandwich





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**

The Sandwich Board of Appeals will hold a Public Hearing on the application of Manuel Ainzuain, applicant and Mark J. Powell, property owner, for a Special Permit under Sections 1330 and 2200 of the Sandwich Protective Zoning By-Law for property located at 161 Route 6A, Sandwich, MA, Assessor's Map #74, Parcel #34, for the purpose of operating a coffee roasting retail business/café. The Public Hearing will be held on February 25, 2020 at the Sand Hill School Community Center, 16 Dewey Avenue, 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.

Christopher Neeven, Chair Sandwich Board of Appeals

Publication: Sandwich Enterprise Publication Dates: February 7 and February 14, 2020