



**Meeting of the Mashpee Planning Board
Wednesday, June, 20, 2018
Waquoit Room, 6:00 P.M.**

Call Meeting to Order: 6:00 p.m. – Waquoit Meeting Room – Mashpee Town Hall

- Pledge of Allegiance

Presentation from Cape Cod Commission Staff:

Ms. Kristi Senatori, *Acting Executive Director* & Mr. Steven Tupper, *Transportation Program Manager*

Cape Cod Commission Act and its influence on municipalities' long-term planning. Will define the role of the Cape Cod Regional Policy Plan, Local Comprehensive Plans, Developments of Regional Impact (DRI), and Development Agreements in regional and local planning and regulation. Will address current community challenges and planning efforts aimed at addressing those challenges, specifically limitations of existing transportation infrastructure with Mashpee Rotary as highlighted topic.

Approval of Minutes

- Review and approval of June 6, 2018 Minutes

Public Hearing (cont'd from 6/6/2018)

7:10 PM **Applicant:** Mr. William Lovely, *Property Owner*
 Subject Property: 2 Center St., Mashpee, MA 02649 (Assessor's Map 36, Lot 47)
 Request: Special Permit Modification to list **\$174-25(B10)**, "Day nursery, nursery school, kindergarten or other agency giving day care to children, provided that any outdoor play area is screened by fence, wall or planting line from any neighboring residential structure and is not detrimental to the neighborhood by reasons of noise," of the Mashpee Zoning By-Law

New Business

Preliminary Subdivision Plan:

Applicant: Mark and Donna Lopez, *Property Owners*
Subject Property: 103 Meetinghouse Road (45-50-0)
Proposal: Divide 284,184 s.f. parcel in an R-5 District into three(3) residential lots with 127,263 s.f. of proposed open space.

- Signatory page for Recording at Registry of Deeds/Land Court, *All Board Members*
- 1st Draft Overview- Mashpee Commons' Form Based Code proposal, *Mr. Russell Preston, Principle Group*
- Name members of 'Raze and Replace' Working Group

Old Business

- Update on Ockway Highlands Subdivision, *Mr. Jacques Morin, Bayberry Building,*
- Naukabout Brewery- Update on Site work and Parking, *Chairman Mary Waygan & Mr. Charlie Rowley*
- Intersection of Old Barnstable and Country Club Lane, *Mr. Charlie Rowley*

Board Member Committee Updates

- Chairman's Report
- Cape Cod Commission, Community Preservation, Design Review, Environmental Oversight, Greenways/Quashnet Footbridge, Historic District, MMR Military Civilian Community Council, Plan Review

Correspondence

- November 2017 Discharge Monitoring Report for South Cape Village N=6.40
- December 2017 Discharge Monitoring Report for South Cape Village N=5.10
- January 2018 Discharge Monitoring Report for South Cape Village N=5.60
- February 2018 Discharge Monitoring Report for South Cape Village N=39.50
- March 2018 Discharge Monitoring Report for South Cape Village N=4.50
- April 2018 Discharge Monitoring Report for South Cape Village N=8.90

Waterways

Additional Topics (not reasonably anticipated by Chair)

Adjournment

The Cape Cod Commission and Regional Planning



CAPE COD
COMMISSION

Kristy Senatori

Acting Executive Director

Steven Tupper

Transportation Program Manager

Mashpee Planning Board

June 20, 2018



Photo Credit: Massachusetts Office of Travel and Tourism

Regional Planning

Kristy Senatori
Acting Executive Director



CAPE COD
COMMISSION

MISSION OF THE CAPE COD COMMISSION

...To protect the unique values and
quality of life on cape cod by
coordinating a balanced relationship
between environmental protection
and economic progress.



MISSION OF THE CAPE COD COMMISSION

Keeping a special place
special...



CAPE COD COMMISSION PURPOSES

Anticipate, guide and coordinate the rate and location of development with the capital facilities necessary to support such development

Review developments which will have **impacts beyond their local community**

Identify and protect areas whose characteristics make them particularly vulnerable to adverse effects of development



CAPE COD COMMISSION PURPOSES

Preserve the social diversity of Cape Cod by promoting fair **affordable housing** for low-income and moderate-income persons

Promote the expansion of **employment opportunities**

Implement a balanced and sustainable **economic development strategy** capable of absorbing the effects of seasonal fluctuations in economic activity



CAPE COD COMMISSION RESPONSIBILITIES



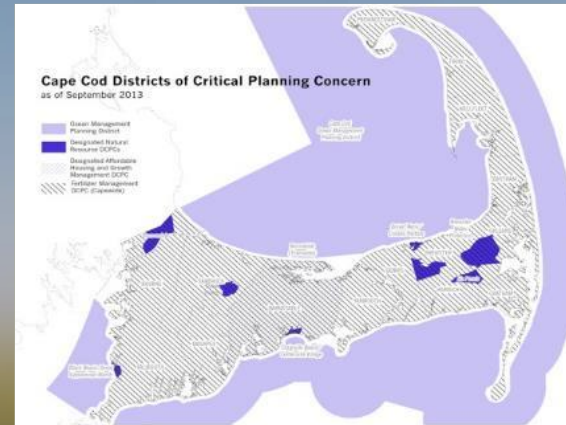
RPP

Prepare and oversee implementation of a Regional Policy Plan



DRI

Review and regulate Developments of Regional Impact



DCPC

Recommend Districts of Critical Planning Concern



TECHNICAL ASSISTANCE

Provide targeted, town-specific technical assistance





215,000
PEOPLE



162,000
HOUSING UNITS



96,000
EMPLOYER JOBS

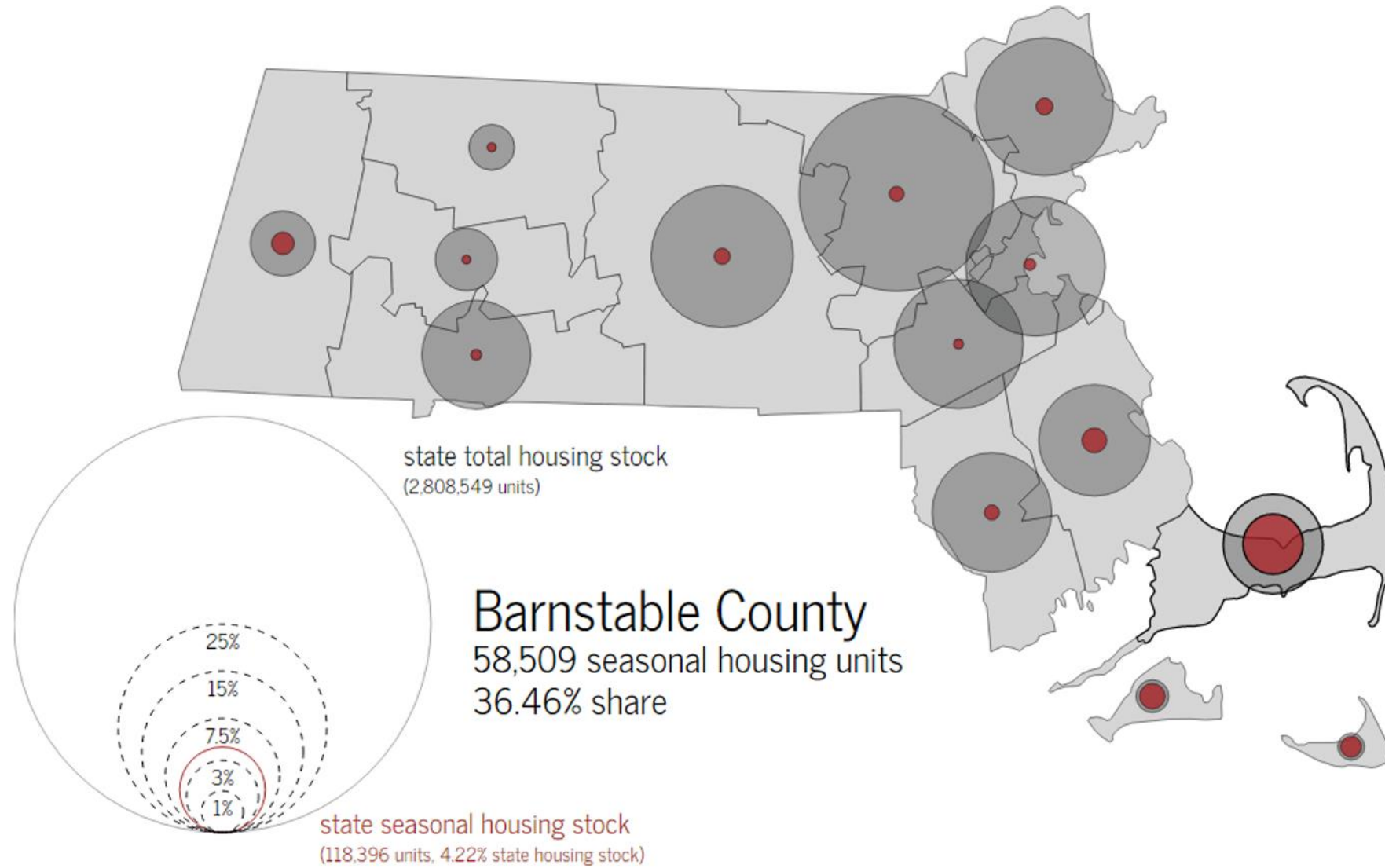


85%
LAND PROTECTED
OR DEVELOPED



CAPE COD
COMMISSION

(2010 data)



state total housing stock
(2,808,549 units)

Barnstable County
58,509 seasonal housing units
36.46% share

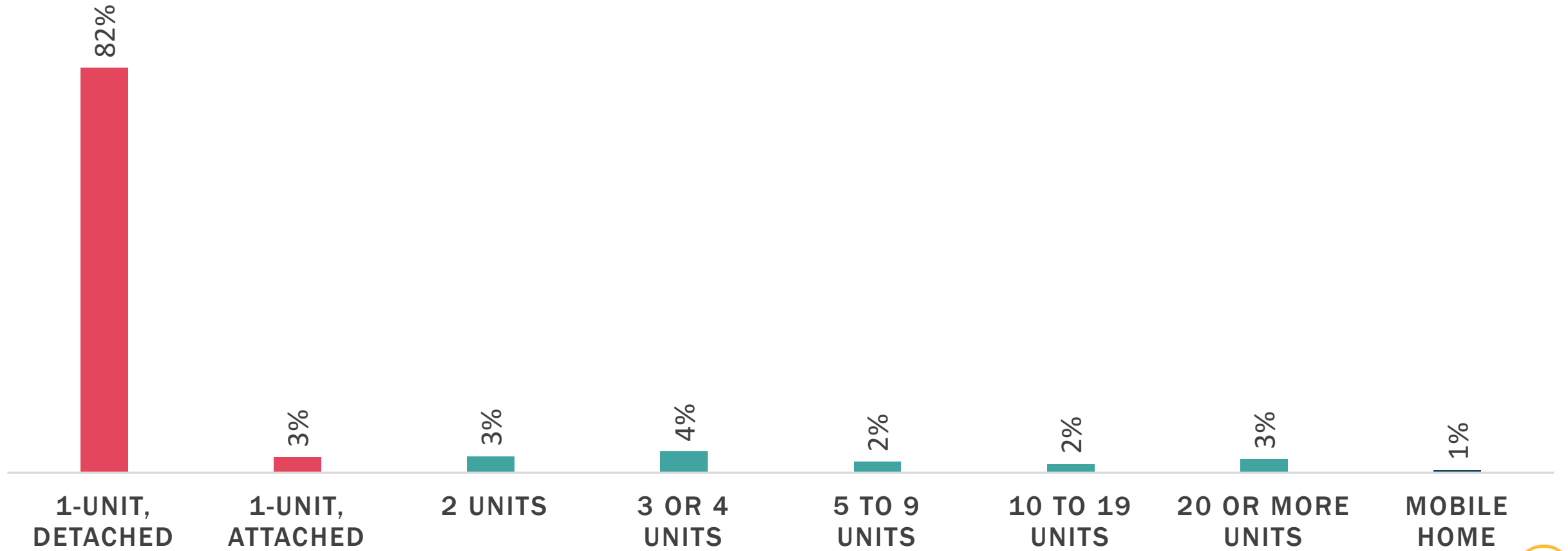
state seasonal housing stock
(118,396 units, 4.22% state housing stock)

Size by

- Total Housing Units
- Seasonal Units
- Population
- Seasonal & Total Housing Units



We lack diversity in the types of homes available to the market



**26,000 households on
Cape Cod are ‘cost burdened’,
spending more than 30% of
income on housing.**

Source: CRANE/EPR, Barnstable County Housing Market Analysis



Regulatory Review

Regional review
through the Cape Cod
Commission



CAPE COD
COMMISSION

PLANNING

GROWTH MANAGEMENT SYSTEMS

- Land Use
- Economic Development

NATURAL SYSTEMS

- Water Resources
- Coastal Resources
- Marine Resources
- Wetlands
- Wildlife & Plant Habitat
- Open Space & Recreation

HUMAN/BUILT SYSTEMS

- Transportation
- Waste Management
- Energy
- Affordable Housing
- Heritage Preservation/
Community Character

ACTIONS

- Cape Cod Commission Actions
- Town Actions

REGULATORY

GROWTH MANAGEMENT SYSTEMS

- Land Use
- Economic Development

NATURAL SYSTEMS

- Water Resources
- Coastal Resources
- Marine Resources
- Wetlands
- Wildlife & Plant Habitat
- Open Space & Recreation

HUMAN/BUILT SYSTEMS

- Transportation
- Waste Management
- Energy
- Affordable Housing
- Heritage Preservation/
Community Character

ACTIONS

- Minimum Performance Standards
- Best Development Practices

CAPE COD REGIONAL POLICY PLAN



CAPE COD
COMMISSION

COMMISSION THRESHOLDS



Cape Cod Commission Thresholds

(i) (1) Construction of any Wireless Communication Tower exceeding 35 feet in overall height, including appurtenances, from the natural grade of the site on which it is located, except for a new Concealed Antenna Monopole less than or equal to 80 feet in overall height from the natural grade of the site on which it is located that is designed to accommodate at least two carriers and with an Occupied Area limited to no more than 1300 square feet.

(2) Reconstruction of, attachment to or replacement of any existing Wireless Communications Tower, power transmission structure or utility pole for the purpose of supporting antenna(s) for transmitting and/or receiving radio frequency communications that increases its overall height above existing grade by more than 20 feet.

(j) Site alterations or site disturbance greater than two acres including but not limited to clear cutting, grading, and clearing land, unless such alteration or disturbance is conducted in conjunction with a building permit for a structure or a DRI approval or in conjunction with a municipal project.

(k) Mixed-use residential and non-residential developments with a Gross Floor Area greater than 20,000 square feet, or greater than 10,000 square feet of commercial space. For the purposes of this threshold the Gross Floor Area of Residential Dwelling Unit(s) shall be included in the Gross Floor Area calculation of the total development.

(l) Barnstable GIZ Threshold:

(m) Yarmouth GIZ Thresholds:



DEVELOPMENTS OF REGIONAL IMPACT



A development which, **because of its magnitude or the magnitude of its impact on the natural or built environment**, is likely to present development issues significant to or affecting more than one municipality, and which conforms to the criteria established in the applicable standards and criteria for developments of regional impact pursuant to Section 12 of the Act.

<<

Development of Regional Impact (DRI)

Towns refer
projects to the
**Commission for
DRI review**
>>



MANDATORY REFERRALS

Required for any project
exceeding specific
thresholds



DISCRETIONARY REFERRALS

Towns use at their option
to seek Commission
consideration of specific
project-related impacts

DEVELOPMENT AGREEMENTS



Development Agreements

- Development agreements provide flexibility for phased, larger projects
- Can encourage the developer to plan comprehensive projects and to provide major infrastructure and public benefits early in the project



Cape Cod Healthcare
DEVELOPMENT AGREEMENT
MARCH 2003

DESCRIPTION

Project: Up to 263,100 square feet
Lot Size: 40 acres
Location: Attucks Lane, Hyannis



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COMMISSION

LOCAL COMPREHENSIVE PLANNING

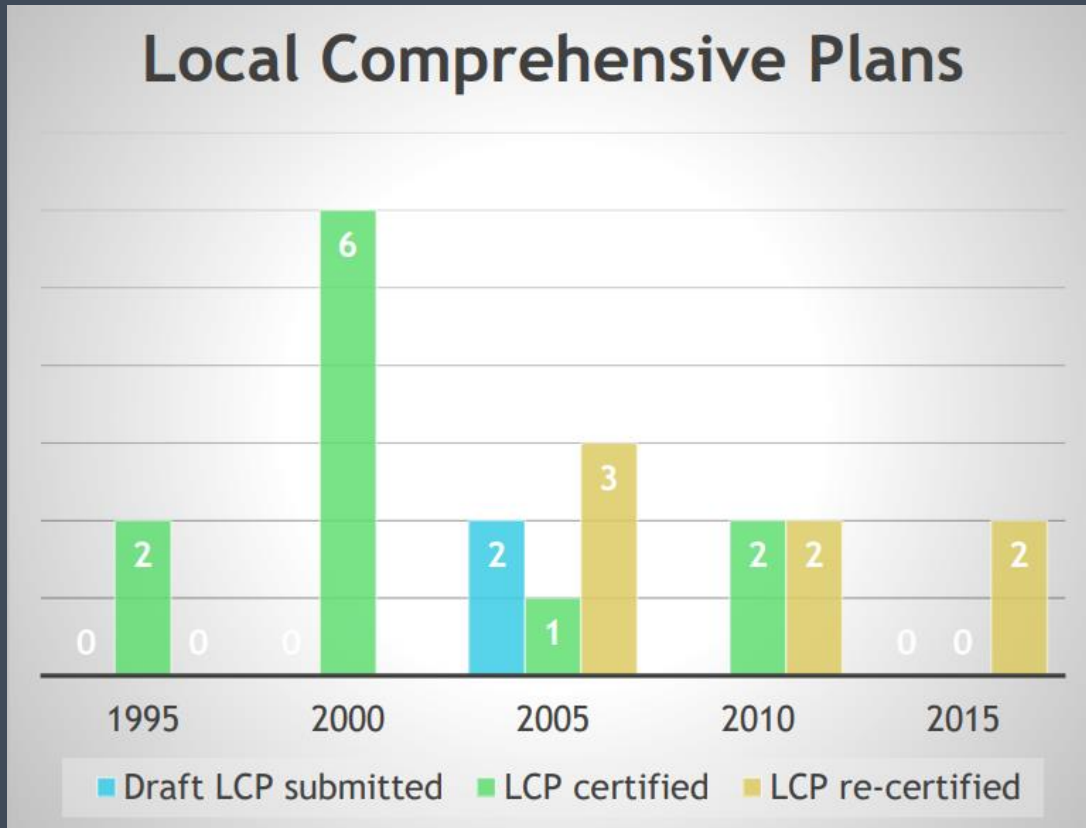


LCP – Requirements by the Commission Act

- Plan for **capital facilities**
- Plan for development of low and moderate income **housing** consistent with local needs
- Consistent with **RPP and Act goals**
- Bylaw **consistency** within 2 years

Provides for coordinated and consistent regional and local planning on Cape Cod to improve the region's quality of life and long-term sustainability.

LCP - Status



- 12 of 15 towns have some form of master plan
- Most 10 or more years old
- No plans certified in past 5 years

- Mashpee - 1998

Note: totals reflect number of new LCPs submitted 3 of 5 re-certified plans received preliminary certification only



A Vision for Cape Cod

Regional Policy Plan
Update



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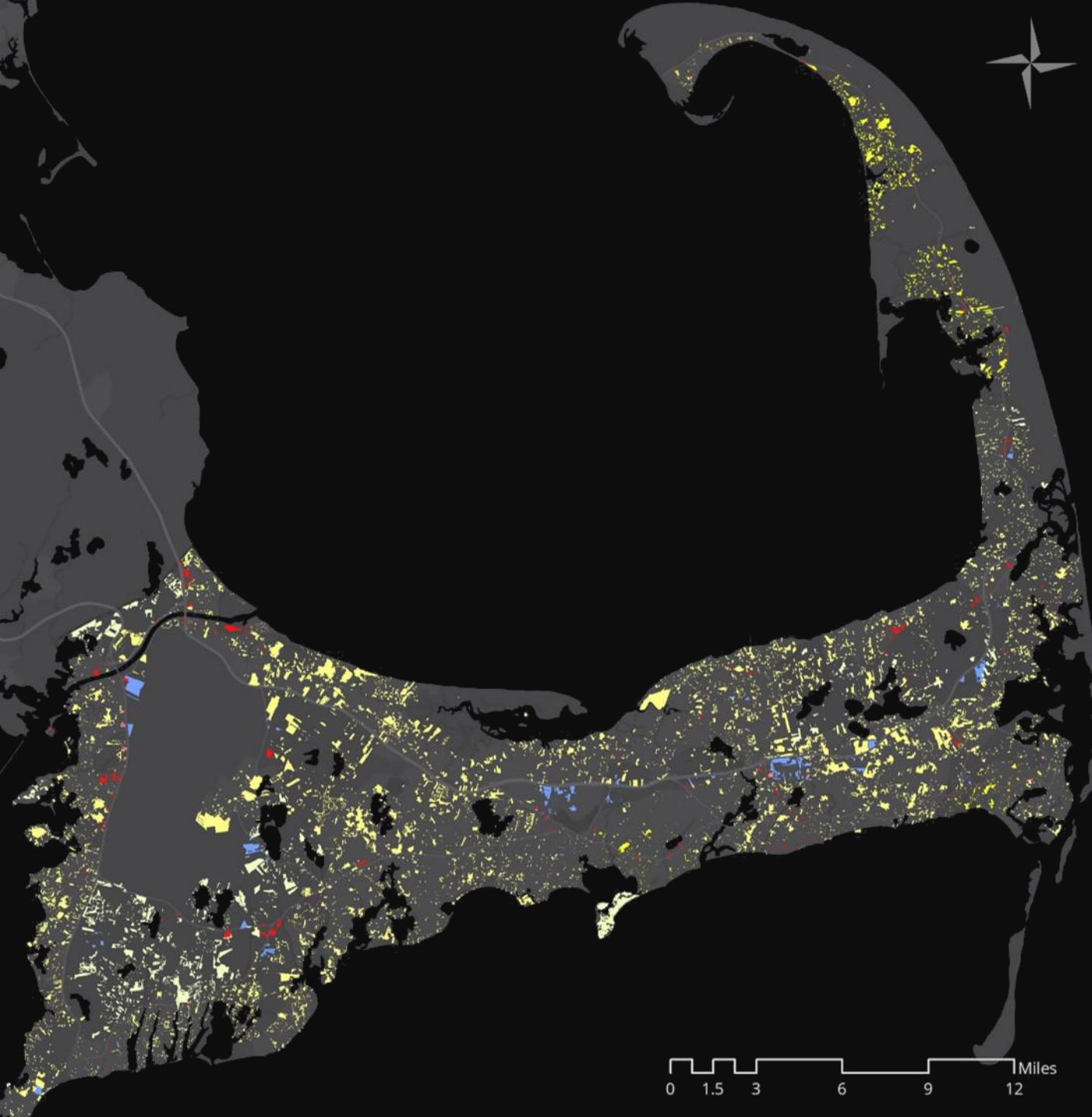
Vision for the Future

*Protect the region's
natural resources to
provide vital
ecosystems services*

*Focus economic
revitalization in
existing centers of
activity*



Trend Scenario



0 1.5 3 6 9 12 Miles



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Alternative Scenario

Increases density

Regulatory relief/incentive
more housing units per acre

More affordable housing

for those with household
incomes of \$50K-\$100,000K

Less infrastructure

needed 90% reduction in
new roads

Creates more jobs

nearly twice as many



WHAT'S NEW



Regional Housing
Strategy



Regional Capital
Planning



Goal + Checklist
Approach



Streamlined Local
Comprehensive
Planning



Regional Targets +
Performance
Measures



Identification of
Transect Types



Identification of
Regional Activity
Centers

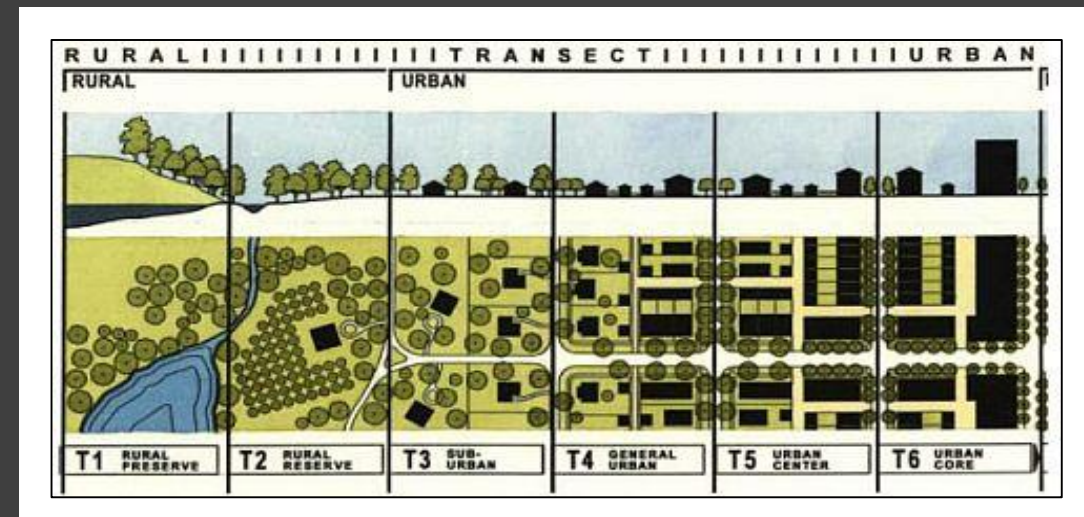
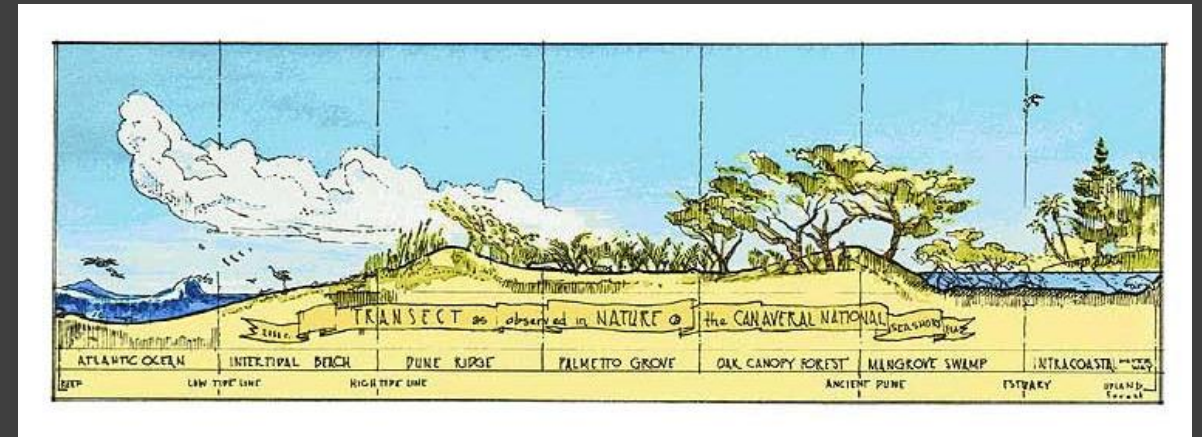


THE TRANSECT



WHAT IS A TRANSECT?

- Concept borrowed from ecology
- Series of six zones that transition from natural areas to dense urban core
- Common natural/built characteristics
- Visual tool to provide a framework for development of new codes based on desired form



THE CAPE COD TRANSECT

Rural

Urban



Priority Protection Areas



Rural Development Areas



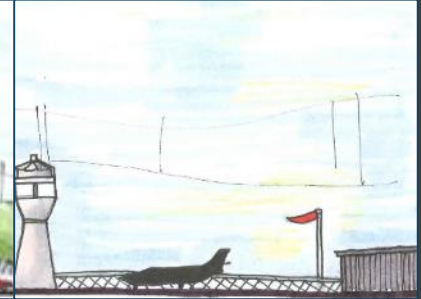
Suburban Development Areas



Activity Centers



Industrial Activity Centers



Special Districts

PLANNING FRAMEWORK FOR THE
2018 RPP

ACTIVITY CENTERS



Activity Centers

What do we want in activity centers?



Amenities for residents

Community activity



Attracts residents and visitors

Business activity

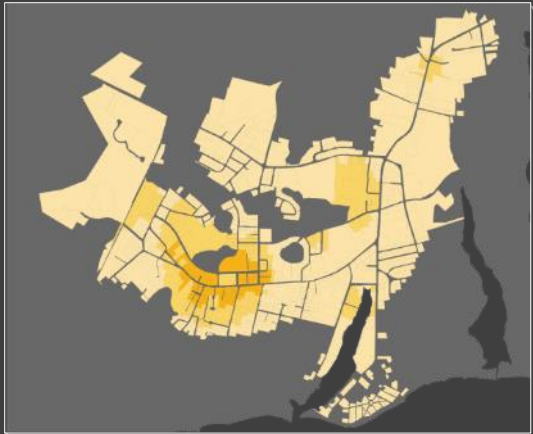


Compact, pedestrian-oriented

Built environment

REGIONAL ACTIVITY CENTERS

DOWNTOWN FALMOUTH



1 factor



Transform



2 factors



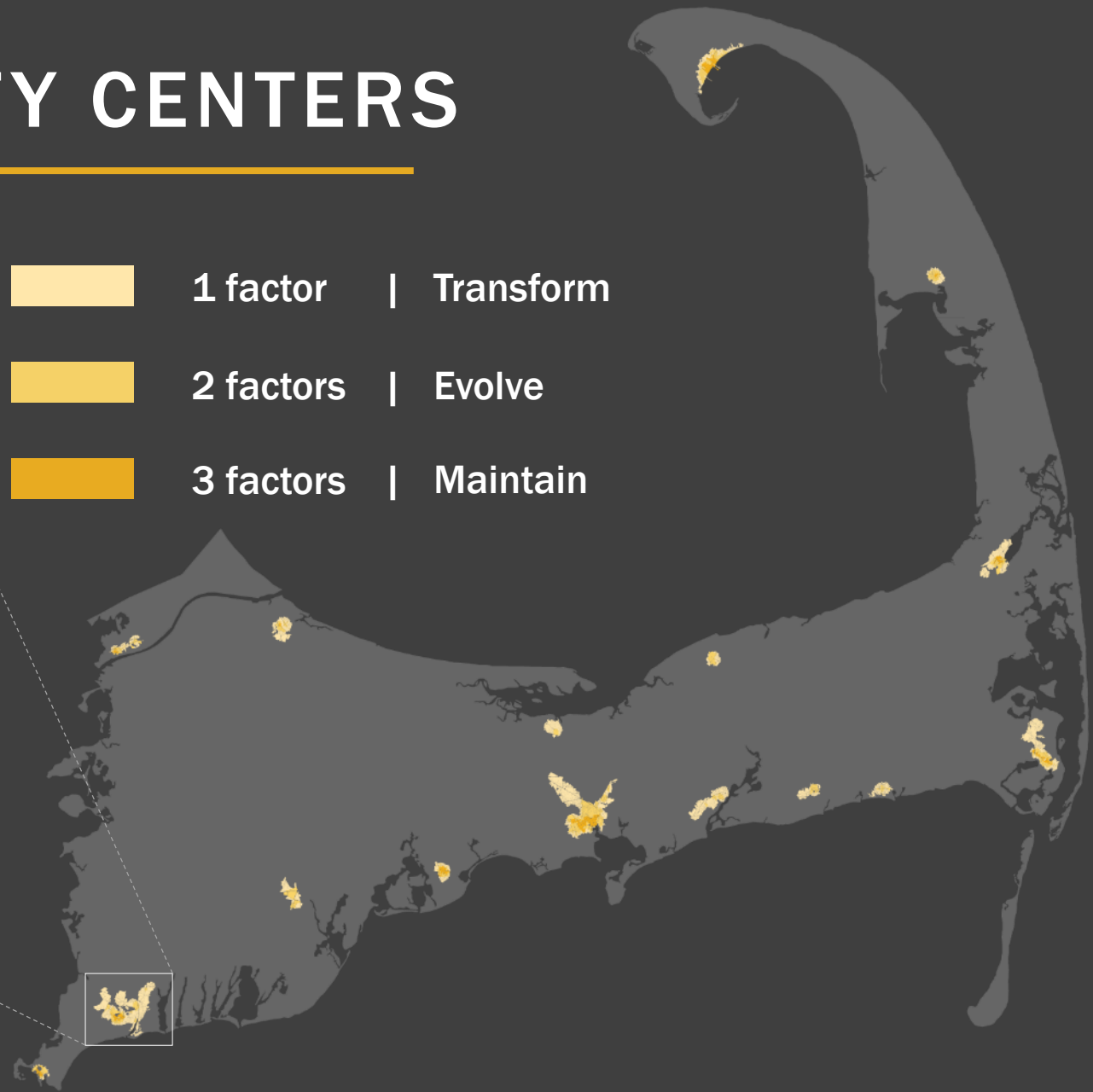
Evolve



3 factors

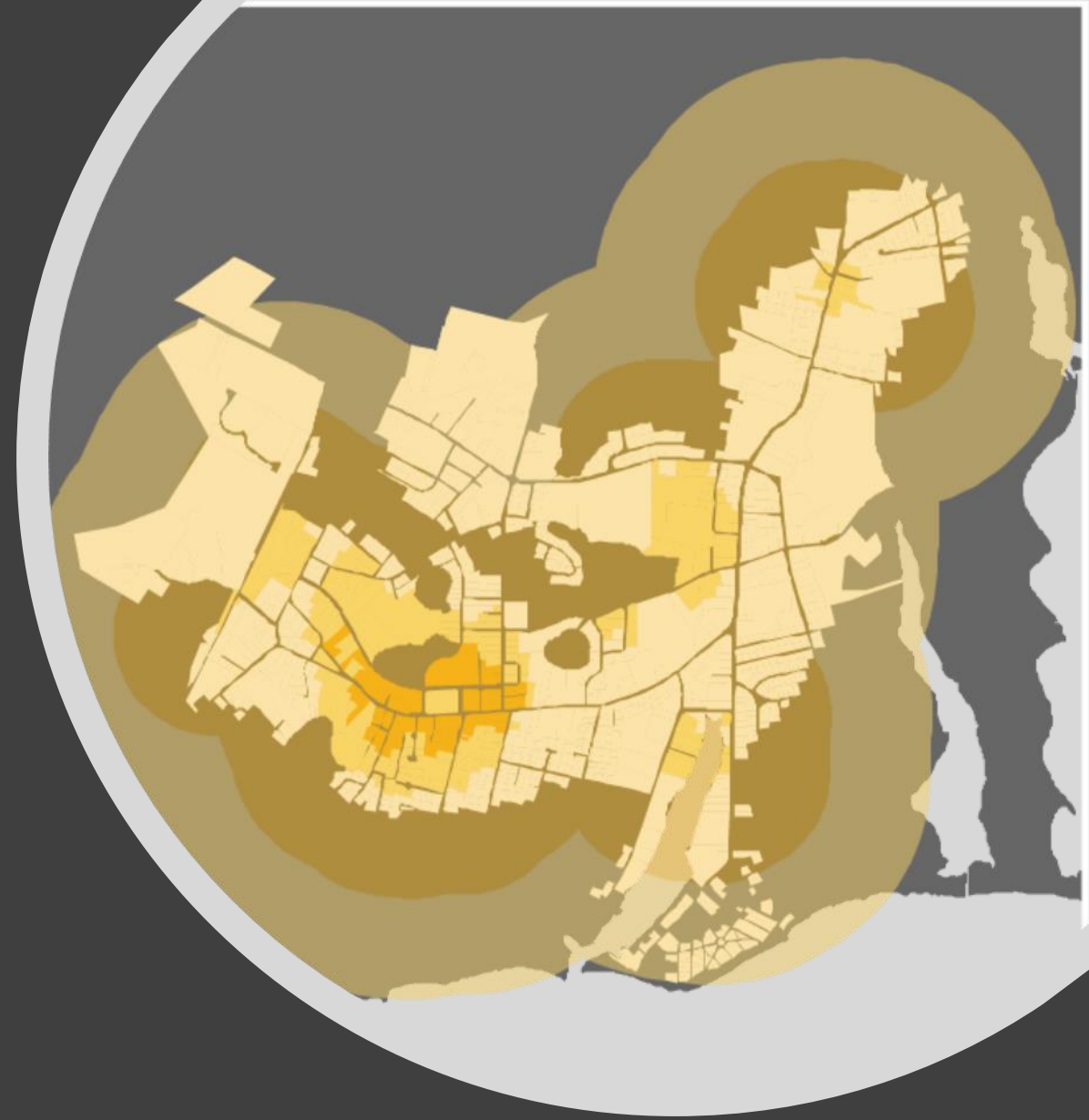


Maintain



Place Based Planning

- Activity Centers will be the focus of infrastructure planning/funding
- Commission support for planning/design
- Adoption of Form-Based Code to support mixed-use/housing
- Reimagined industrial areas
- Potential changes to DRI thresholds



TRANSPORTATION

Steven Tupper
Cape Cod Commission



CAPE COD
COMMISSION

ROAD NETWORK



TRANSIT NETWORK



SIDEWALK NETWORK



PAVED PATH NETWORK



ROADS



Map © 2017, OpenStreetMap contributors, Imagery © Mapbox

**INTERCITY RAIL
AND BUS**

**REGIONAL
TRANSIT**



Map © 2017, OpenStreetMap contributors, Imagery © Mapbox

**TAXI/
RIDESHARE**

**CAPE COD
TRANSPORTATION
SYSTEMS**

FERRY

**PAVED
PATHS**



Map © 2017, OpenStreetMap contributors, Imagery © Mapbox

AIR TRAVEL

SIDEWALKS



Map © 2017, OpenStreetMap contributors, Imagery © Mapbox



REGIONAL TRANSPORTATION PLANNING

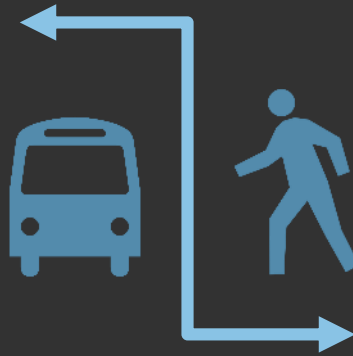
Improving
People's Ability
To Access Places



REGIONAL TRANSPORTATION PLANNING ACTIVITIES



UNDERSTAND
CAPACITY OF THE
EXISTING
TRANSPORTATION
NETWORK



IDENTIFY
**CRITICAL GAPS
AND ISSUES** IN
TRANSPORTATION
NETWORK



QUANTIFY THE
BENEFITS OF
CAPITAL
INFRASTRUCTURE
IMPROVEMENTS





EXAMPLE – IDENTIFYING CRITICAL GAPS





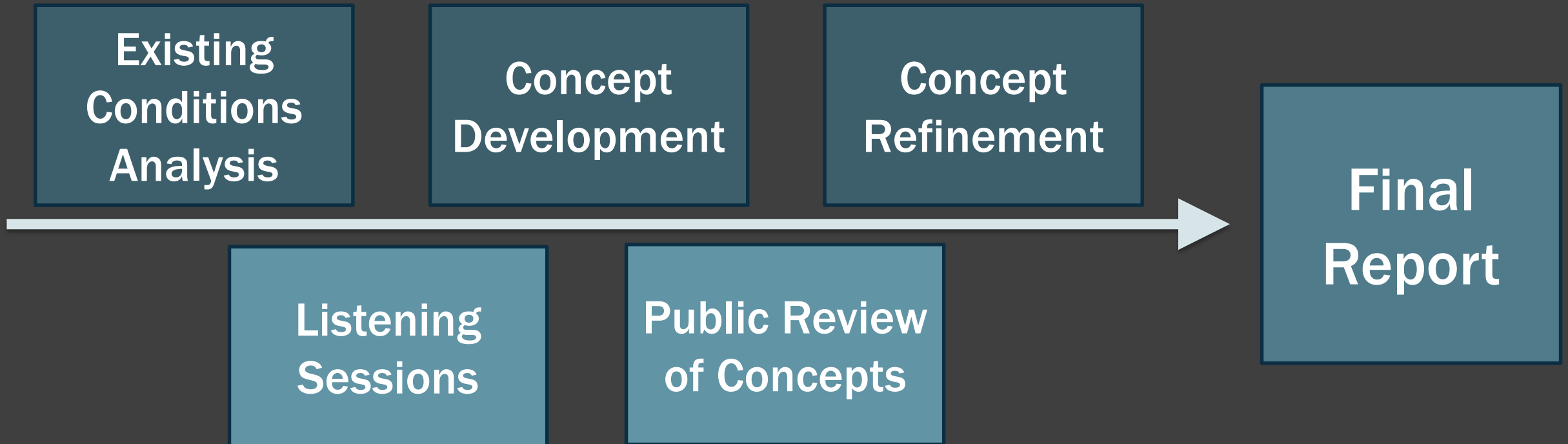
EXAMPLE – UNDERSTANDING CAPACITY & SAFETY ISSUES





CCC Transportation Planning Studies

Locally-driven approach to improving safety, mobility, and system reliability for all users



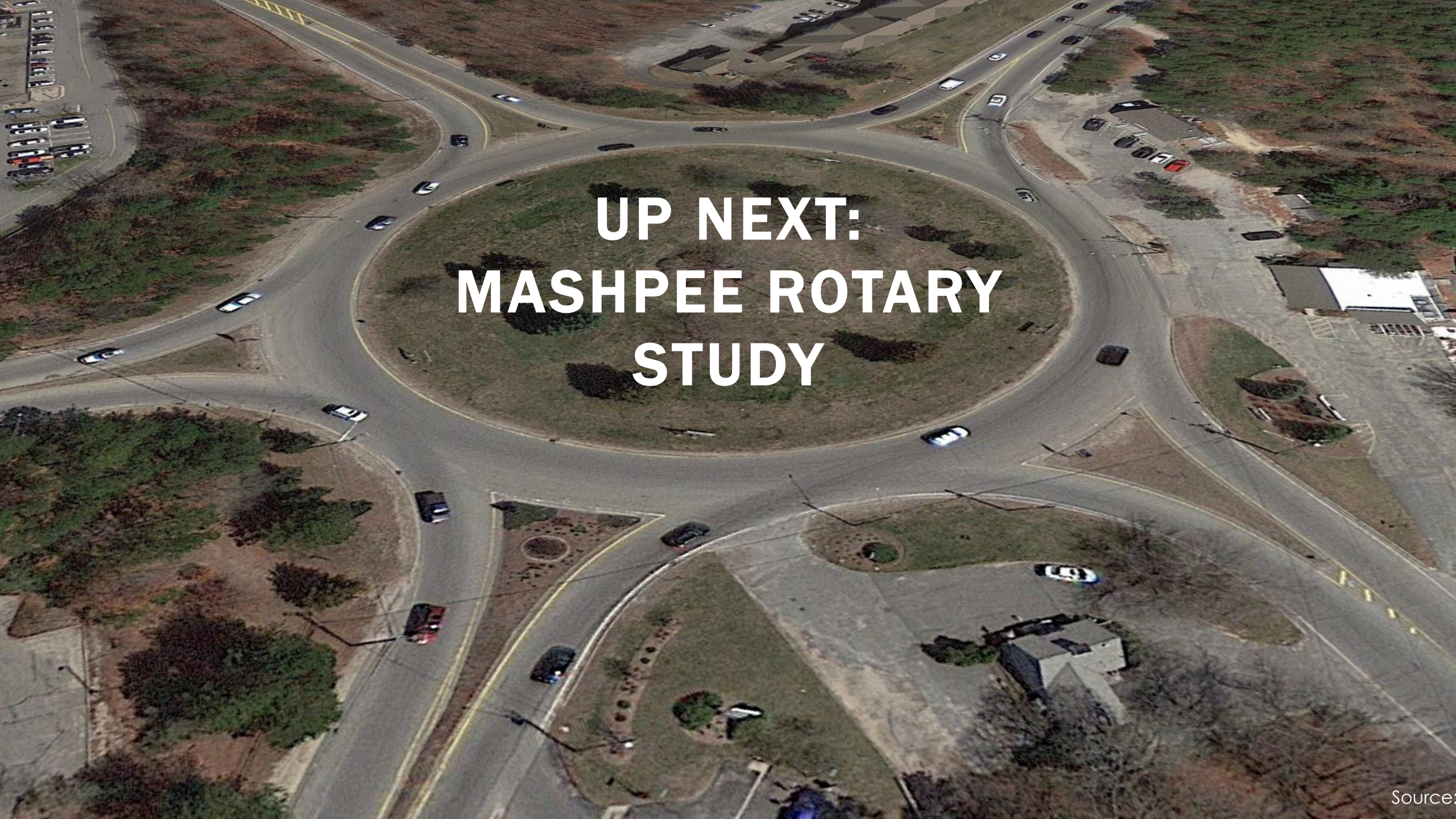
IMPLEMENTING SOLUTIONS



Photo courtesy of Christopher Setterlund.



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COMMISSION

An aerial photograph of a five-way rotary intersection. The central island is a large, circular grassy area with some trees. Five roads radiate from the center, each with a yellow curb. Several cars are visible on the roads, including a white car on the top-left road, a dark car on the top-right road, a white car on the right road, a dark car on the bottom-right road, and a red car on the bottom-left road. The surrounding area includes parking lots, trees, and some buildings.

UP NEXT: MASHPEE ROTARY STUDY

Transportation Impact Assessments (TIA)

TYPICAL ELEMENTS

Existing Conditions

Proposed Develop

Anticipated Impacts

Proposed Mitigation

PURPOSE

A TIA should provide the information needed to
“properly assess the adequacy of existing and planned transportation infrastructure to accommodate the proposed project, as well as proponent project impacts and proposed mitigation measures.”

(MassDOT TIA Guideline – 2014)



UNION STUDIO
ARCHITECTURE & COMMUNITY DESIGN

Community Resiliency by Design Workshops

EASTHAM & ORLEANS

Tuesday June 19th 6:30 p.m.
Eastham Public Library

FALMOUTH

Wednesday, June 20th 5:30 p.m.
Selectmen's Meeting Room –Town Hall



CAPE COD
COMMISSION

*Funded by the
Executive Office of Energy and the Environment*

Upcoming Events

Cape Cod Commission



one cəpe

AUGUST

16-17

2018

WEQUASSETT RESORT, HARWICH MA

The Cape Cod Commission and Regional Planning



CAPE COD
COMMISSION

Kristy Senatori

Acting Executive Director

Steven Tupper

Transportation Program Manager

Mashpee Planning Board

June 20, 2018



CAPE COD
COMMISSION

Photo Credit: Massachusetts Office of Travel and Tourism

**Mashpee Planning Board
Minutes of Meeting
June 6, 2018 at 7:00 p.m.
Waquoit Meeting Room, Mashpee Town Hall**

Planning Board Members Present: Chairman Mary Waygan, Dennis Balzarini, Joe Cummings, Robert (Rob) Hansen, David Kooharian, David Weeden
Also: Evan Lehrer-Town Planner, Charles Rowley-Consulting Engineer

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 the Chair, at 7:02 p.m. on Wednesday, June 6, 2018. The Chair welcomed attendees and asked that people addressing the Board do so using the microphone, stating their name and their business. The Pledge of allegiance was recited.

APPROVAL OF MINUTES— May 16, 2018

MOTION: Mr. Balzarini made a motion to accept as presented. Mr. Kooharian seconded the motion. All voted unanimously.

PUBLIC HEARINGS

**7:05 p.m. Applicant: Blue Sky Towers, LLC., Lessee (Town of Mashpee, Property Owner)
Subject Property: 101 Red Brook Rd. (Assessor's Map 104, Lot 2) Fire Station #2
Request: Special Permit for a Personal Wireless service Facility as allowed by
174-25(H)(9) and 174-45.3 of the Mashpee Zoning Bylaw**

The appointed time having arrived, the Chair read for the record the Public Hearing Notice and opened the public hearing. It was noted that the Cape Cod Commission had jurisdiction over the issue, before it could be reviewed by the Planning Board.

MOTION: Mr. Balzarini made a motion to continue the public hearing until after the Cape Cod Commission reviewed the application.

Mr. Balzarini inquired whether the public could speak and Mr. Lehrer responded that the Planning Board was not empowered to act, or receive public comment, until the matter was considered by the Cape Cod Commission.

MOTION: Mr. Balzarini made a motion to continue the issue until September at 7:10 p.m. unless the Board hears otherwise from the Cape Cod Commission if it needs longer or shorter. Mr. Kooharian seconded the motion. All voted unanimously.

MOTION: Mr. Balzarini made a motion to refer the Blue Sky Towers, LLC application to the Cape Cod Commission. Mr. Kooharian seconded the motion. All voted unanimously.

Mr. Lehrer confirmed that he would keep the application packets until the issue returned from the Cape Cod Commission. A member of the public stated that the issue directly impacted his life and his house. Mr. Lehrer responded that the cell tower, at the height proposed, fell under the jurisdiction of the Cape Cod Commission as a Development of Regional Impact. Mr. Lehrer confirmed that the Cape

Cod Commission would have its own review process before the matter would be considered by the Planning Board. The resident expressed concern about the Cape Cod Commission rubber stamping the request because he felt it was bad for the residents and inquired whether the Planning Board had any say in the matter. Mr. Lehrer confirmed that the cell tower was an allowable use based on a Special Permit issued by the Planning Board and the Board would be deliberating once the recommendation was received by the Cape Cod Commission.

The resident inquired whether their opinions mattered and Chairman Waygan responded that she was unsure whether or not residents would receive notifications in the mail from the Cape Cod Commission, as they received from the Town. The Chair confirmed that DRIs were reviewed by the Cape Cod Commission first or jointly with the Planning Board. The Chair suggested following up with the Cape Cod Commission to find out how residents would be notified about review of the matter. The Chair also confirmed that Mashpee's Cape Cod Commission representative was Ernest Virgillio. Mr. Lehrer confirmed that he would notify residents by legal notice once Cape Cod Commission review was complete, and when the matter returned to the Planning Board.

Timothy Dorsey inquired whether the Planning Board had a recommendation regarding the cell tower and the Chair responded that they did not have jurisdiction over the cell tower proposal at this time. The Chair agreed to attend the Cape Cod Commission meeting. The resident planned to visit Mr. Lehrer in the Planning Office to review the plan.

7:20 p.m. Applicant: William Lovely, Property Owner
Subject Property: 2 Center St. (Assessor's Map 36, Lot 47)
Request: Special Permit Modification to list 174-25(B10), "Day nursery, nursery school, kindergarten or other agency giving day care to children, provided that any outdoor play area is screened by fence, wall or planting line from any neighboring residential structure and is not detrimental to the neighborhood by reasons of noise," of the Mashpee Zoning Bylaw.

The appointed time having arrived, Chairman Waygan read for the record the public hearing notice. Owner of 2 Center Street, Bill Lovely, and Jane Haley and Maureen Starr, of North Star Montessori School, were present to discuss their application.

Mr. Lovely was requesting a modification to their Special Permit to allow for the addition of a Montessori school, noting its similarity to a dance school on site, owned by his wife, a modification added 15 years ago. Mr. Balzarini, Mr. Hansen and Mr. Weeden had no issue. Mr. Cummings inquired about parking. Mr. Lovely reported that he counted 82 parking spaces, adding that the 20 students at the school would be dropped off in the morning and picked up in the afternoon. In addition, the school would be staffed with two teachers and an assistant teacher. Mr. Cummings noted that the Bylaw required one parking space for every three students. Mr. Lovely also stated that activity at the dance school would be at night and, as a result, parking would not be impacted during the day.

Mr. Balzarini inquired about school signage to slow traffic and the Chair inquired whether it would be required for a Montessori school. Ms. Haley responded that she had not seen required signage in her 18 years' experience. Mr. Balzarini expressed concern about the number of cars traveling at one time and taking a left into the property. Mr. Lehrer responded that the traffic study detailed limited impact.

Chairman Waygan recommended the project proponent contact the DPW Director regarding possible signage that would alert drivers to children being present.

Mr. Lehrer confirmed that the signage on the rear of the building approved by the Historic District Commission would measure 30 inches x96 inches. Mr. Lehrer indicated that he would draft Modification #2 for consideration at the next meeting. There was no public comment.

Mr. Lehrer stated that it had been a pleasure working with the project proponents and Mr. Lovely responded that Mr. Lehrer had been helpful throughout the whole process. Mr. Rowley referenced a plan to be developed to show items that needed to be addressed. Mr. Rowley had visited the site, approximately in December, with Mr. Lovely. At that that time, there was discussion regarding the drainage at the corner of the building in relation to the children. Mr. Lovely stated that the playground was being relocated to the hill at the site of the proposed second building, where approximately 1,500 square feet would be fenced in with a four foot tall fence. The new plan was submitted and was part of the package, though Mr. Rowley had not been in receipt of the package. Mr. Lovely confirmed that they met in December when there was discussion about placing the playground adjacent to the building. Mr. Lovely indicated that additional engineering was needed which they would consider in the future and Mr. Lehrer confirmed that Mr. Lovely would return with the engineering for a change to the permit.

The Chair inquired whether Mr. Rowley wished to review the packet any further and Mr. Rowley responded that he did not have an issue with the use. Mr. Rowley referenced the other plan, stating that during his inspection, he noted broken curbing in the upper area of the center island in the parking area. The contractor installed an aluminum cover measuring three feet by three feet, extending into the driving aisle. Mr. Rowley expressed concern about whether it was a suitable design for wheel loads and questioned its presence. The plan showed two manholes in the island but not a square cover in the line of traffic. Mr. Rowley expressed concern without knowing the details of the cover, particularly with traffic circulating. Mr. Lovely confirmed that it was work completed by Robert Our for the condo association, adding that it was completed through Mashpee's Board of Health, to install a vault for wastewater treatment. Mr. Rowley suggested that it was an inappropriate cover for a driving aisle that would need to be addressed. Mr. Lovely would convey the information to the Condo Board, acquire information from Robert Our and forward the information to the Planning Board.

Mr. Lehrer recommended that the Special Permit Modification be made conditional to complete the work to allow the teachers to meet their State deadlines. The Chair inquired about deadlines and Ms. Haley responded that the State would visit in July and issue approval in August. The Chair suggested continuing the Public Hearing in case a condition was needed on the Special Permit Modification. Mr. Lovely asked why it could not be done this evening and the Chair responded that there was insufficient technical detail. Mr. Lovely suggested that if it did not meet engineering standards, they could replace the cover with a steel plate and submit the correct cover. Mr. Rowley wished to see the details of the installation if the Board of Health was in possession of the plans, in order to make a report to the Board to be part of the Public Hearing. Mr. Rowley recommended that the information be gathered prior to the Public Hearing. Chairman Waygan noted that requests to change a Special Permit was the time when the Planning Board could ensure conditions were being met. Board members encouraged Mr. Lovely to gather the necessary information for Mr. Rowley and Mr. Lehrer before the next meeting so

that the Board could determine if they needed to add a condition to the Special Permit Modification. The Chair added that they would need to meet again to sign the Modification, and following a review of the new information, if there is a recommendation to add a condition, it would be included in the draft Modification #2 for the next meeting. Mr. Lovely was unclear why an issue with the commercial building's parking lot would have anything to do with adding a use to the Special Permit. The Chair responded that a Special Permit Modification was their time to ensure compliance.

The Chair stated that there was support for the Modification for the proposed use. Mr. Lovely expressed concern about the school's time constraints. Mr. Lehrer stated that the project proponents had worked very hard and had been great partners, bringing a complete application to the Board and had not consulted with Mr. Rowley and was unaware of the engineering issue. Mr. Lehrer stated that, had he known, he would have addressed the issue sooner and Mr. Lovely was in agreement. Ms. Starr inquired about the next meeting and was advised that it would be in two weeks. The Chair suggested that the use would likely be approved, but the vote would not be taken until the public hearing was closed, and more information needed to be forwarded to Mr. Rowley and Mr. Lehrer, allowing any necessary language to be added to Special Permit Modification #2. Mr. Balzarini inquired about State deadlines but it was noted that the State could not be contacted until everything was finalized in Mashpee. Mr. Lovely stated that he would collect the information tomorrow.

MOTION: Mr. Balzarini made a motion to continue the Public Hearing until June 20 at 7:10 p.m. Mr. Kooharian seconded the motion. All voted unanimously.

A five minutes recess was taken at 7:43 p.m.

PRESENTATION

Rui Almeida, Form Based Code

Mr. Lehrer introduced his mentor, architect and Westerly, RI Town Planner with 30 years' experience, Rui Almeida, to discuss form based code with the Board. Mr. Almeida first inquired about the Board's knowledge about form based code then continued on to describe conventional zoning as land use based, which did not allow for the humanizing of space. Form based code allowed a focus on form, rather than land use or abstraction, as well as focus on desired outcomes, such as a project's appearance. Mr. Almeida noted that form based code was flexible and could be used by site or general plan or rural area. Form based code allowed design for human usage, controlling the form at the outset.

Form based code allowed for the creation of places, attracting people because it was beautiful, meaningful, functional and safe, through design. Form based code allowed design for people, rather than cars, as had been done historically in the U.S. Form based code allowed for a town to determine what their town would look like and how it would function. Mr. Almeida noted that sameness did not attract people. People were more attracted to uniqueness and character, which came from history, identity, memory and heritage. Form based code allowed for predictability that would allow the Town to determine their vision and improve quality of life. Mr. Almeida pointed out that conventional zoning allowed for the developer to present their plans to the Town, leaving the Planning Board to determine from the proposals what they wanted for the Town. Mr. Balzarini suggested a master plan provided clarity. The Chair noted that projects were better following Planning Board review.

Mr. Almeida stated that communities had used form based code for thousands of years, citing the examples of Paris, downtown Lisbon and much of London. Development was controlled in such a way to create something beautiful and so that planners knew what the area would look like. Form based code allowed for a more efficient and compatible economic development in Town, making the process easier for developers while identifying what the Town wanted, rather than the conflict of not knowing what would happen next with conventional zoning. Mr. Almeida stated that, without a vision, the Town would have no control of what could happen in the future. Allowed uses may not be compatible with what was existing. Form based code would simplify the process for developers, not by giving them carte blanche, but by controlling the form in advance, identifying what it was the Town was seeking. Form based code would put the control in the Town's hands, with greater clarity and less conflict.

Mr. Almeida stated that conventional zoning was one size fit all, with zoning setbacks. Once a town reached buildout, setbacks could cause problems. Mr. Almeida suggested that defining form based code now would create easier conversations and quality above all. Developers and architects would understand what it was the Town was seeking, and make a determination whether or not it was a fit for their goals. With conventional zoning, developers may walk away if they found the process too difficult to manage. Form based code created less conflict with the developers.

Conventional zoning was a product of the industrial era as pollution was created and it was necessary to separate uses. Mr. Almeida agreed that some separation was necessary but not every use needed to be separate, creating boxes. Mr. Almeida suggested finding common ground and connecting, to create a relationship. Towns were built and designed for people. Conventional zoning also separated densities, small from large, but harmony was needed. Form based code allowed forms to work together, creating thresholds. People wanted to love a place and have a meaningful relationship with a place. Conventional zoning created disorderly growth, designed for cars, creating commercial corridors, visual chaos, wide roads, setbacks and destroyed landscapes. Conventional zoning created a focus on uses, desensitizing human relations. Conventional zoning offered no consideration for people, was not inviting, removed nature and sidewalks, created wide roads for vehicles, which promoted speed.

Form based code was defined as a method of regulating development to achieve a specific form, creating a predictable public realm by controlling physical form, with lesser focus on land use through town regulations, a method of regulating and coding that promoted place based planning and development, creation of communities that were liveable, prosperous, social enabling, human connectivity and beautiful, use of traditional town forms as visioning forms, disciplined, varied and permanent town growth forming walkable, type diverse, and use flexible buildings and town places, immersive environments to produce memorable permanent places, disciplines and validates existing setting, promoted the design of new as integrated and connection to physical spaces.

Mr. Almeida referenced coastal communities' relationship to the sea, along with the history and culture, which required protections to preserve the identity of the town. Mr. Almeida stated that the Town could create whatever they wanted, protected bike paths, sidewalks, parks, buildings to the sidewalk like historic towns, determining what was beautiful and meaningful for the Town. Mr.

Almeida described places like Back Bay Boston and parts of New York City as form based, creating a walkable space with sidewalks and open space.

Mr. Lehrer asked Mr. Almeida how form based code would apply to Mashpee. Mr. Almeida stated that the Town's preference for more or less density would be determined through form based code. Mr. Almeida emphasized that it was likely that the Town would want rural areas to preserve their character, and would not encourage urban development in those areas and more business or mixed use development located in the more dense areas. Mr. Almeida recommended protecting the form, doing the legwork and creating a legacy. Developing the form would make it easier for developers to invest in the community. Mr. Lehrer summarized that form based code was a tool that Mashpee had control over to define how form based code could apply to the Town. Mashpee Commons could submit a proposal, but the Planning Board could modify or define how their vision could apply. Mr. Balzarini noted that they already had a modification process in place through Special Permits. Mr. Almeida pointed out that the modifications were case-by-case proposals, never knowing what exactly the Town would have in the end. Mr. Balzarini noted that Mashpee Commons typically got what they wanted. Mr. Almeida stated that the Town would have a wider range of control over form, not just the building or the site. Chairman Waygan noted that some Planning Board members consciously made the decision not to attend Mashpee Commons sessions due to quorum concerns and being put on the spot to speak without first meeting as Board.

Mr. Almeida stated that form based code could help create great places. Community was defined as a combination of the public realm and the private realm and a balance of both. The public realm consisted of public spaces, civic buildings and commercial spaces that may be expressive and unique, places for informal gatherings, important institutions that were celebrated as the values of the community and centers to host commerce. The private realm defined the public realm and was described as buildings that defined the edges of the public space that should be normative and recessive, not as exceptional in architecture as the institutions. Building typology was defined by its location and how it was as an essential element of towns and villages, creating civic art, a combination of building types and town space types and their respective details. Syntax was the detailing of the architecture.

Mr. Almeida stated that coding created visual harmony. Coding was oriented toward form and not land use. Four components of form based code was described as, vision centered, written as part of a master plan, binding public and private interests; purposeful, and priority driven, concentrating on regulating with emphasis on those areas that were prone to change; place based, code prescriptions carefully calibrated specific to the setting to which they are applied; and consequential urbanism, not an exercise in beautification. Mr. Almeida noted that form based code was an economic development engine, to deliver a strategy for improvement calibrated to local economic opportunities that the market could deliver, but not by creating an imbalance, but creating a path for business at the outset. Mr. Almeida discussed bolstering the health of the community with form based code with walking, connecting to people, breathing great air and beauty. FBC was precise and concrete and experience based and it was binding, creating standards that would be obligatory.

Mr. Lehrer stated that he would forward the presentation to Board members. Mr. Almeida recommended books helpful in understanding form based code: American Vitruvius, The New Civic

Art, The Human City, Welcome to Your World, Art of Building Cities, Form Based Codes and the Smart Growth Manual. Organizations and conferences recommended were Congress for the New Urbanism, Grow Smart America, Form Based Code Institute, Main Street Now and Reurbanism.

Mr. Balzarini suggested that a master plan with modifications could provide what was needed and Mr. Almeida responded that form based code would require the character that the Town would want. Chairman Waygan stated that it would be interesting to see how the Mashpee Commons master plan would change, following their charrette. Mr. Kooharian suggested that, rather than looking at proposed plans, Mashpee would identify their preference for buildings in a specific area.

John Connell, of Mashpee Commons, stated that Mashpee was growing out of looking at development project by project. Mr. Connell suggested that current zoning was developed to place industrial uses away from residential, and commercial uses away from rural uses, which over the long term, created horrific looking towns, separating people. Mr. Balzarini stated that there was one development that could change Mashpee forever. Mr. Connell responded that the Planning Board was seeking a master plan, a big final idea, which would take 20-100 years to build. Mr. Balzarini responded that it would be developed in 10 years. Chairman Waygan stated that Mashpee offered wonderful protective zoning that has made Mashpee look good. The Chair was in agreement with reviewing code, standards and architectural site design and codifying it. Chairman Waygan noted that Mashpee was in tremendous need of offsets and was waiting to hear what Mashpee Commons would provide and how it would be different from the current protective zoning. Mr. Connell responded that, to address the needs and embrace the biggest vision for Mashpee, form based code presented a set of rules, much like DNA. The Chair stated that it was interesting that Mashpee was looking to step away from serving as the master developer, and looking to set in stone a plan so that future purchasers of the land could fit be integrated. The Chair would support consideration, as long as it was considered as one master plan with certain offsets, such as those identified in visioning sessions to include traffic, affordable housing and open space.

Mr. Balzarini referenced the future and job opportunities in Mashpee and suggested the possibility of a train station on base to allow access to Boston. Mr. Almeida emphasized that form based code allowed planning to go from unpredictable to predictable and reactive to proactive to control the outcome as preferred by the Town. Mr. Lehrer noted that there were no jobs because there were no investable assets to interest companies, but it could change if Mashpee could develop in a manner that was consistent with a vision that accommodated those assets. Mr. Almeida added that FBC allowed clarity for developers so that they knew the expectations of the Town and needed only to pull a permit.

Chairman Waygan inquired about uses that could be prohibited and Mr. Almeida responded that the focus would be form and place based, not land use and function and would be detailed, providing predictability, rather than negotiation by project. Mr. Kooharian noted that it was expensive for developers to argue every aspect of a project, but with form based code, Mashpee would have outlined the development they were seeking. Mr. Almeida added that changes could be made if necessary, that it could be an ongoing process. The Chair liked the idea of harmony between the blocks and expressed interest in seeing how Mashpee Commons planned to address the concept, specifically referencing the idea of incorporating three story buildings. Mr. Connell referenced the strength of form based code noting that, with an overall vision and as each piece was built, creating a strong incentive for another

developer to build, who would develop based on the overall vision. Mr. Connell stated that the process could not begin with a master plan, but must be developed with an agreed upon rule book/DNA, or form based code. Mr. Almeida agreed that form based code could build bridges to create a prospectus to attract business. Mr. Balzarini inquired whether Mashpee Commons had developed a street layout and Mr. Connell responded affirmatively, adding that images released in the charrette were examples. Mr. Almeida suggested creating definitions, but allowing some details to the architect.

Mr. Kooharian stated that Mashpee had a unique opportunity to create its own identity and that FBC could help to visualize the future of the Town, different from the rest of Cape Cod. Mr. Almeida emphasized that everything was once new and that it was important not to abandon the Town's values and assets.

Mr. Weeden thanked Mr. Almeida for providing a better understanding of form based code. Regarding the improvement of what currently existed, it was Mr. Weeden's opinion that Mashpee was overdeveloped and he appreciated what was in existence, and often preferred an older way of doing things. Mr. Weeden added that a number of Tribal members were in agreement with him. Mr. Weeden suggested that many appreciated the natural world, adding that the Tribal cultural tradition was based on the natural environment, as their spiritual place. Mr. Weeden stated that the natural environment in its natural state had been the Tribe's home for thousands of years. Residents who lived in the area the longest, appreciated less development. Mr. Almeida agreed that there were areas that were not appropriate for building, to preserve the natural beauty, which could be addressed in form based code, adding that green space was also necessary in planning. Chairman Waygan stated that there were areas within the boundary of Mashpee Commons that would be developed, but there may be land controlled elsewhere that could be linked to the high density development.

Mr. Hansen thanked Mr. Almeida for presenting, referencing his interest in economic development and inquired about whether manufacturing could be served by FBC. Mr. Almeida responded that FBC was a tool and it would be determined by the Town what would be incorporated.

The Board thanked Mr. Almeida for his presentation.

NEW BUSINESS

Charles Rowley Invoice for May 2018 Engineering Services-An invoice in the amount of \$640 was received for Planning Board services during the month of May. An additional invoice was received for Southport, in the amount of \$100.

MOTION: Mr. Balzarini made a motion to pay \$640 for the month of May. Mr. Kooharian seconded the motion. All voted unanimously.

MOTION: Mr. Balzarini made a motion to pay Charles Rowley for \$100 for Southport services. Mr. Kooharian seconded the motion. All voted unanimously.

Reorganization of Officers-With the exception of Mr. Balzarini, newly elected members had been sworn in. Mr. Balzarini recommended the Board consider Ms. Waygan for Chair, Mr. Cummings for Vice-Chair and Mr. Kooharian for Clerk.

MOTION: Mr. Weeden made a motion to nominate Ms. Waygan as Chair, Mr. Cummings as Vice-Chair and Mr. Kooharian as Clerk. Mr. Kooharian seconded the motion. 4 yes, 1 abstain

Windchime Condominiums Annual Report Water Quality Monitoring Program-Mr. Lehrer confirmed that he had met with the engineer who managed the wastewater treatment facility at Windchime Condominiums. The engineer delivered Windchime's Annual Report as well as discussed the conditions unique to Windchime. Mr. Fudala confirmed to Mr. Lehrer that the conditions were due to the complex's location near the Mashpee River. The engineer confirmed that he would be working with the Board to ensure compliance. He will be invited to attend a meeting before the end of July. Mr. Lehrer stated a security had been set aside for updates to the treatment plants, adding that the existing plant was not able to keep up with the effluent, and updates would be needed to become compliant. New management was working on the treatment plant and it was noted that it may not have been as well maintained as it should have been.

Naukabout Brewery Site Visit-Mr. Rowley reported that he had been in contact with Peter Murner regarding a plan to show the exact grading for the seating area, which had been discussed in a meeting with Mr. Weeden. Mr. Rowley stated that the first plan he received did not depict the grading scheme to which they had agreed and the second plan also did not accurately depict their discussion. Mr. Rowley offered to discuss the plan in person with Mr. Murner tomorrow and was waiting to hear back. The Board agreed to have Mr. Rowley meet with Mr. Murner. It was Mr. Rowley's concern that if the plan did not depict what was discussed, someone using the plan in the future would produce something other than what was discussed. Chairman Waygan asked that Mr. Rowley also assess the conditions of the area along Lake Avenue where customers had been parking. The Chair wished to develop a solution for the issue and Mr. Weeden confirmed that he had seen signage but cars parked along the shoulder of the river during busy evenings. Mr. Weeden confirmed that the Conservation Commission had been notified and a Tribal member had shared photos of the vehicles, out of concern that the area was within the wetland boundary, creating a conservation issue. Mr. Rowley confirmed that parking was tight.

Marketing of New Master Plan/Comprehensive Plan-To be discussed at a future meeting.

OLD BUSINESS

Prime Homes Meeting Re: Intersection of Country Club Ln. & Old Barnstable Rd.-Mr. Rowley reported that he and Mr. Lehrer had met with Ken Marsters, his engineer, the DPW Director, the Police Chief, the Fire Chief, the Town Manager and Assistant Town Manager to review the intersection. The engineer had since developed a plan that showed Old Barnstable Road crossing Country Club Lane. Issues discussed included site distance and the grade of the road, making a left hand turn difficult. It was agreed that a left turn lane from Route 151 would be the solution because the layout may be wide enough to allow. The engineer would be preparing a new plan featuring three lanes and appropriate signage. A meeting to discuss the plan further had been scheduled for next June 14. It was likely that there would be some tree removal and asphalt was expected in August or September.

Ockway Highlands Site Visit-Mr. Rowley visited the site and noted that there had been no change since his prior visit. Regarding the hydrant, it was well above grade and would need to be dropped down. The catch basin castings were sitting on the concrete structure and were not up to grade. Mr. Balzarini inquired about the trees and Mr. Lehrer responded that he had images, but that

the trees had been removed. Mr. Lehrer stated that new residential construction, as noted on the Special Permit, mandated that adequate buffer remain between construction, but that it was not defined whether it was between new homes or between an existing home and new construction. Mr. Rowley stated that there was not intended to be a lot of clearing around the houses because there were limitations on the amount of lawn area for each house. There was consensus that there was no buffer.

Mr. Balzarini stated that the streets were in pretty good condition and Mr. Rowley responded that there had been reclaimed added to the road and the road had been smoothed. Mr. Lehrer confirmed that he continued to receive complaints from the residents. Mr. Lehrer followed up with Jacques Morin last week, who confirmed that there had been no change with the Verizon line. Mr. Lehrer would be following up with Dig Safe, who had reportedly been on site four times to mark the road. Chairman Waygan asked that Mr. Morin be invited to attend the June 20 meeting to respond to the Board and community. Mr. Rowley suggested that, if Mr. Morin did not have plans to complete the full paving of the road before the fall, he should clean up the existing Blue Castle Road and debris as a good faith effort to the residents.

BOARD MEMBER UPDATES

Chairman's Report-The Chair announced an affordable housing lottery that would be taking place for six assisted living units at Laurentide. Applications were available at Town Hall and an information session would take place on Thursday, June 14 at the Senior Center. Monthly rents would be cheaper than the market rate rents. At the next Planning Board meeting on June 20, Kristy Senatori and Steve Tupper, from the Cape Cod Commission, would be presenting details about the Local Comprehensive Plan and Regional Policy Plan at 6:00 p.m.

Community Preservation Committee-No meeting

Environmental Oversight Committee-No update but the Committee was working on a plastics ban.

Historic District Commission-Mr. Balzarini reported that there was a meeting regarding signage for 2 Center Street. The Commission approved a Certificate of Appropriateness with conditions. Mr. Balzarini reported that work was being completed on the war memorial.

Design Review Committee-Mr. Cummings confirmed that the Committee also reviewed 2 Center Street.

MMR Military Civilian Community Council-Update of MMR Joint Land Use Study-No update

Cape Cod Commission-No update

Greenway Project & Quashnet Footbridge

CORRESPONDENCE

- November 2017 Discharge Monitoring Report for South Cape Village N=6.40
- December 2017 Discharge Monitoring Report for South Cape Village N=5.10
- January 2018 Discharge Monitoring Report for South Cape Village N=5.60
- February 2018 Discharge Monitoring Report for Southport N=39.75
- March 2018 Discharge Monitoring Report for South Cape Village N=4.5
- April 2018 Discharge Monitoring Report for South Cape Village N=8.9

WATERWAYS LICENSES

-Helen & Antonio Donato, 18 Cricket Way, Mashpee. Wanting to construct and maintain a fixed tee off the end of the existing pier at 18 Cricket Way, in and over flowed tidelands of Little River. The proposed project has been determined to be water-dependent.

ADDITIONAL TOPICS

ADJOURNMENT

MOTION: Mr. Balzarini made a motion to adjourn. Mr. Kooharian seconded the motion. All voted unanimously. The meeting ended at 9:51 p.m.

Respectfully submitted,

Jennifer M. Clifford
Board Secretary

LIST OF DOCUMENTS

- 5/11/18 Water Quality Monitoring Program Annual Report for Windchime Point Condominiums
- Planning Board Notice for Blue Sky Towers, LLC
- 6/4/18 Letter from Attorney Elizabeth Thompson, Regarding Wireless Communications Facility
- 5/8/18 Notice to Abutters from Evan Lehrer, Regarding Blue Sky Towers, LLC
- 5/8/18 Letter from Building Commissioner Michael Mendoza Regarding Special Permit Regulations Section V (E)
- Application Packet for Special Permit Modification for Montessori School
- 5/15/18 Notice to Abutters from Evan Lehrer, Regarding 2 Center Street
- 3/30/18 Administrative Recommendation to the Planning Board, 2 Center Street
- Special Permit Modification, Main Street Village
- Laurentide Rental Lottery Information Session Flyer



SPECIAL PERMIT MODIFICATION

SM REALTY TRUST
MAIN STREET VILLAGE
MODIFICATION NO. 2

I. Proposal.

This decision concerns the application of SM Realty Trust, P.O. Box 753, Osterville, MA 02655 (the "Applicant") for approval of a Modification of a special permit approved on April 20, 2005 to construct a commercial center consisting of two buildings totaling 9968 sq. ft. on 1.92 acres located at 334 Main St (corner of Route 130 and Center Street.) The property is identified on the Mashpee Assessors Maps as Map 36, Block 47. The Application indicated the owner of the property as William Lovely of 45 Frog Pond Close, Mashpee, MA 02649. The application was made pursuant to Sections 174-24(C)(1) et seq. and 174-25(B)(10) (Day nursery, nursery school, kindergarten, or other agency giving care to children provided that any outdoor play area is screened by fence, wall, or planting line from any neighboring residential structure and is not detrimental to the neighborhood by reason of noise).

II. Jurisdiction.

The application was made and this decision is issued by the Mashpee Planning Board pursuant to Article VI, Section 174-24.C.(9)(c) of the Mashpee Zoning Bylaws as they existed on June 20, 2018, the date on which this special permit modification was approved by the Mashpee Planning Board. Where reference is made herein to the Mashpee Zoning Bylaw, it shall refer to the provisions thereof as they existed on said date. The project is located in the C-2 Commercial zoning district and within the Mashpee Center Overlay District and a Groundwater Protection District.

III. Chronology.

The application for this modification was filed with the Town Clerk on May 9, 2018. A hearing was opened before the Mashpee Planning Board at the Mashpee Town Hall, 16 Great Neck Road, North, Mashpee, Massachusetts on June 6, 2018 at 7:20 p.m. Notice was duly given to abutters in accordance with Massachusetts General Law Chapter 40A. Notice was given by publication in the Mashpee Enterprise, a newspaper of general circulation in the town of Mashpee on May 18 and 25, 2018. The public hearing was continued until June 20, 2018 and re-opened at 7:10 PM on the aforementioned date.

IV. Decision and Findings.

On June 20, 2018 the Planning Board closed the public hearing and voted to make the following findings and grant a special permit modification as described below. The members of the Planning Board were recorded as follows: Mary Waygan, Dennis Balzarini, Joseph Cummings, David Weeden, David Kooharian and Associate Member Rob Hansen were recorded as voting in favor of the decision. No members were recorded as voting against.

1. The Property is located in the C-2 Commercial zoning district and within the Mashpee Center Overlay District. The proposed uses are allowed in those districts.
2. The proposed modification satisfies the requirements of Massachusetts General Law Chapter 40A, in that it complies with the general purposes and intent of the Mashpee Zoning By-Law.
3. There are no site plan or external architectural changes proposed.
4. In conformance with the provisions of Article VI, Section 174-24.C.(2) of the Zoning Bylaw, the Planning Board finds that the proposal will not adversely affect public health or safety, will not cause excessive demand on community facilities, will not significantly decrease surface or ground water quality or air quality, will not have significant adverse impact on wildlife habitat, estuarine systems, traffic flow, traffic safety, waterways, fisheries, public lands or neighboring properties, will not cause excessive levels of noise, vibration, electrical disturbance, radioactivity or glare, will not destroy or disrupt any species listed as rare, endangered or threatened by the Massachusetts Natural Heritage program or any known historic or archaeological site, will not produce amounts of trash, refuse or debris in excess of the town's landfill and waste disposal capacities, will properly dispose of stumps, construction debris, hazardous materials and other wastes, will provide adequate off street parking, will not cause excessive erosion or cause increase runoff into neighboring properties or into any natural river, stream, pond or water body and will not otherwise be detrimental to the town or the area.

V. Conditions.

Condition #13 of the original special permit is hereby modified to add, as an allowed use, those uses allowed under Section 174-25(B)(10) of the Mashpee Zoning By-law (Day nursery, nursery school, kindergarten, or other agency giving care to children provided that any outdoor play area is screened by fence, wall, or planting line from any neighboring residential structure and is not detrimental to the neighborhood by reason of noise) specifically including a Montessori School with a 20 student enrollment of ages 2.9-6 years of age.

Until such time as the model number of the aluminum hatch cover installed per order of the Mashpee Board of Health can be confirmed by the Board of Health or contractor who installed said hatch cover, the hatch cover shall be coned off from vehicular traffic.

If it is determined that the installed hatch cover is not rated to withstand wheel loads in parking areas where speeds do not exceed 15mph the hatch cover shall be replaced within 4 months of the issuance of this permit with a suitable alternative to be inspected and approved by the Consulting Engineer to the Planning Board.

All other conditions of the special permit shall remain in full force and effect and be binding not only upon the applicant but also on all successors-in-interest and assigns of the applicant.

Within 60 days of the approval of this decision, the applicant shall provide to the Board a copy of this decision as recorded with the Barnstable County Registry of Deeds, including an indication as to the book and page at which it was recorded.



VI. Signature and Filing.

This special permit modification decision has been approved by the Mashpee Planning Board on this 20th day of June 2018.

A true copy
Attest

Member, Mashpee Planning Board

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

date

On this ____ day of _____ 20__, before me, the undersigned notary public, personally appeared _____, a member of the Mashpee Planning Board, proved to me through satisfactory evidence of identification, which were _____, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that (he/she) signed it voluntarily for its stated purpose.

Notary Public

My Commission expires: _____

date of expiration

A copy of this decision has been duly filed on _____, 2018 with the Town Clerk of Mashpee.

Town Clerk

Notice of this decision was mailed on _____, 2018 to the applicant, to the parties in interest designated in M.G.L. Chapter 40A, Section 11 and to all persons at the hearing who requested such notice. Any appeal shall be made pursuant to Section 17 of the Chapter 40A of the Massachusetts General Laws within twenty (20) days after the date of said filing.

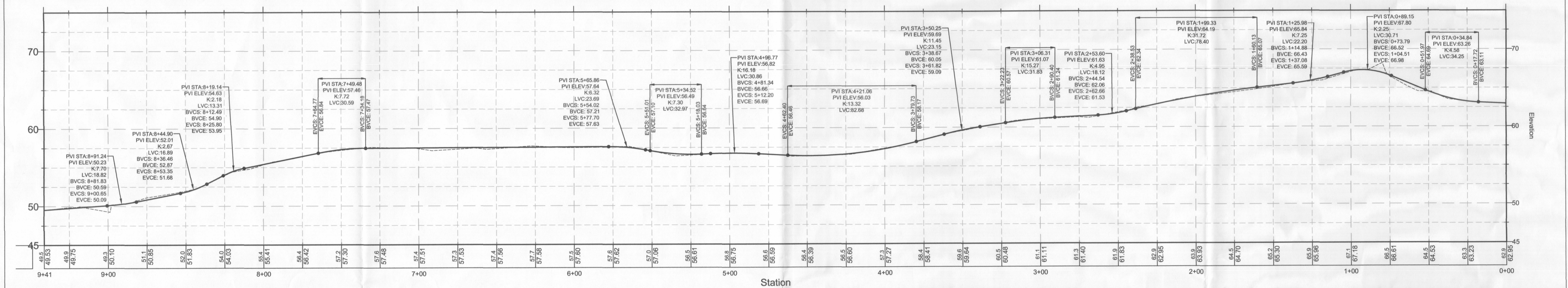
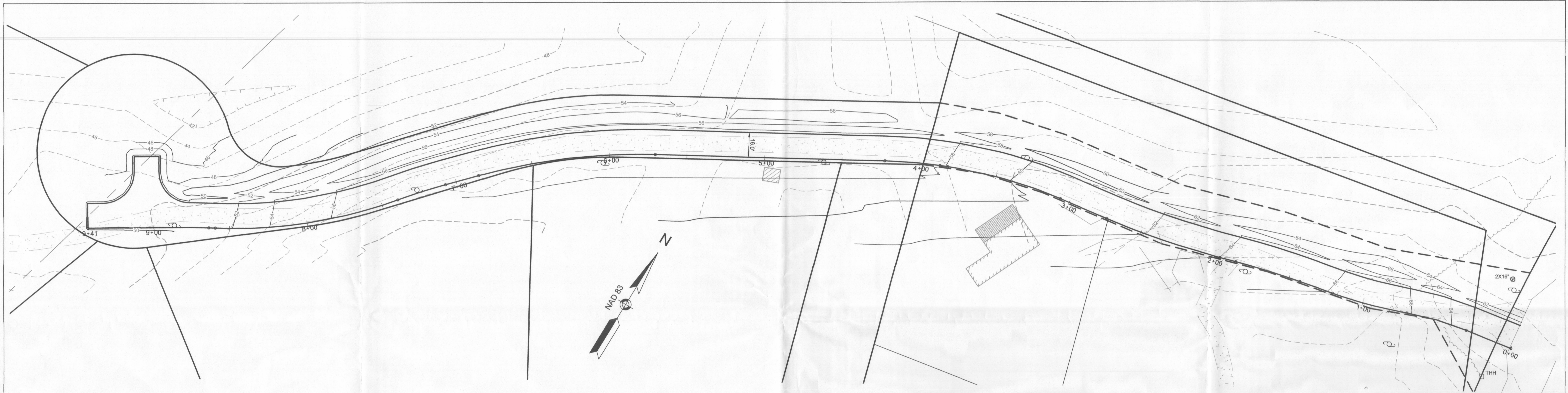
I, _____, Town Clerk of the Town of Mashpee, hereby certify that a copy of this decision was filed with the office of the Town Clerk on _____, 2018 and that no appeal of that decision was filed within twenty (20) days thereafter.

Date

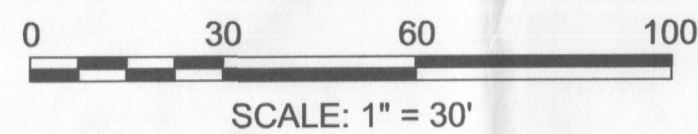
Town Clerk

Upon expiration of the statutory appeal period with no appeal having been filed, this special permit decision has been signed by the Mashpee Planning Board on _____, 2018 and may be recorded.

DRAFT



PROPOSED ROADWAY



LEGEND

- CB CONCRETE BOUND
- UTILITY POLE
- GUY POLE
- GUY WIRE
- SIGN
- OVERHEAD WIRES

OWNERS OF RECORD


ASSESSORS PARCEL: 45 9 0
PARCEL ADDRESS: 127 MEETINGHOUSE ROAD
OWNER: TOWN OF MASHPEE CONSERVATION COMMISSION

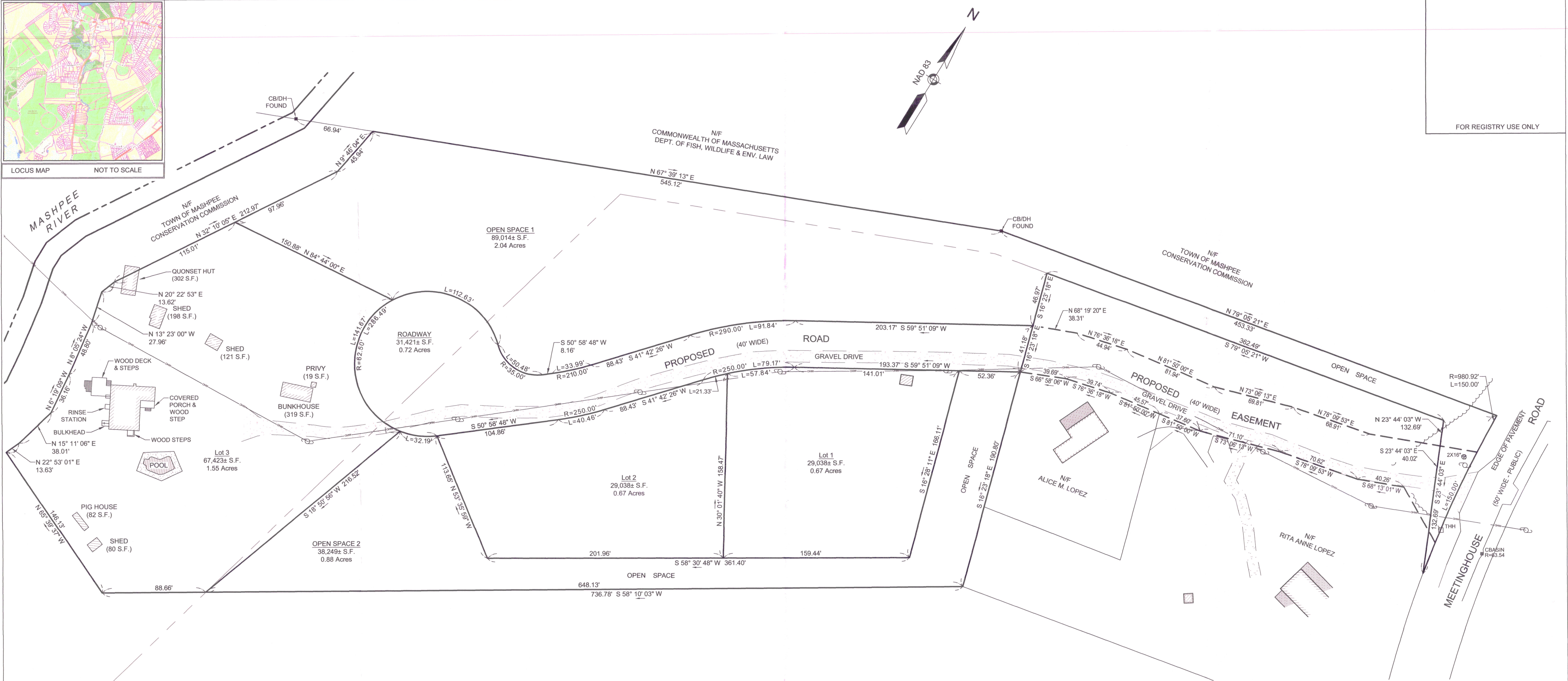
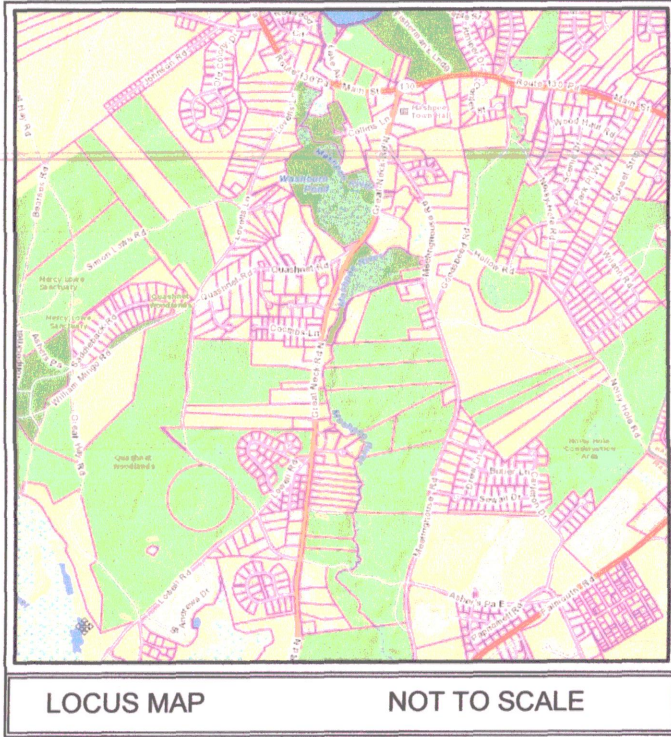
ASSESSORS PARCEL: 45 50 0
PARCEL ADDRESS: 103 MEETINGHOUSE ROAD
OWNER: MARK V. & DONNA JEAN LOPEZ

GENERAL NOTES

ELEVATIONS BASED ON THE NAVD 1988 DATUM.

ZONING DISTRICT: R-5

REV.	DATE	DESCRIPTION	BY	APPR
OWNER OF RECORD:				
MARK & DONNA LOPEZ 103 MEETINGHOUSE ROAD MASHPEE, MA				
APPLICANT:				
MARK & DONNA LOPEZ 103 MEETINGHOUSE ROAD MASHPEE, MA				
PROJECT:				
SUBDIVISION PLAN OF LAND IN MASHPEE, MASSACHUSETTS				
SHEET NO.: 1 OF 1		DATE: MAY 23, 2018		
DRAWING FILE NAME: MEETINGHOUSE_103_LOPEZ_SUBDIV				
DRAWN BY: JB		CHECKED BY: MC		
PREPARED BY:				
<div><div>CAPE & ISLANDS ENGINEERING CIVIL ENGINEERING - LAND SURVEYING - ENVIRONMENTAL PERMITTING <i>INCORPORATED</i></div></div> <div><div>SUMMERFIELD PARK 800 FALMOUTH ROAD SUITE 301C MASHPEE, MA 02649</div><div>508.477.7272 PHONE 508.477.9072 FAX info@CapeEng.com www.CapeEng.com</div></div>				
DRAWING TITLE:				
PRELIMINARY ROAD PLAN & PROFILE				
ASSESSORS INFORMATION:		45-50-0		



LEGEND

- CB CONCRETE BOUND
- UTILITY POLE
- GUY POLE
- GUY WIRE
- SIGN
- OVERHEAD WIRES

0 40 100 160
SCALE: 1" = 40'

OWNERS OF RECORD

ASSESSORS PARCEL: 45 9 0
PARCEL ADDRESS: 127 MEETINGHOUSE ROAD
OWNER: TOWN OF MASHPEE CONSERVATION COMMISSION

ASSESSORS PARCEL: 45 50 0
PARCEL ADDRESS: 103 MEETINGHOUSE ROAD
OWNER: MARK V. & DONNA JEAN LOPEZ

GENERAL NOTES

ELEVATIONS BASED ON THE NAVD 1988 DATUM.

ZONING DISTRICT: R-5


DEVELOPMENT SUMMARY

TOTAL PROJECT AREA = 284,184 S.F.

PROPOSED ROADWAY AREA = 31,421 S.F.

PROPOSED TOTAL HOUSE LOTS AREA = 125,500 S.F.

PROPOSED OPEN SPACE AREA = 127,263 S.F.

REV.	DATE	DESCRIPTION	BY	APPR
OWNER OF RECORD:				
MARK & DONNA LOPEZ 103 MEETINGHOUSE ROAD MASHPEE, MA				
APPLICANT:				
MARK & DONNA LOPEZ 103 MEETINGHOUSE ROAD MASHPEE, MA				
PROJECT:				
SUBDIVISION PLAN OF LAND IN MASHPEE, MASSACHUSETTS				
SHEET NO.: 1 OF 1		DATE: MAY 23, 2018		
DRAWING FILE NAME: MEETINGHOUSE_103_LOPEZ_SUBDIV				
DRAWN BY: JB		CHECKED BY: MC		
PREPARED BY:				
<div><div>CAPE & ISLANDS ENGINEERING CIVIL ENGINEERING - LAND SURVEYING - ENVIRONMENTAL PERMITTING <small>INCORPORATED</small></div></div> <div>SUMMERFIELD PARK 800 FALMOUTH ROAD SUITE 301C MASHPEE, MA 02649</div> <div>508.477.7272 PHONE 508.477.9072 FAX</div> <div>info@CapeEng.com www.CapeEng.com</div>				
DRAWING TITLE:				
PRELIMINARY PLAN				
ASSESSORS INFORMATION:		45-50-0		



Town of Mashpee

Planning Board

16 Great Neck Road North
Mashpee, Massachusetts 02649

Mashpee Planning Board Notice of Decision

June 22, 2018

You are hereby notified that the Mashpee Planning Board has filed its decision with the Town Clerk, at the Town Hall, Mashpee, on the petition of Maureen Starr, 11 Buxus Shores Circle, Sandwich, MA 02563 (the Applicant) for approval of a Modification of a Special Permit to list Day nursery, nursery school, kindergarten, or other agency giving care to children provided that any outdoor play area is screened by fence, wall, or planting line from any neighboring residential structure and is not detrimental to the neighborhood by reason of noise as a legal use at 2 Center Street. The property is identified on the Mashpee Assessors Maps as Map 36, Block 47.

The petition has been granted with conditions/modifications.

The Planning Board's decision and project plans may be viewed at the office of the Town Clerk.

Within 20 days from the date hereon, an appeal may be taken from this decision in Superior Court.

A handwritten signature in cursive script, appearing to read "Deborah R. Starr", written over a horizontal line.

Town Clerk

June 22, 2018