

PLANNING BOARD
Meeting Minutes
Thursday, March 30, 2017
Judge Welsh Room
6:00 P.M.

Members Present: John Golden (left at 6:40 P.M.), Grace Ryder-O'Malley, Steven Baker, Ryan Campbell and Dave Abramson (alternate).

Members Absent: Brandon Quesnell (excused).

Staff: Gloria McPherson, Town Planner.

Chair John Golden called the Meeting to order at 6:12 P.M.

Public Hearings:

a) **Case #FY17-17** (continued from the meeting of March 9th)

Application by **TMC New England, LLC c/o T.M. Crowley & Associates**, on behalf of **Riley Brothers Realty, LLC**, requesting a Special Permit pursuant to Article 4, Special Regulations, Section 4015, a (4), Site Plan Review by Special Permit, of the Zoning By-Laws for exterior building, sidewalk, landscaping and parking improvements on a commercial property with a curb cut greater than 25% of its existing street frontage located at **132 Bradford Street**.

Discussion and clarification of the intention of the Planning Board regarding the role of the Cape Cod Commission: The Board seeks input from the Cape Cod Commission regarding the project at 132 Bradford St., including possible peer review of a traffic study.

John Idman, a chief regulatory officer, Jeffrey Ribiero, a planner, and Steven Tupper, a transportation engineer, all colleagues at the Commission, appeared to discuss the project. Mr. Idman reviewed the Commission's potential jurisdiction in regard to the project. In order for the Commission take jurisdiction over a project, it must be a project that is considered a mandatory development of regional impact that involves a change in use of more than 10,0000 sq. ft. of net new area, which this project does not. He said the project in question is principally a building project. However, one action that a local municipal permitting entity can take to send the project to the Commission is to make a discretionary referral, which requests that the Commission take jurisdiction over the project. The Commission has to vote to accept that as a development of regional impact and will look at various elements of the project and the project's effect on the region. He said that the Commission would be able to provide peer, or technical, review by the transportation staff of a traffic impact assessment for the project and has performed similar services for other CVS' on the Cape. The peer review would offer comments and recommendations to the Board. After the Board review of the Commission's report, it could still consider making a discretionary referral to the Commission. The Board questioned the Commission's members about the process of a peer review.

Attorney E. James Veara commented on behalf of his client, CVS, and supported the Board's request for technical assistance by the Commission. However he disagreed that the project met the threshold for a development of regional impact.

Mr. Tupper commented on Ms. McPherson's staff review of the project.

Mr. Golden took questions from the public. Jackie Kelly, an abutter, had a question about the traffic study and commented on the traffic situation in the area. Patrick Patrick commented on the project in regard to the jurisdiction of the Commission and the size of the lot where CVS would be located and the abutting lot. Marcene Marcoux read a statement in support of asking for the Commission's input.

There was a motion by Ryan Campbell to have the CVS traffic study turned over to the Cape Cod Commission for peer review. Dave Abramson seconded. VOTE: 5-0-0.

Work Session – Community Forum on the proposed Inclusionary and Incentive Zoning By-Law:

a) Presentation by the Town Planner: Ms. McPherson reviewed her Town Meeting PowerPoint presentation of the proposed Inclusionary and Incentive Zoning By-Law.

b) Discussion, question and answer session: The Board took questions from the public. The Board discussed the presentation and made suggestions.

There was a motion by Dave Abramson to adjourn the Planning Board meeting at 7:55 P.M.

Respectfully submitted,

Ellen C. Battaglini

Approved by _____ on _____, 2017
John Golden, Chair