

Town of Sharon Planning Board  
Meeting Minutes of 2/27/13  
Amended and Approved on 3/13/13  
Sharon Community Center  
Filmed by SCTV

**Planning Board Attendees**

Eli Hauser, Chair	Anne Bingham
Rob Maidman, Clerk	Pat Pannone - absent
David Milowe, Vice Chair	Peter O'Cain, Town Engineer

**Other Attendees**

Kevin Webber Tree Warden	Mark Gagne Walpole CC
Christopher Car Walpole CC	John Lee 509 Old Post Rd
Jame Leaver and Kathryn Larsen 373 Massapoag	

**Opening**

Chair Hauser called the meeting to order at 7:30 PM and read the Chair's Report.

**Minutes**

Mr. Milowe moved to approve the minutes of 2/6/13 as written. Ms. Bingham seconded the motion. The Board voted 3-0-1 (Maidman) in favor of approval.

**Public Hearing – Tree Removal**

Mr. Maidman read the public hearing notice for removal of trees on Old Post Road near the Walpole Country Club. The applicant, Walpole Country Club, represented by Mr. Gagne, asked that these seven trees be removed. There are 3 maple trees, 3 pine trees and 1 oak tree. They want them removed because they have grown and are blocking the sunlight from the first green. The removal will allow them to achieve the desired sunlight. They also had a recommendation from the club's architect to remove the trees for turf related issues. The club proposes to provide \$1,050 to replace seven trees on a scenic road in Sharon.

Chair Hauser said he wants to preserve the scenic stretch of Old Post Road and is concerned this piece of the road will appear barren. Mr. Gagne said that there will still be a buffer of the existing trees.

Tree Warden, Kevin Webber said that he does not recommend planting more trees in this area. He recommends they be planted close to Route 1. He read a letter submitted by resident John Lee into the record regarding his wishes for tree replacement.

Ms. Bingham likes the rationale of planting tree replacements, but on Old Post Road.

Mr. Milowe asked if the trees could be trimmed down.

Mr. Gagne said that the canopies are dense which is blocking the sun. He doesn't think cutting them will solve the issue.

Mr. Maidman asked if the seven trees being discussed were the only trees that would need to come down.

Mr. Gagne said that some trees outside of the jurisdiction will be removed. The seven identified trees will cause a problem if not removed. He said that 4 trees are on the south side of Old Post Road and 2 on the north side of Old Post Road that will be removed but are not a part of this jurisdiction.

John Lee of 509 Old Post Road agrees that he would like to see replacement trees in that area. He is concerned that the loss of trees will change the character of the road. He understands the advantage to the golf course but would like replacement trees in that area.

Mr. Hauser said he defers to the Tree Warden to choose the replacement trees and where they should be placed.

Mr. Lee stated that sometimes when large trees are removed, 3 replacement trees are asked for in its place.

Mr. Hauser suggested that the applicant work with the Tree Warden regarding the tree replacements. He asked the applicant to consider providing additional trees to the 7 offered. The applicant stated that he has approval for 7 trees only valued at \$1,050. He said he will ask his Board of Directors to consider an additional 3 trees as long as they are not replanted in the narrow right of way.

Mr. Milowe moved to close the public hearing and Ms. Bingham seconded the motion. The Board voted 4-0-0 in favor of closing the tree removal hearing.

Ms. Bingham moved to vote to allow the removal of 7 trees along Old Post Road as long as 10 replacement trees are received. The plantings should be at the discretion of the Tree Warden. Mr. Milowe seconded the motion. The Board voted 3-0-1 (Hauser) in favor.

Mr. Hauser asked that the tree bylaw and the removal of street trees be reviewed and that the Tree Warden be invited to a future meeting.

### **Public Hearing – Medical Marijuana**

The public hearing was opened as Mr. Maidman read the legal ad. Mr. O'Cain stated that this article gives the Board one year to figure out what they want done with the articles language. Town Counsel recommended this language as they wrote the article.

Ms. Bingham said she does not think this article should be pushed off. She said that Sharon is always looking for industry.

Mr. O'Cain said if the article is presented in May then it has to be approved by the Attorney General.

Mr. Hauser said he wanted to write to Attorney Gelerman's office for clarification of the open ended time frame within the article.

Mr. Maidman said he thinks the Attorney General's office has not decided on the acceptable text.

J. Leaver of 373 Massapoag thinks the language is open ended and does not think there should be an open ended moratorium.

Mr. Hauser said we need a firm end date in the article and agrees with Mr. Leaver.

Ms. Bingham moved to close the public hearing. Mr. Milowe seconded the motion and the Board voted 4-0-0 in favor of closing the hearing.

No Vote was taken. The Board wants clarification from Town Counsel.

### **Public Hearing - Adult Entertainment**

Mr. Maidman read the legal ad for this article.

Mr. Hauser said that the language passed last May was rejected in total by the Attorney General. This is a moratorium and we need to determine the timeframe.

Mr. Milowe moved to close the public hearing and Ms. Bingham seconded the motion. The Board voted 4-0-0 in favor of closing the public hearing.

The Board wants clarification from Town Counsel.

### **Bella Estates**

Mr. O'Cain said he had a meeting with residents of Bella Road. He said the residents asked that the Board not provide an extension to the developer to complete the subdivision. He said the infrastructure is not complete but could be completed by the Town taking the bond.

Mr. O'Cain said he will speak with Attorney Whelan. He will also call the developer to come to the board to understand their intent on completing the development. Mr. O'Cain said he will also determine who owns the club house on the property as well as the empty six lots.

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### **Adjournment**

Mr. Milowe moved to adjourn at 9:00 PM. Mr. Maidman seconded the motion. The Board voted 4-0-0 to adjourn.

### **Attachments**

1. Public Hearing notices