

Town of Sharon Planning Board

Minutes of 4/30/20

Sharon Community Center

Planning Board Members

Rob Maidman, Chair	Pasqualino Pannone
Kai Yu, Vice Chair	Peter O'Cain, Town Engineer
Shannon McLaughlin, Clerk	
David Blaszkowsky	

Other Attendees:

Bob Shelmerdine - Cape Club

Shane Oates - Civil Engineer

Tom Houston - PSC

John Beagan - abutter

Laura Nelson - abutter

Siddarth Jeevan - 54 Azalea Road

Meeting Initiation

Chair Maidman called the meeting to order at 7:25 PM.

Meeting Minutes

Approval of meeting minutes will be deferred to a future date.

Cape Club

The Public Hearing on the revised Cape Club Plan continued. Mr. Shelmerdine said the Cape Club application had been submitted in November and there was a hearing in December. There have been multiple hearings since. He received the engineering reports from the DPW dated 4/17 and Peer Review Consultant PSC on 4/21 which are responses to Civil Engineer Shane Oates responses.

Mr. Shelmerdine said he has received comments from Mr. Pannone on the report and had a meeting this morning with Engineers, Mr. Houston and Mr. O'Cain. He said Mr. Houston reviewed the stormwater in great detail and a short list of items remains from today's discussion.

Mr. Houston commented that Mr. O'Cain and he are of the opinion that the engineering issues can be worked out amongst the engineers. He said there may be some things not completely in

accord with the way he would approach but there is lots of open space on the site. Somethings that happen on a highly developed site don't pertain. He said he can see the rationale behind why some things are done. He said he can work out issues with Mr. O'Cain and Mr. Oates.

Chair Maidman asked Mr. O'Cain if there are any points that are still of concern. Is there anything not at your level of professional acceptance? Mr. O'Cain commented that the MEPA permit needs to be modified, the order of conditions and the bonding. He said in general he had a long meeting today and is satisfied with the proposal. Mr. O'Cain said he recommends that it is okay to approve the plan but not the decision as he has not had enough time to review the decision. The bond is not in place in case of economic issues.

Mr. Shelmerdine said he will be asking for the same granted waivers. Mr. O'Cain said the Board will need to vote on all waiver requests.

Ms. McLaughlin asked Mr. O'Cain to provide the remaining issues and he stated:

1. Screening for resident Laura Nelsons home which Mr. Shelmerdine is working on.
2. Groundwater discharge should be in the decision which Mr. Shelmerdine did.
3. The new buildings are not on the plan but Mr. O'Cain said he has no issue with that.
4. They had a 14 foot deep manhole but Mr. Oates modified it and improved.
5. Need DEP approval which Mr. Shelmerdine included in the approval.
6. This development needs an ANR Plan which Mr. Shelmerdine added into the decision document.
7. They are asking for a waiver on the lights sheet. The Board needs to grant this.
8. Mr. O'Cain is requesting a bond for the roadway.
9. Mr. O'Cain said all owners must be made aware of the HOA. Mr. Shelmerdine said he referenced this in the original decision but Mr. O'Cain has not seen it yet.
10. Mr. O'Cain wants a MEPA decision.

Mr. O'Cain asked Mr. Shelmerdine to put all things in the new decision rather than having to reference previous decisions for enforcement purposes. He said it is extremely difficult and tedious to reference other older documents.

Mr. Shelmerdine said with redoing the decision it's tough to find out what the changes are. He said the original decision applies to Phase 1. The new decision is applicable to phases 2, 3 and 4.

Mr. O'Cain stated he needs the easement finalized to get the pump station completed.

Mr. Pannone commented that the sustainability under the green development states it has been done. He said we never got confirmation the green development was incorporated. We only got LEED score card but no actual document that the intent was achieved. Mr. Shelmerdine replied that he understands the need for green development and LEED. He said the way the bylaw is structured there are 11 items which are design oriented. The bylaw talks about the design itself.

Mr. John Beagan of Edgehill Road commented that with this new plan he feels the footprint is increasing. The new thumb print of two acres extends into the open space. He said the Town will get lot 1 if the golf course fails and asked why we are okay with trading it. He asked Mr. Pannone what his thoughts on why this plan is better were.

Mr. Pannone commented that he likes the flow around the development and thinks it is clearer. Although the placement of the units could be better, he suggests it is an improvement over the original provided. He said they are not asking for more units or encroaching on the wetlands and the lot size is staying the same so he feels it is better than it was.

Mr. Beagan said we are giving up the potential of lot 1 which the Town should have a vested interest in.

Mr. Pannone commented that the acreage does not change the configuration changes.

Mr. O'Cain said he checked the area calculation in the CAD drawings and they match up.

Mr. Pannone said he gave his opinion, it's subjective and in his professional opinion it's a better plan.

Mr. Beagan said the regulations say the Planning Board wants compact development and now you are expanding it away from a compact plan.

Mr. Pannone said it is still compact looking from acreage to acreage. We are not losing or gaining. He hopes the Cape Club ends up with a better residential neighborhood.

Mr. Beagan said his opinion as a Town resident when giving away the thumb we are losing; he feels it is not a good deal. If the Cape Club fails he said the Town gets it.

Mr. Pannone said all the numbers remain the same. He said if this plan came first it would have been approved. They are still using the property the way they asked. Our Planning Board role is as representatives of the Town and I do not have an issue with this plan.

Mr. Yu said to Mr. Beagan that he was wrestling with this as well. Square footage/acreage could be the same but it is a different piece of land. You cannot always swap one piece for another. He asked Mr. Beagan how you would describe the value of the swap.

Mr. Beagan said the value became clearer as a lot of walkers enjoy walking through the course. If the golf course fails we get lot 1. The piece of land on lot 1 is valuable.

Mr. Pannone said the new configuration is better than the first. We are trading green space for green space. The values are equal. He said he does not see how the Town is losing value.

Mr. Oates commented that there are fewer disturbances in the buffers; it is better environmentally, better for traffic use, better for walking and bicycling. It looks more integrated.

Mr. Shelmerdine commented that it is not likely the golf course will go dark. This plan is better for the environment and traffic.

Mr. Blaszkowsky said to Mr. Yu's point land is not fungible. He however is not hearing in the conversation a framework for why the land is more fungible. We are arguing aesthetics without a framework or accept land exchange. It is still a compact community. Unless there is a framework he commented we are going in circles. We need tangible evidence not to move ahead.

Mr. Beagan said he had no further comments.

Mr. Yu said you can place a qualitative figure on it and it doesn't have to be quantitative. He said what he got from Mr. Beagans comments are that at present residents can use the course to walk. If you look at it as a park you have a u shape with a new configuration. With a compact footprint you do not have to walk around the U.

Mr. Blaszkowsky commented that it is just different.

Mr. Yu said more trails are better than none and he can see Mr. Beagans point.

Mr. Beagan suggested that the Planning Board members walk the footprint before voting.

Mr. Maidman said in summary of the meeting there is complexity here:

1. Mr. Shelmerdine does not feel the golf course would be a commercial failure. Mr. Maidman said however we need to think long term for as many constituents as possible. There are complexities here different than the norm.
2. Mr. Maidman said that he is indebted to Mr. Houston and Mr. O'Cain for the work done.
3. Mr. Maidman said he is not satisfied with the response regarding affordability. He asked Mr. Shelmerdine to go back to the developer and ask for a unit or a monetary contribution.
4. Mr. Maidman said regarding the billboard, the measurements are based on approximates. He asked Mr. Shelmerdine to send the Board a letter to the best of his legal knowledge to certify the billboard can be built in the location zoning wise.
5. Mr. Maidman said all invoices due to subcontractors need to be paid before we make a decision. PSC invoice is behind and we need proof of payment before we make decisions.

Mr. Shelmerdine commented:

1. The PSC invoice will be paid before the next meeting.
2. The billboard as per his understanding 350 feet piece does not come within 700 feet of any structure. State and federal requirements are regulated for setback from a structure. The application has to show the structures. He said he will look into this.
3. Mr. Shelmerdine said he wants to table the affordability issue.
4. Mr. Shelmerdine said the 350 foot swath is Town of Sharon bylaw is from 195 property boundary and 350 feet into the golf course.

Mr. Maidman said that despite the intricacies much progress has been made and there is no urgency to vote.

Mr. Houston asked what the board wants to do regarding the revised plans and reports. Mr. Oates commented that they will have them to Mr. Houston and Mr. O'Cain by the end of next week.

The Public Hearing will be continued to 5/14/20 at 7 PM.

Future Agenda Topics

Review of Post Office Square Design Guidelines

Discussion on the need for a Town Planner

Future Scheduled Meetings

5/14, 5/28 (must end by 7:15 PM)

Adjournment

The Board voted 4-0-0 to adjourn the meeting at 10:15 PM