

FALMOUTH PLANNING BOARD MEETING MINUTES
TUESDAY, OCTOBER 5, 2010, 6:30 P.M.
FALMOUTH TOWN HALL, COUNCIL CHAMBERS

MEMBERS PRESENT: Bill Lunt (Chair), Becca Casey, William Brogan, Heddy Snyder (alternate)

MEMBERS ABSENT: David Fenderson, Bernard Pender

STAFF PRESENT: Ethan Croce (Senior Planner)

The meeting was called to order at 6:34 pm.

Heddy Snyder was appointed as voting member.

1. Approval of September Meeting minutes

Becca Casey moved to approve the minutes; Heddy Snyder seconded. Motion carried 4-0.

Administrative Action Items

2. Stuart & Carole Potter and Karen Milliken – Cherrywood Lane – Request for a subdivision and site plan amendment for landscaping improvements on Cherrywood Lane at Fairway Villas. Tax Sheet 300; Map-Lot U67-098-108. Zoned MUC.

3. Neocraft Signs, Inc. – 188 US Route 1 – Request for site plan amendment for new site signage. Tax Sheet 320; Map-Lot U51-005. Zoned SB-1 and Village Center Overlay.

4. Hugs Italian Restaurant – 204 US Route 1 – Request for site plan amendment for two replacement signs. Tax Sheet 320; Map-Lot U52-003. Zoned SB-1 and Village Center Overlay.

Bill Brogan moved to approve the administrative action items; Becca Casey seconded. Motion passed 4-0.

Agenda Items

5. Cianchette Family, LLC – Howards End Drive - Request for termination of the Sherwood Forest Subdivision and approval of a private way to serve two lots. Tax Sheets 60 and 140; Map-Lot R03-023-002, -003, -011, -012, -014. Zoned Farm and Forest and RCZO.

Ethan Croce presented the application. The applicant has asked to vacate the subdivision, and for approval of a private way over Howard's End Drive to provide legal street frontage to the one home on the road and the remaining land of the applicant. The Town Council voted to terminate the Town's rights of incipient domain in the roadway. Only key issue is the recommendation from the Town Engineer that the roadway either be covered with finished pavement or revert to a gravel surface. Howard's End Drive is paved, but only with a layer of base pavement.

David Perkins, representing the applicant, gave some background to the application. They were here two years ago to vacate the original 12 lot subdivision. The homeowners of the existing home challenged this in court. This has been settled with court mediation. Howard's End Drive is paved and serves the Kargars' lot as well as the applicant's land. An easement will be granted to the Kargars for access to their lot. The court settlement considers the roadway remaining as it is, with a

maintenance agreement attached. He felt that further altering the road would cause more issues. He felt the Planning Board has the leeway to allow the status quo to continue.

Becca Casey asked whether it is clear in the agreement which party will be responsible when maintenance is required.

Mr. Perkins said that a road maintenance agreement is required by private way approval; there is already one that has been approved by the court.

Bill Lunt asked if there is a signed document from both parties.

Mr. Perkins said yes and he can provide that tonight.

Bill Lunt said he would defer that to Ethan Croce to review. He assumed the Planning Board has the authority to allow it to remain as it is.

Ethan Croce said if the Board finds that what is out there meets the minimum private way surface standards, they can do that. The ordinance contemplates either a finished coat of pavement or fine gravel.

Heddy Snyder asked for clarification that the ordinance requires certain surface coverage.

Ethan Croce said private ways have specific gravel standards in section 5.27. Subdivision approval requires pavement.

Mr. Perkins said the private way standard gets into criteria for gravel, but not criteria for pavement. He felt the current surface is adequate for the use it currently serves.

Bill Lunt was concerned because it is a base pavement and extremely porous. It is showing signs of allowing water to come through; it has grass coming through it. Sooner or later it is going to break up and someone will have to fix it.

Mr. Perkins said at that time the two parties will take care of it between them.

Bill Lunt thought as long as there is an agreement he could live with it. If there was more than one house on it, he wouldn't be so flexible.

Public comment period opened; no public comment.

Becca Casey moved to approve the request to vacate the subdivision and to create a private way, with the condition that the maintenance agreement be reviewed and is acceptable to staff. Heddy Snyder seconded.

Ethan Croce read the conditions into the record.

Motion carried 4-0.

6. Oceanview Retirement Community – 20 Blueberry Lane - Request for preliminary subdivision approval and site plan amendment for an expansion and renovation of the Main Lodge. Tax sheet 310; Map-Lot U27-013-B & 013-D. Zoned RB and RCOD.

This item was taken up after Item 7, as the applicants arrived late to the meeting.

Ethan Croce has discussed with the applicant the possibility of having a short discussion with the Board and then requesting a table for this application in order to allow them to make revisions and submit for the November meeting.

Mr. Matt Teare of Oceanview, with Rick Licht their engineer, said they agree with Ethan Croce's recommendation. They are in a bit of a hurry because they have had success with marketing this project. They are planning to remove the underground parking area, as it is expensive to build.

Bill Lunt clarified that the applicants got some flexibility due to the fact that they didn't get heard at the last meeting. This application is not complete even for preliminary, and he wanted to make sure that when they come back they will have a fully complete final application.

Mr. Teare agreed.

Ethan Croce hasn't seen the revised plans yet. He presented the threshold issues – the Board needs to determine that what is being proposed is generally consistent with the master plan. The Board did make that determination the last time the applicant came before the Board, but there have been some changes since then so the Board should formally make that finding again. If it is not found to be generally consistent, the applicant will have to return to the Council for a master plan amendment. He outlined the differences between this plan and the former one.

The Board found that it was generally consistent.

Ethan Croce presented the one waiver request. The applicant is requesting a waiver on the requirement for a soils report due to their familiarity with the soils on site. He discussed the driveway separation requirements – curb cuts are to be minimized whenever possible, with a minimum 100 foot separation between two-way driveways. The Board will need to decide whether the plan meets the requirements of Section 3.16 or whether it would require a waiver.

Becca Casey felt that since these are additions to the existing building, they were familiar with the soils. The Board was comfortable with the waiver request and would not require the soils report.

Mr. Licht discussed the driveway separation issue. There are three curb cuts – the entrance to the lodge, the entrance to the underground parking and a fire entrance between the two, which is not a driveway. There is also the entrance to the cottages; that is less than the required distance away. Measuring centerline to centerline, there is about 100 feet between one set, and about 60 feet between the other two. These driveways don't have a lot of traffic; they are part of the campus.

Bill Lunt asked the capacity of the underground garage. Mr. Licht said it is about 15-16. The new lot would have 12 spaces with a sidewalk connection. Mr. Teare said there are 10 cottages in the section just above the lodge.

Becca Casey understood the thought that combining two would be dangerous; she wondered if a traffic engineer had looked at it.

Mr. Licht said no; they looked at it in-house.

Bill Lunt asked how much traffic moves on Blueberry Lane and whether they have a traffic study.

Mr. Licht didn't think they have anything current. Mr. Teare said it is pretty modest.

Bill Lunt felt the intent of that ordinance is to control how you enter the main entrance at the intersection of Falmouth Road. He was apt to be more flexible here, but he thought it would be helpful if they had some traffic counting there to give the Board an idea of the amount of traffic.

Bill Brogan thought the Board shouldn't be in the position to judge whether it is safe or not. He felt the applicants should come back with a traffic engineer's report. Heddy Snyder agreed.

Bill Lunt didn't feel a full traffic report was necessary, but having a traffic engineer weigh in would help.

Ethan Croce referred to Section 3.16.7 which discusses location of parking lots – the standards are that parking should be located internally when possible and not between the building and the road. The northerly lot is not between the building and the road, but it is closest to Blueberry Lane.

Bill Lunt asked if there would be any landscaping planned along Blueberry Lane.

Mr. Licht said that lot also includes an underdrain soil filter. He showed an aerial of the area, which demonstrated how well-buffered the current building is. They are going to have to cut the trees between the two units, but they will still have some buffering that will remain and they will add some with the final landscaping plan. Because of the soil drain they will add additional buffering along there to add some screening and character. Other than that, there will be little change along the frontage of Blueberry Lane. They will be adding a sidewalk connection, but they will probably only have to cut one small tree for that.

The Board was comfortable with that proposal.

Ethan Croce referred to Section 9.28 which outlines landscaping in parking lots – he didn't count the total number of understory trees, but he thinks they might be deficient in those requirements.

Mr. Licht said they are intending a very limited landscaping plan because this is a campus setting. They came up with a plan that is more organic; they didn't use the numbers as required by ordinance. If that requires a waiver, they would request one. They will provide a good landscape plan but it may not meet the ordinance requirements plant for plant.

Bill Lunt asked about the lower parking. He wondered how much further down they will bring that.

Mr. Licht indicated the current parking, and explained the conditions. That area is a combination of manufactured riprap, ledge and partially vegetated slope. It is a very steep slope. They are trying to save what they can with vegetation but it is hard to plant there because of the riprap.

Becca Casey thought that area will have the biggest issue with the buffering.

Mr. Licht said they will selectively save, but there isn't a lot of vegetation as it is currently a manufactured riprap slope.

Bill Lunt asked the elevation difference between that area and the residents living in the area below.

Mr. Licht said it is six feet above the roofs, so about 30 feet high. Mr. Teare said there is a nice natural separation there.

Bill Lunt thought they would be looking for some type of waiver, and they should have a really good, readable landscape plan to give the Board some idea how they are addressing any deficiencies in the number of required plantings. The rest of the Board agreed.

Ethan Croce felt the remainder of the key issues would be addressed with submissions in the final plan.

Mr. Licht discussed the removal of the underground garage from the plan. It will affect the stormwater as they will no longer be dropping the grade. They have lost the six spaces that would have been in there. Even though they are losing those spaces, they will still meet the minimum requirement of 83 spaces.

Bill Lunt said removing that garage avoids having even more problems with buffering because it will remain at grade.

Mr. Licht said it does.

Becca Casey asked if they will need a guardrail on that edge.

Mr. Licht and Mr. Teare said there is a heavy wooden guardrail there now and there will probably need to be one.

Becca Casey felt that detail needed to be on the plan.

Becca Casey moved to table the application until next month at which time they would consider preliminary and final approval; Heddy Snyder seconded. Motion carried 4-0.

7. Ridgewood Associates, LLC – Request for a subdivision and site plan amendment to Ridgewood Estates for architectural modifications and addition of a children's play area. Tax Sheet 310 and 611; Map-Lot R04-026; Zoned Open Space Residential District.

Ethan Croce discussed the application. The applicant was last before the Board for approval of design guidelines to avoid having to visit the Planning Board for all design changes. In this instance, the extent of the design changes exceeded staff authority to approve. The applicant is proposing a new unit design, as well as the removal of a maintenance building, addition of a maintenance garage to the clubhouse and the installation of a children's playground in place of the maintenance building. The addition of a playground was originally a recommendation of the peer reviewer in 2006. The design guidelines have certain standards regarding roof design. According to the guidelines, pitched roofs should be symmetrically gabled and saltbox shapes are discouraged; they also spell out the minimum pitch for dormers as 10/12. The applicant has suggested that the building unit type be approved with the condition that the "non-compliant" side not be situated facing high visibility lot corners and street frontages.

Peter Biegel of SYTDesign, representing the applicants, discussed the new unit design. The color depicted on the diagram is not representative of the color of the final buildings. No one has yet

ordered one of these units. They want a design that allows for a first floor master bedroom. In some places they have been able to accommodate that, but in certain areas the wider unit doesn't fit. They are doing this in preparation of those areas where they can do it. They submitted two potential places where this could happen. They interpreted the design guideline for the roof pitch as an overall design guideline, and not how each roof should be pitched. Overall they feel they are meeting the guideline, even though that particular section doesn't meet the guideline for the roof pitch.

Mike Payson, applicant, explained that the intention of the guidelines was to create an overall aesthetic for the property. They tried to create more specific design elements with more detailed guidelines. They feel that the overall design aesthetic fits with the guidelines, even though the detail of that one roof doesn't fit. The project was originally designed with the intention of much larger units. They have found that those units are not in demand, and the site was designed with a tight site plan. This is another attempt to come back and address the market. 9 or 10 of the 12 units they have sold have requested first floor master bedrooms.

Becca Casey asked what the pitch of the new roof is.

Neither Mr. Biegel nor Mr. Payson could answer that question.

Becca Casey was concerned with maintenance of a slope that shallow.

Bill Lunt thought they could make it look better if they put a false trim on a steeper pitch. That would make it more consistent. This doesn't fit the rest of the package.

Becca Casey agreed that they could keep the aesthetic by pulling the dormer back and putting on a false trim.

Bill Lunt thought the intent of the guidelines was to avoid having these flat areas. He didn't have a problem with the dormer, but he had a problem with how it looks. If they set it back one rafter width, they will get that 10/12 pitch.

Bill Brogan agreed. He was interested in the locations for this unit; they have identified two locations for this unit type and he wondered where else they would locate it to avoid having that side facing the roadway.

Mr. Biegel said they picked out those two locations that were possible to show the Board what they would look like.

Bill Brogan asked if it could end up on any of those building envelopes.

Mr. Biegel said they look at adding width first, but where there is no width available they would need to add the depth.

Ethan Croce said that if this unit is added to the list of pre-approved unit types it could potentially be placed anywhere in the development, assuming that it could be accommodated without affecting of the other approved site improvements, lighting, etc.

Bill Lunt thought each lot would determine whether this unit type would fit or not. He was comfortable allowing them to have this unit if they made the changes he suggested to the dormer.

Mr. Biegel and Mr. Payson indicated understanding and agreement with the Board's suggestion for the dormer.

Mr. Biegel discussed the play area. The original developer had a different maintenance plan that what is in place today. They are adding the maintenance shed to the community building and replacing the building with a play area, along with removing some pavement and replacing it with green space.

Bill Lunt asked if they are now farming out the maintenance.

Mr. Payson said they do use subs for maintenance, and are suggesting adding a garage bay to the community building in case the owners want to have some maintenance on site. There are some owners with children, and since there isn't a lot of yard area for swing sets, there seems to be a need for a play area.

Becca Casey asked if they are planning on building this right away.

Mr. Payson said they are inclined to start this pretty quickly.

Becca Casey moved to approve the request for the clubhouse revisions to add the maintenance shed, the addition of the play structure as submitted and to add the Aspenwood unit with the revision, to be reviewed by staff, of pulling the dormer back from the gable end in order to keep the perceived angle of the roof as mirrored from the front. Bill Brogan seconded. Motion carried 4-0.

Meeting adjourned 7:57 pm.

Respectfully submitted,

Melissa Tryon
Recording Secretary