

**FALMOUTH PLANNING BOARD MEETING MINUTES  
TUESDAY, APRIL 3, 2012, 6:30 P.M.  
FALMOUTH TOWN HALL, COUNCIL CHAMBERS**

**MEMBERS PRESENT:** Bill Lunt (Chair), Bernard Pender, Becca Casey, Kermit Stanley (Alternate)

**MEMBERS ABSENT:** Heddy Snyder, Walter Arsenault

**STAFF PRESENT:** Ethan Croce (Senior Planner)

The meeting started at 6:35 pm.

Kermit Stanley was appointed as a voting member.

**1. Approval of minutes from the March 6, 2012 Planning Board meetings.**

Becca Casey moved to approve the minutes; Kermit Stanley seconded. Motion carried 4-0.

**Administrative Action Items**

**2. Wal-Mart** – 206 US Route 1 – Request for re-approval of a site plan for outdoor sales and storage. Tax Sheet 320; Map-Lot U52-002. Zoned SB1 and Village Center Overlay.

**3. Falmouth Public Schools** – 51 Woodville Rd. – Request for site plan approval for an addition to a maintenance building. Tax Sheet 300; Map-Lot R05-021; Zoned Farm & Forest and RCZO.

Becca Casey moved to approve the administrative items; Kermit Stanley seconded. Motion carried 4-0.

**Public Hearings**

**4. Public Hearing** on an amendment to the Official Zoning Map to re-zone certain lots on Shady Lane from BP to RA.

Ethan Croce explained that there are 5 residential lots that are zoned either partially or fully BP; this amendment would rezone them as RA and make them conforming in terms of use.

Public comment period opened; no public comment.

Becca Casey moved to recommend adoption of the amendment as written; Bernie Pender seconded. Motion carried 4-0.

**5. Public Hearing** on an amendment to the Zoning and Site Plan Review Ordinance, Section 5.21, Home Occupations.

Ethan Croce explained that this amendment would change language relative to home occupations. Certain home occupations require a permit from the Code Enforcement Officer (CEO) and are required to be part-time in nature. This amendment would allow them to be full time and would remove the requirement for a permit from the CEO if they met all the criteria under section 5.22.a.

Public comment period opened; no public comment.

Becca Casey moved to recommend adoption of the amendment as written; Kermit Stanley seconded. Motion carried 4-0.

**6. Public Hearing** on an amendment to the Zoning and Site Plan Review Ordinance to create a Water View Overlay District with provisions regarding the preservation of water views.

Ethan Croce explained that currently the expansion or development of single family dwellings on nonconforming lots requires a conditional use approval by the Board of Zoning Appeals (BZA). This proposal would create a Water View Overlay District (WVOD) and require BZA approval for expansion or enlargement of any structure in the district only, while exempting enlargement or expansion on nonconforming lots outside the district from BZA approval. The Council has sent this amendment back to CDC for review, who will then return it to the full Council for a vote. The language being heard tonight may or may not change after that process. If there is a change to the language, it may or may not have to come back to the Planning Board for another hearing, depending on whether the changes are substantive.

Public comment period opened; no public comment.

Becca Casey didn't think that the amendment as written met the goals outlined in the staff memo. She was glad they were reviewing it. Bernie Pender and Bill Lunt agreed.

Becca Casey moved that the language not be adopted until it has been further reviewed. Kermit Stanley seconded. Motion carried 4-0.

**7. Public Hearing** on an amendment to the Official Zoning Map to re-zone certain lots between Johnson Road and the Cumberland line from BP to RA. This includes lots on Underwood Road, Hedgerow Drive, Wisteria Circle and Arborside Drive.

Ethan Croce said this is similar to agenda item 4; these are lots that are primarily single family use but are zoned BP. This amendment would rezone those to RA to make them conforming in terms of use. This amendment affects 15 lots.

Public comment period opened; no public comment.

Becca Casey moved to recommend adoption of the amendment as written; Kermit Stanley seconded. Motion carried 4-0.

## **Agenda Items**

**8. D Square LLC**– Vintage Way – Request for a private way amendment to amend the grading plan. Tax Sheet 320; Map-Lot U11-022-001. Zoned RA and RCZO.

Ethan Croce said this private way was approved in 2006 by the Planning Board as a 1 lot private way off Foreside Road. The Board at the time required a grading plan to be submitted and issued a condition that any home built on the lot that got its access off the private way must follow that grading plan. The applicant now wants to amend the grading plan to change some of the grading characteristics and fill in a portion of the low-value wetland in the southwestern corner of the lot. The applicant is also proposing to remove the septic design and use public sewer instead. The property tax issue raised in the staff notes has since been resolved. Wastewater has signed off on the project and DEP indicated that they are okay with the project as long as the amount of fill does not exceed the 4300 sq. ft. maximum. Public Works Director Jay Reynolds cautioned that the applicant should make sure that the grading contours do not encroach on the abutter's property. The proposed grading changes are primarily along the southerly property line; Mr. Reynolds' concerns regarding encroachment were along the northerly property line.

Steve Bradstreet of Ransom Consulting explained that the 2006 approval required a grading plan to be shown around the building footprint. The planned building footprint has changed. The current owner has had discussions with the northern abutter, and decided it was most prudent to keep the northern grading as it was. In the proposal, they have extended the building grading to the south and west, which slightly encroaches on the wetlands. The proposed fill is less than the 4300 sq. feet maximum. The previous approval stated that if the grading changed in the future, they would have to return to the Board.

Regarding the septic field in the back, the applicant has decided to install a pump and pump up the driveway to the Town's sewer line in Route 88 instead. The road profile will not change; it hasn't been completed yet. The only thing that has changed is the site grading around the south and west of the building.

Bill Lunt asked how much wetland filling there was.

Mr. Bradstreet said there was 500 sq. feet of fill from the 2006 approval for the culvert. The amount of fill from the re-grading will be 3100 square feet, bringing the total fill to 3600-3650 sq. feet, which is under the 4300 sq. foot one-time exemption.

Bill Lunt asked who watches over the wetland filling.

Ethan Croce said the town engineer is the site inspector for these projects. The CEO will also visit the site when a building permit is pulled for the house.

Bernie Pender said the Board in the past has required markers to be placed during construction, so there is no question as to where the grading is going to stop. He would like to see something out there so that the grading doesn't inch out.

Mr. Bradstreet said they could place grade stakes or flags out there to show the grading limits. Bill Lunt felt this was to their benefit. Mr. Bradstreet agreed.

Bill Lunt asked why the house got moved from the original plan.

Dana Dresser, manager of D Square LLC, said they tried to put the house as designed into the planned building envelope, but they had a contentious discussion with the neighbor to that side. If they placed the house in the envelope as planned it would cause a drainage issue for their abutter. The proposed grading change will improve the drainage flow into the retaining pond. The proposed location is also more central to the lot and therefore further away from the abutter, given them both more space.

Ethan Croce confirmed that the Board wanted a condition that the limits of grading be marked in the field prior to site disturbance associated with the building permit. The standard condition that the applicant shall submit final plans with appropriate revisions prior to commencing site work will also apply.

Public comment period opened; no public comment.

Becca Casey moved to approve the application with the conditions as read by staff; Kermit Stanley seconded. Motion carried 4-0.

**9. Falmouth Public Schools** – 51 Woodville Rd. – Request for a site plan amendment to construct a wood chip boiler for the Middle School. Tax Sheet 300; Map-Lot R05-021. Zoned Farm & Forest and RCZO.

Ethan Croce explained that there are two waivers that will require Board approval. First is a waiver on the number of built parking spaces needed for the campus. 877 spaces are required for the whole campus per the ordinance; in the original approval the Board required 869 spaces to actually be constructed. The applicant would like to remove 12 of the built spaces that will be displaced by the location of the proposed boiler building as well as the relocation of some bus parking to lot #5. This would leave 857 built spaces. They can accommodate 4 of those spaces near the middle school if they need to, though they would have to return to the Board for site plan approval if they ever wanted to build them. 6 regular spaces that are being displaced in lot 6 can be restriped and put back into service without additional Board approval if they were needed,. They are also asking for a waiver on the stormwater standard on peak discharge; the standards for post-development flows are being met at the 2 and 10 year storm but they are projecting a potential increase of .25 cfs for the 100 year storm. This is considered fairly negligible; it comes to a 4% increase. Mr. Reynolds had some comments, but is now comfortable that his issues have

been resolved, though he would like a copy of the revised stormwater plan that reflects the post construction monitoring both for the wood chip boiler plant and the storage facility approved earlier.

Tom Emery of Stantec, representing the applicant, discussed the site and the location of the proposed boiler plant behind the elementary school. The nearest house would be 1000 feet away and the nearest property line is 900 feet away. This boiler would be similar to the one at the middle school. All the utilities will be underground, and they will make modifications to the bus parking lot. They have shown the additional 4 displaced parking spaces at the north side of the parking lot, along with a turning diagram that shows that the buses that will be parking in that area can make the turn if the spaces remain.

David Nadeau, a civil engineer from Stantec, said the bus parking lot currently abuts a wetland stream and forested buffer. They tried to site the building to not impact the buffer and to avoid losing bus parking. Half of the building will be on what is currently pavement, so they will lose about 3 parking spaces. There is a wetland stream that runs along the eastern spine of the bus parking lot. Everything currently drains southerly into the wetland stream and north from there off the school property. The facility will be a flat-roof structure with roof drains leaders; all runoff from the building will be collected, filtered through a subsurface under-drained sand filter and then discharged to an existing catch basin. There will be a little bit of re-grading of the existing parking lot, raising the proposed building about 6 inches. The left side of the building will be a boiler room; the right side will be a two-bay wood chip storage room. These are centered on the travel lane of the parking lot. The intent is for delivery vehicles to back up the entire spine of the parking lot and deliver to the wood chip storage bays. They have flexibility with the delivery of wood chips, so they can schedule deliveries for when the buses are out. Utilities will come up from the middle school; there will be a single janitor sink in the boiler building. There will be electrical and communications conduits. They are trying to minimize disruption to the existing parking lot so they will locate the utilities in one trench. They have a minor amendment permit application and a permit-by-rule application with DEP because they have proposed construction within 75 feet of the wetland stream. This is primarily due to the trench in the parking lot. They meet the requirements for peak rate of runoff for the 2-, 5- and 10-year storms as required by DEP. For the 100-year storm they are projecting an increase of about .25 cfs for post-development over pre-development conditions. They are eliminating three bus parking spaces; they propose to make those up by expanding pavement in the lower lot #6 by about 15 feet to accommodate those buses. They also removed spaces across the aisle from those spaces to allow the buses to turn more easily. In order to extend that pavement, they will need to re-grade the turf drainage ditch; this adds about 4900 sq. feet of sub-catchment area to the post-development sub-catchment. Both this area and the southerly one drain to the same wetland area. The property line is approximately 700 feet downstream from the analysis point. Overall the watershed boundary to the wetland stream will be about the same size; by the time that .25 cfs reach the outlet point at the property line it will be muted. They don't anticipate any increase once it reaches the property line. They show the direct drainage from the disturbance site to the catchment boundary. This area drains a large portion of the campus; once you take that into the analysis the 4% increase will be significantly less.

Bernie Pender asked about the wood chip delivery trucks and how they would move on the campus.

Mr. Nadeau said the trucks would follow the existing loop road, pull past the entrance to the bus parking lot and then back up the lot to the boiler plant. They have done the traffic modeling, and have even taken a 53' trailer onto the site, and don't anticipate any problems.

Jules Chatot of Banwell Architects presented the building architecture. It is a rectangular building, with an equipment floor with two wood chip bins. There is a traveling auger that will carry chips to the boiler. The building is a type 2C (exposed steel frame, non-combustible) and a type-F1 occupancy. They have done a preliminary review with the CEO and the Fire Department. The exterior materials are planned to be similar to the existing boiler plant; brick at the lower portion with gray metallic panel above. It is an internally drained roof. It is a cantilevered steel exhaust stack with an exterior corten finish; this is a permanent finish that will never require recoating. The equipment package is a Messer-Smith system;

this is the same manufacturer as the high school's plant. The building's average height is between 17-18 feet above grade; the stack is 65 feet. That height is based on air dispersion modeling done by the air quality consultants. The air quality permit has been accepted by the DEP and they expect that permit within 60 days.

Bill Lunt asked how the proposed stack compares to the high school facility's stack.

Mr. Chatot wasn't sure, but said the other one may be 50 feet. This one is starting at a lower elevation and they wanted to keep this stack more than 20 feet above any air intakes at the new elementary school.

Bill Lunt asked about the traffic.

Topper West, Director of Transportation and Maintenance for the Falmouth School Department, said this will be exactly like the one at the high school. The chip delivery trucks won't have to back in if the buses aren't there; they would be able to drive in and turn around if the lot is empty. This plan allows for them to be able to back in if the delivery is early or late and the buses are there.

Bill Lunt asked about the existing wood chip boiler system.

Mr. West said there haven't been any complaints as far as he was aware about smoke, smell, traffic, etc. and the system has worked as well and they could want.

Ethan Croce said standard conditions would apply to this project: they need a preconstruction meeting, erosion control measures will need to be installed prior to site disturbance, and all DEP approvals need to be submitted to the Town, along with a copy of the post-construction stormwater monitoring plan for Mr. Reynolds and payment of any required inspection fees.

Public comment period opened; no public comment.

Ethan Croce discussed the waivers: the storm water waiver is to allow an increase in post construction flows at the 100-year storm. This is a .25 cfs increase over pre-development flows. The second waiver is for the number of built spaces required for the campus to be lowered from 869 to 857, a difference of 12 parking spaces.

Becca Casey moved to grant the waiver regarding a reduced number of required spaces, from 869 to 857. The applicant retains the ability to restripe the spaces as demonstrated; Bernie Pender seconded. Motion carried 4-0.

Becca Casey moved to grant the waiver for the increase in post construction peak flows for the 100 year storm; Kermit Stanley seconded.

Becca Casey said she would be more concerned if it was a 4% increase for the whole campus, and not for just this small area. Since it would be a much smaller percentage for the whole campus, she was comfortable with it. Bill Lunt agreed.

Motion carried 4-0.

Becca Casey moved to approve the application with the two waivers granted and conditions as read by staff. Bernie Pender seconded. Motion carried 4-0.

**10. (Item Tabled) Church of St. Mary the Virgin – 43 Foreside Rd. – Request for site plan approval for a building expansion. Tax Sheet 320; Map-Lot U07-005. Zoned RC and RCZO.**

Meeting adjourned at 7:31 pm.

Respectfully submitted,

Melissa Tryon, Recording Secretary