

**FALMOUTH PLANNING BOARD MEETING MINUTES  
TUESDAY, DECEMBER 4, 2012, 6:30 P.M.  
FALMOUTH TOWN HALL, COUNCIL CHAMBERS**

**MEMBERS PRESENT:** Bill Lunt (Chair), Bernard Pender, Kermit Stanley, Jay Chace (Alternate), William Benzing (Alternate)

**MEMBERS ABSENT:** Walter Arsenault, Becca Casey

**STAFF PRESENT:** Ethan Croce, Senior Planner

The meeting started at 6:35 pm.

Jay Chace and William Benzing were appointed as voting members.

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

Jay Chace moved to approve the minutes, Kermit Stanley seconded. Motion carried 5-0.

**Agenda Items**

**2. Oceanview Retirement Community** – 20 Blueberry Lane - Request for preliminary and final subdivision and site plan approval for redevelopment of the former elementary school site. Tax Sheet 310; Map-lot U27-003. Zoned RB, RCOD, ESRD and RCZO.

Rick Licht of Licht Environmental Design said they have met with staff regarding the agenda notes. He presented a change to Blueberry Commons, which consists of three multi-unit senior living buildings with 36 total units. They are trying to make this a carbon-zero complex. They have removed the underground parking from building 14 and added a one-story attached garage with 6 parking spaces. They have a one-way circular drive in front of the complex. There is no longer a driveway connection to the Hilltop Lodge. There are covered walkways between the three buildings and to the main lodge. They have revised the stormwater so that Blueberry Commons' drainage will use the existing filter bed, with some going to a level lip spreader. The cost of directing the stormwater to the detention pond at the Village Green was prohibitive. A portion of the site will go through a pipe to a location in the woods with a level lip spreader until the road is built, and then it will go into the roadway system.

Mr. Licht addressed staff comments about parking. They submitted a parking table for the overall project, as well as a parking summary that addressed specific parking needs for each use. Blueberry Commons has an excess of parking. The parking spaces on the grass pavers will be managed internally; those will be for staff during events, so that the parking closer to the building can be reserved for residents and guests. Those spaces are 23 feet deep to allow for additional backing space onto Marion Way. They removed the spaces directly across from the new access drive, to avoid conflicts with people backing out.

Jay Chace thought it would be helpful to have some indicators so people know to pull in vertically as well as how far they should pull into the space.

Mr. Licht agreed with that. They will submit an underground parking layout, but would like it to be a condition of the architectural plans for the building permit.

Ethan Croce would like confirmation that they can fit as many spaces as they are proposing, while meeting the required aisle width and space dimensions.

Bill Lunt felt it should be part of the site plan. Mr. Licht asked if they could make that a condition of approval. Ethan Croce asked for a separate sheet. Mr. Licht agreed.

Mr. Licht discussed parking at the Lunt building. There are 30 spaces located in the lot at the memory care facility; that facility only requires 16 by code. They counted 60 spaces for the Lunt office building. They contend that the Lunt medical office building only needs 50 spaces instead of the 68 that would be needed based on the code, since they anticipate that most of the patients would be Oceanview residents and would have bus transportation from Oceanview. The auditorium has 110 seats; by code it would require 28 spaces. They are using both the ordinance parking requirements and ITE codes to determine the spaces required, even though there are no code requirements for parking in the ESRD.

Bill Lunt said their estimates for the auditorium use anticipate 4 people per car. He was having a hard time with that. It is rare that you see more than 2 people in a car in this town when there are events at the high school or the churches.

Mr. Licht said they discussed that. During full daytime use, with on-street parking, the lot has sufficient parking for simultaneous use of the medical office, memory care unit and the auditorium. They will have a facilities manager who will not schedule a full auditorium use for those hours. A peak event at the auditorium would be scheduled in the evening. They were willing to designate some of the parking at the memory care unit for overflow auditorium use during peak events. Including the on-street parking gives them more than 100 spaces, without using the Village Green lot.

Bill Lunt asked for confirmation that their thought is to use all of the on-street parking of 23 spaces, plus the 60 spaces at the Lunt building. Mr. Licht said that was correct. They could also, through the easement deeds, dedicate 10 spaces along the building in the Village Green lot for auditorium use. This would give them 93 spaces for the auditorium use during a peak event.

Bill Lunt asked about the easements and what they are going to look like. Mr. Licht said they have had discussions; all the language is going through the attorneys.

Bill Lunt wanted to be clear, for the purposes of the site plan, that the Board is flying blind in regards to the easements.

Mr. Licht said the mechanics of the easements and the cross-use is being handled with Town staff and will be consistent with the master plan.

Bernie Pender asked about parking overflow at the memory care. He wondered when that would be available.

Mr. Licht said there are 10-12 spaces in that lot above the needs of the memory care. They would be signed general use; the other spaces in the lot would be signed for memory care staff and visitors only.

Matt Teare of Oceanview felt the issues that come up are related to the public/private partnership (PPP); the issues relating to Oceanview are minor. Ethan Croce has been copied on the deeds; the Board doesn't typically get into those. They are willing to put off recording the plan until the Town Attorney is comfortable with the deeds.

Bill Lunt felt that it was not uncommon for the Board to weigh in on the deeds.

Mr. Teare said most of the issues here are related to the PPP and the uses going back and forth. He and Bill Lunt discussed the difficulties regarding estimating the parking for the PPP and Lunt and how the parking might be shared. Bill Lunt was concerned that, if they say yes to Phase 4 of the project and then find out that the parking is an issue, the Board won't get another crack at it. Ethan Croce said if and when the Plummer/Motz lot comes in the Board will have a crack at a site plan approval, if the project reaches one of the thresholds that would trigger site plan review. This is the last opportunity for the Board to weigh in on phases 1-4. The parking is all intertwined between Lunt and Plummer/Motz. Mr. Teare asked

if there was any way, perhaps a note on the plan, to say that anything they come in with would trigger review of parking on the village green.

Mr. Licht said they are trying to show that the approval piece can stand on its own. The full number of available spaces is 93; there are 110 seats in the auditorium.

The Board indicated their comfort with the parking at Blueberry Commons. Bill Lunt said the available parking on the Lunt site is being used along with the on-street parking to meet the uses there. Mr. Licht said the parking on-site meets all the uses except the auditorium. Daytime use of the auditorium can be met with the on-street parking. Evening use of the auditorium can be met on-site.

Bill Lunt asked about the change to the access to the Village Green.

Mr. Licht said the current edge of parking will be moved to directly across from Checkerberry Lane. The fire lane will come out of that lot and over to the memory care unit. They propose to do this work with phase 2. They will bring the new lighting all the way down to the edge of the woods across from Checkerberry at that time; the new lighting for the Village Green lot and down the street to Middle Road will be done with phase 3.

Bill Lunt was uncomfortable with that; the change in the roadway and the on-street parking will be done with phase 2; he wanted the lighting to be tied to the new on-street parking spaces.

Mr. Teare didn't want to install lighting that might have to be torn out later. They would maintain the existing lighting. He asked if it was a question of safety, or simply matching the lighting all the way.

Bill Lunt said there will be a change in the centerline of the road at Middle. This is a safety issue. He thought since they were using the full street, it needs to be lit the whole way.

Mr. Teare said they were trying to break things into phases. Bill Lunt understood, but they didn't know how long it would take for the next phase to be done. He wanted the lighting done with phase 2. Mr. Teare agreed.

Mr. Licht said they will remove the old shoebox lighting when they install the new lighting. He said the cobra lights are town lights and they can't remove them. He asked if they wanted the sidewalk lit from the corner of Lunt and Falmouth down to the Lunt building.

Bill Lunt hoped the Town would remove the cobra lights when the new lighting is installed. He would like the lighting to go all the way up to Falmouth Road. He asked when the other entrance for the Village Green lot off of Lunt would be cut off.

Mr. Licht confirmed that it would be closed off during phase 2, but the lot itself wouldn't be changed at that point except for the additional spaces at the remaining access point. They would wait for any restructuring of the lot and installation of the landscaping until the PPP comes in. There are two shoebox lights and 4 crabapples in the median there now.

Jay Chace asked if the two entrances shown on the plans for the Village Green lot would be constructed as part of phase 2.

Mr. Licht said that was correct. Phase 2 would include removing the existing curb cuts, adding the vehicle connection, the lighting down the street, removing the fencing, installing the fire access lane, and installing landscaping to delineate the fire access lane.

Bill Lunt asked why the landscaping for the area between the Village Green lot and Lunt couldn't be done now. Mr. Licht said some of that was to spread out the cost; also they are not sure how much digging they will have to do when they restructure the lot. Mr. Teare thought they would do some landscaping work on the green this spring.

Bill Lunt wondered when phase 2 would take place. Mr. Teare said not until summer; they would do some sprucing up of the green this spring.

Bill Lunt would like the landscaping on Lunt done with phase 2. That would get Lunt Road done. He felt it would be important to the residents across the street. Mr. Licht said it was some street trees and some low shrub landscaping. They would add it to phase 2.

Ethan Croce thought the landscaping plan only shows landscaping for the Village Green lot for the portion of the esplanade at the Village Green lot itself, and not down across the Plummer property.

Mr. Licht said they would be agreeable to a condition that they extend the proposed landscaping plan across the front of the Plummer lot, consistent with what is shown.

Ethan Croce asked if he could describe the nature of the easements with respect to parking, as well as which buildings would have access to which lot.

Mr. Licht said the easement would allow for public use of the spaces at the Lunt facility, subject to the condition that parking be available for the uses at the facilities. There will be an 80 foot easement over the Village Green lot to allow Motz and Plummer to have shared use of the lot at the Village Green. They want to extend that easement onto the Plummer lot to allow a portion of those spaces to be available for public use as well. This would allow for 30 spaces at the Plummer lot as well as 10-12 spaces at the Village Green lot. Generally described access easements would allow for shared usage of the common access ways. There are no easements that are intended on Motz for the benefit of Plummer, nor vice versa. Motz and Plummer would both have the benefit of Village Green.

Bill Lunt asked if, absent a PPP, Plummer would belong to Oceanview and Motz would remain with the Town. Mr. Teare said that was correct. He clarified that, if they had a private use of Plummer, they would reserve the use of 10-20 spaces for Plummer.

Ethan Croce said that if Motz and Plummer both go into public use, they would share parking, but if Plummer goes into private use it would retain exclusive rights to its own parking spaces, including those in the Village Green lot.

Mr. Teare disagreed; he felt that there will be shared parking regardless. They would have a certain amount of exclusive spaces at Plummer, perhaps 10-20.

Ethan Croce asked about the lot at the corner of Falmouth and Lunt; if that ever becomes used for parking, he wanted to make sure that the easement deed references that it would be available for public use. Mr. Licht said it would, but they would have to return to the Council if they wanted to do that.

Jay Chace asked if that lot would belong to Oceanview. Mr. Licht said it would.

Bill Lunt thought that is marked as open space; Mr. Licht said it is. There will be a sign there.

Mr. Licht spoke about the lighting. They left the fixtures for the Lunt lot at 150 watts. They show the averages for each lot on the table. They changed the fixtures in the front of Lunt to bollards. They are reviewing three fixtures that are on the plan along the Lunt drop off; bollards may not give them the lighting coverage they need to meet IES standards. They will make changes if they can. All the fixtures are 90 degree cut off, metal halide. All the existing shoe boxes will be removed and replaced with what is on the plan.

Jay Chace asked about the timing of the more commercial light fixtures and if those will be turned off at night. Mr. Licht said they can make a condition that those are put on timers.

Mr. Licht said they have updated the landscaping plan; they request that a plan showing the canopy street trees be made a condition of approval.

Bill Lunt asked if staff would be comfortable reviewing that plan as a condition; Ethan Croce said yes.

Mr. Licht said they could expect consistency with the street trees in the existing Oceanview and Whipple farm sites. They will label the existing trees to remain on the final plans. They will also add the buffering in the pond area and indicate the buffers to remain around the fire lane and some of the cottages. There is very little buffer to the property line behind those cottages. They will have landscaping there. That will be included in Phase 4 as the construction is completed.

Bill Lunt asked when the road from Blueberry Commons to Schoolhouse Road would be completed.

Mr. Licht presented the phasing plan. The road connection would be completed with phase 4a, but built sufficiently for fire access as phase 2 and 3 were built.

Chris Wasileski of Oceanview has spoken with the fire chief about access to the memory building on both sides. They would extend the infrastructure to the corner of the building and put in the emergency access when that building was built. Phase 1 would be a self contained project, and they would maintain much of the existing buffer until they have the first cottage phase, phase 4a.

Jay Chace commended the team for the job they are doing. He pointed out that if they don't build the through road, those people using the medical offices will drive there instead and need more parking.

Mr. Wasileski said Oceanview would provide transportation with their van, courtesy car or internal bus service, whether it is from Falmouth House, the Main Lodge or Hilltop Lodge. That will operate regardless of whether the internal street network is completed. They didn't figure the reduced number of required parking based on anticipated pedestrian traffic.

Bill Lunt asked about the phasing of the pond.

Mr. Licht said it would be part of phase 4. He confirmed that the drainage of phase 3 would be sheet style toward the Village Green. The change in stormwater due to the reconstruction of the Lunt facility is minimal because most of the area is already paved. Initially the water will follow the existing woods vegetation to the location of the proposed pond and from there to behind Motz. They won't need the pond for detention until they begin construction of the cottages. They propose to construct the pond with phase 4a, when they will have an increase of impervious surface. Phase 3 will use an existing swale that travels along the back of Motz and to a culvert in Middle Road. They will have a temporary easement to allow the water to travel over the Motz lot to the culvert.

Bill Lunt asked if they are negotiating that easement with the Town now. Mr. Licht said yes; language has been drafted regarding this issue.

Ethan Croce asked about the timing of the completion of the pond. Mr. Licht said the pond scheduling would be subject to DEP approval conditions. He assumed that they would want it completed with the construction of phase 4a. 4a would be pumped to the pond eventually.

Bill Lunt asked where the sewer for phase 1 goes. Mr. Licht confirmed that it goes to Blueberry Lane.

Ethan Croce asked if it made sense to complete the pond prior to construction of 4a to handle the stormwater from 4a. Mr. Licht felt they would send 4a out to bid as a piece. If there were any question of temporary impacts from erosion controls, they could install temporary measures while the pond was being constructed.

Ethan Croce said if they are creating impervious areas that are above and beyond what the wooded buffers can handle, he wondered if there was concern around potential issues of flooding downstream while the work is going on. Mr. Licht said they would be agreeable with any kind of internal phasing for phase 4a in regards to the pond, for example no foundation work or excavations for foundations until the pond is constructed.

Bill Lunt thought they would have to have an erosion control plan before construction of that phase.

Ethan Croce was more concerned with drainage impacts instead of erosion control.

Bill Lunt thought they could add the pond to the erosion control plan and then it would have to be done before they got to cottage construction. Ethan Croce thought the applicant had concerns with constructing the pond prior to the cottages.

Mr. Teare said it would be one contract, so one contractor would do all the blasting and tree removal at the beginning at the project. Mr. Licht said they typically do the blasting first; once they remove the material, the hole that is left becomes a temporary detention structure. It isn't the final pond as it isn't lined, but it would function.

Bill Lunt asked if the DEP would like to have it done that way anyway. He said for the site plan for phase 4a they have to start at the pond and then work back to the cottages. Mr. Licht agreed.

Mr. Licht said that during phase 1 they would clean out the existing swale at the Village Green, removing the fencing and extending the parking lot. They would be loaming and seeding next spring so it would be a functional Village Green next summer. The fire access would be constructed along with the Lunt facility. The pond would be constructed during phase 4, along with the landscaping. They asked to have a general landscaping plan for that section, with a final plan determined when they do the work on the pond. Phase 5 would include the restructuring of the Village Green parking lot as well as any additional landscaping along the side of the green closest to Plummer.

Bill Lunt said when they get their approval, if there is a PPP at Plummer, they would get another shot at this, including the Village Green parking lot. Mr. Licht, Mr. Wasileski and Mr. Teare all agreed.

Bill Lunt asked if they would also get another shot at the final design of the pond. Mr. Licht said the final design of the pond would be through the Town Engineer's review and the DEP.

Mr. Licht said they would add landscaping along the Lunt parking lot for additional buffering; they will screen and buffer any mechanical units. There may not be any external mechanical units at the Commons, due to the net zero, energy efficiency of the building.

Mr. Licht said they changed the striping on Lunt road to a 13 foot lane and an 8 foot parking aisle to allow for a wider lane and more traditional parking space width. They will redirect the striping after the parking to line up with striping across the intersection. They will coordinate the signage with public safety.

Mr. Licht spoke about the concrete island; they install these for ease of plowing. They proposed using seasonal whisky barrel landscaping for those; they would remove them in the winter for plowing. They have added crosswalks and tip-downs on all the major crossings for all internal roadway crossings as well as at all trail crossings. The walkways between the Commons' buildings are all enclosed walkways. The fire chief has agreed with the proposed fire lane at the back of the Commons. They agreed to minimize the directional arrows, but will keep the directional arrows at the one-way drives. They agreed to remove the trail from the Motz property and bring it off the end of Marion Way. They feel they meet the sight distance requirements at both internal intersections. Speeds in the internal street network are very slow. Road widths have been reduced to 22 feet for the roadways and 18 feet for the driveways. Road radii will be reduced to 15 feet.

Mr. Licht spoke about the requested waivers.

Bill Lunt felt waiving the roads down to 22 feet was a good idea. He wondered if it was wise to have the roadway coming in from Lunt be 24 feet in order to allow for potential on-street parking in the future if they needed it.

Mr. Licht didn't think they had a problem doing that from Lunt Road up to the memory care building. Ethan Croce said sheet c-4 shows the roadway at 24 feet up to the parking lot at the memory care.

Mr. Teare didn't want to encourage on-street parking. He was concerned about the safety of the residents. He would rather expand existing lots.

Jay Chace wondered about the utility of the parcel that shows a potential senior apartment building and whether that location could be used for future parking. He supported the 24 foot road up to the memory care. Bernie Pender didn't have a problem with going to 22 feet; he liked Mr. Teare's comment about safety. He supported the idea of identifying the parcel for the senior apartment building as future parking. Kermit Stanley supported the 24 feet up to the memory care. Bill Benzing liked the idea of pushing the Lunt lot out if more parking was needed but he also supported the 24 foot width up to the memory care unit.

Jay Chace asked about the 1% increased rate of runoff on the 10 year storm. He was uncomfortable with this waiver without having had expert input on the stormwater, either from CCSWCD or DEP.

Mr. Licht said they revised that request to a 1% increase for the 10 and 25 year storm. This is on the discharge from the pond. The increase on the 10 year storm discharge is from 28.18 to 28.39 cu ft/sec. The computer modeling that they use is not accurate enough to make that substantiation. The 25 year storm discharge increases from 31.2 to 31.37 cu ft/sec. Statistically this is no increase. The accuracy levels presented by the modeling are not that accurate. They were agreeable if the Board would like to make the waiver conditional on the approval of the DEP.

Mr. Licht said they have requested that the Middle Road sidewalk be tied to the PPP (phase 5). They have suggested that the one additional cottage in the existing Oceanview lot be included with phase 1.

Jay Chace asked that the Middle Road sidewalk be added to the phasing plan. He was agreeable with it being tied to either phase 4 or phase 5.

Ethan Croce asked if the Board is comfortable deferring the design of that sidewalk to staff; it has not been designed yet. Bill Lunt was agreeable with that. The rest of the Board agreed.

Ethan Croce thought it would be tied to the cottages, the Motz redevelopment or the Plummer redevelopment, whichever came first. Mr. Licht agreed.

Bill Lunt thought Motz would belong to the town. He asked if the sidewalk would be triggered if the Town came in with Motz, even though the sidewalk is Oceanview's responsibility.

Mr. Teare thought that would be part of their discussions with the Town, as to when the sidewalk would be installed, but he thought that was correct.

Jay Chace pointed out that they made need an easement along there, if they can't put the sidewalk in the right of way.

Mr. Teare said it is part of the purchase and sale. If the town came in to do something on Motz, Oceanview would have to come to the Board with the design of the sidewalk.

Mr. Licht said that language regarding the sidewalk is in the easement language.

Ethan Croce wondered if they needed something on the plans to reserve an easement for a potential sidewalk since it might be on Oceanview property.

Mr. Licht thought the recording plat and the phasing plan has language regarding the sidewalk. He felt there was enough language between the Purchase & Sale, the easement language and the plans, but they would add any language the Board wanted.

Bill Lunt thought some language would be needed. Beyond the property belonging to phase 4 the sidewalk would be on private property and the Town would have to do some taking.

Mr. Licht asked what kind of wording might be desirable; Ethan Croce said general wording would be sufficient. He pointed out that if it is tied to construction of phase 4 and that phase comes first it would not come back to the Board.

Jay Chace asked about fencing around the pond. He hadn't envisioned fencing around the pond.

Mr. Licht clarified that the design concept was to have fencing along the front as a design element, but not around the whole pond. There is a safety bench; at normal water levels that bench is dry. Trails would follow around that bench. During a flooding event the bench would be covered.

Bill Lunt felt the fencing around the front was to prevent people who were using the green from chasing a ball into the pond. Mr. Licht agreed; they are envisioning a split-rail fence with chicken wire behind it where it can't be seen. This provides an efficient screen.

Mr. Licht said easement 3 is a 25 foot easement that was left along the Motz lot to provide for unforeseen needs like grading; there may be a need to shift piping or something they haven't anticipated. The easement along the Village Green is 40 feet; that allows for the fire lane and a drainage easement. The property line is up the hill, they need the 40 feet to locate the fire lane and drainage without getting into the slope. These are being reviewed by the Town. They will make the intent for the fire access lane off the Village Green parking lot clear on the final plans.

Bill Lunt asked about the 11% grade onto the fire lane off Marion Lane. He was concerned about tail dragging on the large fire trucks. Mr. Licht said they would review that grade change on that fire lane with the fire chief and get his approval.

Ethan Croce said Oceanview would be plowing both of the fire lanes; Mr. Licht said that was correct.

Ethan Croce said the detention pond would be the responsibility of Oceanview, despite the fact that it will be partially on the Village Green property. Mr. Licht said that was correct, with the allowance for the Town to enter the property.

Mr. Licht provided typical signage and location of signage. This is not their final signage master plan; when the PPP is completed they will have their final master plan. He identified the type and locations of the proposed signs.

Ethan Croce said the ordinance requires approval by the Board; the Board could defer some of all of the sign reviews to staff.

Bill Benzing wondered if the Board could approve a general sign template including color and style, with final details turned over to staff.

Ethan Croce said the applicant submitted a general design program. Mr. Licht said intent was to be consistent with general theme and typical design style.

Bill Lunt was comfortable with staff approving those signs, based on the signs being similar to Oceanview. He would like to see more information on the sign on the corner of Lunt and Falmouth. He assumed that it would be similar to the one on the corner of Blueberry and if it was the same, he was comfortable with staff approving it. Bernie Pender agreed. Mr. Teare said it would be just like it.

Mr. Licht said they will revise note 16 on the recording plat, allowing staff to review changes to unit designs based on field conditions. He asked about the proposed conditional agreement; they agreed with the partial line of credit for erosion control/sedimentation.

Ethan Croce said that prior to site work on any of the discrete phases, town staff would review and estimate what the appropriate amount would be for minimal erosion control measures to tidy up the site if necessary and either release that money back to the applicant after the phase was complete or roll it to the next phase if necessary.

Public comment period opened; no public comment.

Jay Chace felt there were a wide range of items; they are closing in on a number of them, but there were too many open items for a final approval. Bernie Pender agreed. Bill Benzing felt they were set for preliminary approval. Kermit Stanley agreed.



Jay Chace asked if the DEP permit is still pending. Mr. Licht said that was correct; they are hoping that it will be done by the end of the month. They felt any approval from the Board could be conditioned on approval by the DEP.

The Board discussed granting preliminary approval tonight, with final approval being allowed to come in as an administrative action item if all outstanding issues had been clearly addressed. This was done with Oceanview in the past. The Board took a straw poll on the waivers and indicated agreement with all of them; Jay Chace would like to see more detail on the stormwater plan. He also asked if the preliminary approval was for subdivision or site plan; Ethan Croce said that since site plan doesn't require preliminary approval, it is just on the subdivision.

Jay Chace moved to grant preliminary approval conditioned upon the applicants continuing to clarify the issues raised and address the elements on the site plan that have been identified; Kermit Stanley seconded. Motion carried 5-0.

**3. Kyle Noyes** – 234 Middle Road - Request for approval of a wall sign for Farr Horizons. Tax Sheet 234; Map-Lot U23-002. Zoned MRSD.

Ethan Croce said this application is for approval of an 18 sq. ft. wall sign. Both ordinance standards and Route 1 Design Guidelines apply to this property. Two possible designs have been submitted with this application. The sign conforms to the ordinance standards, but does not conform to the guidelines in several ways. The guidelines call for signs to be limited to 2-3 colors; this sign has 5. The guidelines also call for signs to minimize content and to avoid language relative to goods and services. Finally, the guidelines suggest content be limited to 30 letters or 7 bits; either of the two proposed alternatives seem to violate that guideline.

Kyle Noyes of Sign One representing Farr Horizons said they are asking that the Board use their discretion on the colors and consider the sign as having 3 colors instead of 5. The sign is 4 inches deep. The colors over the mountain are intended to convey depth and shading and are consistent with the business logo. The gray and purple are gradients. The owner is trying to clarify what kind of medical facility this is and so she is trying to advertise her services with her sign.

Bernie Pender asked if the applicant was aware that the ordinance says three colors; he counted 10 different colors on the sign. Mr. Noyes said he counted three: blue, green and white. Everything else are shadings and gradients.

Bernie Pender said those are still different colors. Mr. Noyes said the owner is trying to stay consistent with her branding and convey depth.

Bill Benzing could appreciate going along with the logo and branding; he thought it was hard to see the writing with the white clouds. He found the signs to be busy and suggested the applicant make it less busy and easier to read. They have to follow the guidelines. It doesn't blend into the building either. There are a bunch of things that don't go along with the ordinance. He suggested simplifying it to go along more with the ordinance.

Kermit Stanley didn't think it met the guidelines in several ways: the amount of letters and the coloring.

Bill Lunt said the Board has to enforce the ordinances. The goal of guidelines is simplicity; the goal of the sign is to say who you are, not who you are and what you are doing. This sign exceeds that by more than a little and there was no way he could justify this sign. It doesn't even come close. It has too many bits, too many letters. The intent of the signage in the village area is to make it say what you are, but not to have a lot of information about what you do.

Jay Chace thought the colors seem to go beyond where he would be comfortable using the flexibility of the ordinance. He didn't think the wording was too much to take in at a glance. He asked if there was a limit to the number of wall signs.

Ethan Croce said there is not an ordinance limit on the number, but on the amount of space on the wall they can use. The guidelines say a single sign panel should be used.

Mr. Noyes asked for the Board to table the application and allow him to come back with a new design.

Jay Chace moved to table, Kermit Stanley seconded. Motion carried 5-0.

**4. (Tabled) Falmouth Foreside LLC** – Request for a subdivision amendment to change the landscaping plan for the Mussel Cove Subdivision. Tax Sheet 240; Map-Lot U12-003. Zoned RA and RCZO.

**5. 7 West Falmouth Crossing, LLC** – Gray Road – Request for a Sketch Plan review for a proposed 6,120 sq. ft. medical office building. Tax Sheet 373; Map-Lot R05-044-007. Zoned WFCMPD.

Ethan Croce said the proposed facility would be at the corner of Gray Road and Leighton; it is one of the two remaining lots in the West Falmouth Crossing (WFC) master plan development district. There are 4 regulatory provisions that govern this zone: the Route 100 Corridor overlay district standards, the WFC master plan development district standards, the WFC master plan, and the Exit 10 Design Guidelines. Staff see no zoning compliance issues and the plan seems generally consistent with the WFC master plan. The applicant has proactively started the architecture and landscape architecture peer review process that always goes along with development in this district. Buffering and screening of the parking lot and the roadways, compliance with guidelines in regarding to pedestrian and bicycle connections, crosswalk connections across Leighton and the access drive, and building architecture will all be issues moving forward. The guidelines speak about a high design element at high visibility lot corners; it is difficult to do this with the building given the setback requirements. Staff have suggested an outdoor public space to address this element instead of using the building itself.

Bill Benzing was concerned about the parking on this lot and the minimum number of spaces required.

Ethan Croce said they would need 5 spaces/1,000 sq. ft. of leasable office/medical space. They are exceeding that by 3 spaces or so.

Bill Benzing was concerned with the parking during peak times. He was interested to hear about their experience with other developments of this type. Mercy has other quick care centers like this one.

Ethan Croce said the standards in the ordinance are minimum standards; the Board can request more.

Nathan Bateman of Bateman Partners said this is the fourth of this type of building that Mercy has built. He clarified that this is not a quick care center but a primary care building.

Bill Lunt asked how the spaces for this facility compare with the quick care center in Yarmouth. Mr. Bateman said it is the same ratio. Yarmouth has almost 11,000 sq. ft.; this building is only 6000 sq. ft.

Joe Laverriere of Deluca Hoffman described some of the discussions they have had with staff regarding some of the site elements. They are trying to be back before the Board next month for approval; Mercy needs to move from their current space and into this building in June of 2013. He presented the current plan and the changes they have made based on the staff discussions. They added a sidewalk along both Leighton and Gray roads. They have mirrored the building, moving the main entrance to the northern end of the building in order to get the entry. Based on ordinance standards, they would require 30 spaces; Mercy wanted 35 spaces which are shown on the plan. Sewer and water are stubbed for the site; stormwater was already shown on the master development plan, and they are under the number shown on

that plan. There is a pole on Leighton Road; they would bring the electrical underground from the pole to the building. They have tried to bring the building up to Gray Road as close as they could.

David Lloyd of Archetype Architects has designed several buildings in the area. The siding materials are a combination of clapboard and shingle; there are gables on each end, and they have added two dormers along the roof. The windows are proportioned to the building, and the rooflines are broken up to add diversity.

Bill Lunt said it looked consistent with the master plan and looks similar to the one in Yarmouth. It fits with everything over in that area. He was interested in how they would address that central spot on the corner.

Mr. Laverriere said it is a paver area with some seating; they want it to be a feature that both a pedestrian and a patient or staff member might want to use.

Jay Chace wanted them to think about the end user of the tail end of the Gray Road sidewalk. He thought that it looked disconnected. Mr. Laverriere thought there were plans for the Town to continue that in the future.

Bill Lunt asked if they have discussed the sidewalks with the Town already. Mr. Laverriere confirmed that they spoke with Ethan Croce about sidewalks.

Bill Lunt asked about landscaping along the edge of the parking area.

Mr. Laverriere said their primary focus has been the buffering along Leighton and Gray roads. The driveway has quite a hill that goes down into a depression area. It is maybe 20 feet lower than the road way.

Bill Lunt thought some landscaping along the road would help. Jay Chace suggested some landscaping around the dumpster area to soften it.

Mr. Laverriere said they have limited space to put the dumpster; they located it where they could have easy access to it off-hours.

Bernie Pender asked about the connections to the Irving station and how they would deal with the traffic flow. Mr. Laverriere said they are showing their best entrance on the plan.

Bernie Pender thought their parking lot empties onto the Irving parking lot.

Mr. Laverriere said that is correct; it is how it was shown on the master development plan and they are trying to stay consistent with that. They feel that most people will use the main entrance. They would have a stop sign where the parking lots meet.

Mr. Bateman said that is why they have way finding signs to direct people to that entrance.

Bill Lunt felt they are blending their site plan with what is already there. He didn't see a problem with it. He pointed out that the back parking lot at Irving doesn't get used very often.

**6. D Squared – 72 Foreside Rd.** – Request for a private way amendment to add one additional lot to Vintage Way. Tax Sheet 320; Map-lot U11-022-001, U11-021. Zoned RA and RCZO.

Ethan Croce said this application was before the Board in September; it was tabled due to concerns about drainage impacts of the new lot C to the abutter's property at the apartment complex. That application didn't conform to the conditional use criteria for drainage according to sections 8.3 and 8.7 of the ordinance. The Board requested a grading plan for the new lot, and for the applicant to work with the apartment complex property owner on a drainage plan. The parties have drafted a plan to improve the drainage ditch along the back of lot C and the apartment complex, make improvements to the existing swale and cleaning out some debris. Staff has heard from the abutting property owner that he consents to

the plans presented to the Board. Staff are comfortable that the applicant's engineer has addressed the issues, though the Town Engineer has not had an opportunity to address the most recent changes.

Steve Bradstreet of Ransom Consulting, representing the applicant, explained that they met with Walsh Engineering and set stakes along the property line which are noted on the plans. There was a blockage on the abutter's property from grass and brush clippings that were pushed out to the scrub. It considerably blocked drainage in the area. They tried to maintain a fairly consistent grade along all the stakes to maintain consistent flow. The swale is maybe 6 inches deep, with a crushed stone trench and underdrain underneath it. There is no loam over the crushed stone. They will drain along the property line and to the road. They met the criteria for keeping the drainage flowing. They will be cleaning out the swale and have a maintenance plan for keeping it clear. He pointed out an area in the back of lot C that is a depression; they are going to fill it and grade it so that it will drain into the swale. The home on lot C will be on a slab on grade and that is noted on the plans. They will be raising the home 1 or 2 feet, because code requires a 6 inch step between the garage and house. The water and sewer force main are shown in the road; the stubs into the driveway will need to be provided at construction. He showed on the plans where the underdrain will daylight and convert to a ditch. It is a fairly quick operation to excavate the trench and put in the crushed stone, and the disturbance would be 6 feet wide at most. It would be hydro-seeded afterwards. There would be a check dam at the most downstream point to prevent the sediment from exporting off the site.

Jay Chace asked him to confirm the date on the plans. Mr. Bradstreet said the abutter has confirmed that he is okay with the plans dated November 6, which are the plans submitted to the Board.

Bill Lunt asked if they are on the housing project's property as the swale goes along.

Mr. Bradstreet confirmed that they are on the abutter's property; they found one of the original granite monuments for the subdivision which was 25 feet from the centerline of his swale. It begins on lot C, cuts across to the abutter's property and then continues down the abutter's property the entire length.

Ethan Croce said the Town Engineer had not yet had an opportunity to review their responses in the last email.

Public comment period opened; no public comment.

Ethan Croce read the proposed conditions into the record, adding a condition that the plans meet with the approval of the Town Engineer.

Jay Chace moved to approve the application with the conditions are read by staff; Bernie Pender seconded. Motion carried 5-0.

Bill Benzing moved to take the item after 10:30 pm; Kermit Stanley seconded. Motion failed 2-3 (Lunt, Pender, Chace).

**7. Jonathan Cohen** – 24 Carroll St. – Request for a shoreland zone permit for a slope stabilization project. Tax Sheet 404; Map-lot U02-005. Zoned RA, RCZO WVOD and LR (Shoreland).

Tabled due to time.

Meeting adjourned at 10:41 pm.

Respectfully submitted,

Melissa Tryon  
Recording Secretary