

PLANNING BOARD

August 23, 2011 - Minutes

IC Darling, Asst

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A meeting of the Orleans Planning Board was called to order at 7:00 p.m. in the Nauset Meeting Room at the Orleans Town Hall. **Present: Chairman:** Chet Crabtree; **Vice-Chairman:** Steve Bornemeier; **Clerk:** Charles Bechtold; and John Fallender. **Planning Department Staff:** George Meserve; and **Secretary:** Karen Sharpless. **Also Present: Board of Selectmen Liaison:** Jon Fuller. **Absent:** Kenneth McKusick and **Associates:** Paul McNulty and Andrea Shaw-Reed.

Chet Crabtree recused himself due to a conflict of interest. Vice Chairman Steve Bornemeier led the meeting for the Approval Not Required Plan review.

APPROVAL NOT REQUIRED - Mary Ellen C. Van De Water & Livingston Van De Water, Trustees Of The Mary Ellen C. Van De Water Living Trust Agreement - 225 Brick Hill Road

Planning Board members discussed an Approval Not Required plan for a reconfiguration of a 2-lot division on land located on a town way shown on Assessor's maps as 225 Brick Hill Road. It was noted that both lots contain the required 150' of frontage and more than 40,000 square feet of buildable upland. Meserve questioned the accessibility of the 190' feet of frontage to the Lot 2 buildable upland area and questioned whether an easement would be required. Phil Scholomiti (Ryder & Wilcox) stated that the property is part of a living trust and is located in the residential district on the east side of Brick Hill Road. Scholomiti noted the previous plan for this property include registered property with bordering vegetated wetlands in the Conservancy District. Scholomiti stated Lot 1 has an existing dwelling and 2 sheds, and Lot 2 has adequate buildable upland. Scholomiti responded to the question of an easement with a statement that property in a single owner's name cannot have an easement to the same owner. Scholomiti noted that an easement for a driveway could be put in place when the lots are sold to individual owners. Meserve noted that this Approval Not Required plan meets all of the submittal requirements and recommended Planning Board endorsement.

MOTION: On a motion by **John Fallender**, seconded by **Chip Bechtold**, the Board voted to authorize the Planning Board Chairman to endorse the Approval Not Required plan prepared for Mary Ellen C. Van de Water and Livingston Van de Water, Trustees of the Mary Ellen C. Van de Water Living Trust, plan dated August 11, 2011, scale 1" = 40', prepared by Ryder & Wilcox, Inc.

VOTE: 3-0-0 The motion passed unanimously.

Chet Crabtree rejoined the meeting and resumed chairing the meeting.

VILLAGE CENTER

Report to the Board of Selectmen

Planning Board members reviewed a Village Center PowerPoint slide presentation to be presented to the Board of Selectmen in September 2011.

Planning Board Representative to Orleans Community Partnership

Planning Board members discussed nominating a Planning Board member as an "ex officio", non-voting member of the Orleans Community Partnership. Meservey noted that the Planning Board will have no express role in the vitalization of the Village Center, but would act as the conduit for any requests for information from the Town. It was agreed that the Planning Board liaison will help with communications between the groups.

MOTION: On a motion by **Chet Crabtree**, seconded by **Chip Bechtold**, the Board voted to appoint John Fallender as the Planning Board representative to the Orleans Community Partnership.

VOTE: 4-0-0 The motion passed unanimously.

NEW BUSINESS

Orleans Comprehensive Plan

Meservey reminded Planning Board members of the annual action item progress review and update of the Orleans Comprehensive Plan with input from Town departments, boards and committees which must be submitted to the Board of Selectmen by November 15.

Zoning Bylaw Task Force

Meservey noted that the Zoning Bylaw Task Force will commence their annual review of zoning articles which may need to be presented at town meeting.

CORRESPONDENCE

Beach Road Sidewalk Study Information

Planning Board members discussed the upcoming abutters meeting on August 24, 2011 regarding the petition to install a sidewalk on the southern side of Beach Road from the Barley Neck Inn to Nauset Beach. It was noted that correspondence has been received by the Planning Department both in support and opposition to the proposal. Meservey stated that the Planning Board has no active role in the concept or analysis of this issue, but does act as the keeper of the Orleans Comprehensive Plan which states that the town should take steps to install sidewalks where traffic is heavy. Meservey noted that the Annual Town Meeting in May 2010 appropriated \$6,000 for a feasibility study of the Beach Road sidewalk issue.

APPROVAL OF MINUTES: July 26, 2011

MOTION: On a motion by **John Fallender**, seconded by **Steve Bornemeier**, the Board voted to approve the minutes of July 26, 2011.

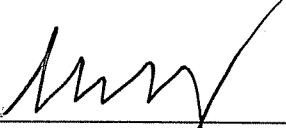
VOTE: 4-0-0 The motion passed unanimously.

ADJOURNMENT

MOTION: On a motion by **Steve Bornemeier**, seconded by **John Fallender**, the Board voted to adjourn at 7:40 p.m.

VOTE: 4-0-0 The motion passed unanimously.

SIGNED:


(Charles Bechtold, Clerk)

DATE:

10.11.11

LIST OF HANDOUTS FOR AUGUST 23, 2011 PLANNING BOARD MEETING:

1. Approval Not Required application for Mary Ellen C. Van de Water & Livingston Van de Water, Trustees of the Mary Ellen C. Van de Water Living Trust Agreement
2. Village Center Vitalization Slides, dated September 21, 2011
3. Letter from Senior Circuit Judge Harry T. Edwards on United States Court of Appeals stationery in opposition with the title "Proposal to Construct a Sidewalk on Beach Road", dated August 11, 2011.
4. Letter from William J. Babcock, Jr., in opposition to the proposed Beach Road sidewalk, dated August 15, 2011.
5. Letter from Cameron H. Eiseman in opposition to the Beach Road sidewalk, dated August 16, 2011.
6. Letter from Leila Koepp in opposition to the Beach Road sidewalk, dated August 15, 2011
7. Letter from George Meservey to Beach Road Property owners regarding a public meeting on Wednesday August 24, 2011 on the Beach Road sidewalk.
8. Copy of Policy Statement document dated 4, January 2000, entitled, "Waiver and Release of Land Damage Claims" for Beach Road.
9. Memorandum from Doug C. Prentiss from Fay, Spofford & Thorndike, LLC, entitled "Preliminary Construction Cost Estimate, Proposed Beach Road Sidewalk, Orleans, MA", dated May 6, 2011.
10. "Preliminary Estimate - Option 1A, Engineers Estimate of Quantities, Beach Road Sidewalk, Orleans, MA, Project No. PO-004", prepared by Fay, Spofford & Thorndike, dated May 2011.
11. Petition submitted to Board of Selectmen for a "Coast to Coast Sidewalk connecting Nauset & Skaket Beach", dated February 25, 2009.
12. "Doings" for Annual Town Meeting May 10, 2010, Article 28, entitled "Fund Layout of Beach Road from Main Street to Nauset Beach - by Petition".
13. Planning Board Minutes for July 26, 2011

