

Wellfleet Planning Board
Wednesday October 16, 2019 7PM
715 Old King's Hwy, Duck Pond Room
Meeting Minutes

Members Present: Gerald Parent, Chair; Bonnie Shepard, Andrew Freeman, Alfred Pickard (7:30pm)

Members Absent: Beth Singer, David Mead-Fox

Others Present: Tim Brady, East Cape Engineering; Don Horton, owner Josem Way; Rob Bukowski, Ameresco Representative; Rebekah Eldridge, Committee Secretary

Chair Parent called the meeting to order at 7:35pm

Announcements, Open Session & Public Comment: Note: Public comments must be brief. The board will not deliberate or vote on any matter raised solely during announcements & public comment.

Horton Subdivision, Josem Way (Map #42, Parcel #43)

- Tim Brady and Don Horton presented for the property. Brady asked the board to waive the 16-inch berms down to 12-inch berms for the entire length of the property. Freeman stated that in the future if a request for something other than what is in the regulations the request be in writing and recorded, for the official file. Pickard asked about the 16-inch berm rather than the 12-inch berm. Brady stated the hired contractor doesn't do a 16-inch berm.
- **Pickard moved to approve the waiver for a 12-inch berm and to change the 8-inch base course to 6-inches of reprocessed asphalt, on plan DWG: 12046road-2018 Job#12-046 revision date of August 22, 2019; Freeman seconded the motion; motion carried 4-0**
- Eldridge will email Billy Rogers to make sure an agreement has been made regarding the drainage in order to proceed with the paving next week. Horton asked the board if once the road is completed can he come before the board and get a release of covenant. Chair Parent stated the next meeting is November 6, 2019 he suggested putting in the lot release for that time and there shouldn't be any issues.

Hall Subdivision, Sam Hollow Road (Map #23, Parcel #73)

- Tim Brady represented the property and reported that the drainage is in the ground. There are new pits have been installed. He reported half of the trenching has been done. He reported that Bayside Electrical was at the property today and installed the power in the public layout. From the pole where the power will come from to the first pole box was installed today. A conduit was put in and placed in concrete. Brady reported they have done clearing and grubbing. He reported Billy Rogers the town's engineer has been to the site several times. Freeman stated he would like some communication that Rogers has been to the site and agrees with Brady as far as the progress.
- **No motions or votes were taken**

Ameresco

- Rob Bukowski presented to the board regarding the change in fencing for the solar panel project. He stated that the original fence that was submitted to the board was a one-inch fence extension to the fence to be up to code and then recommended a one-inch mesh extension for aesthetics. He reported that when they went to the procure the materials from the factory, they found that the factory welds the two parts together they don't vinyl coat the welded part and he feels that with the salt air he can't guarantee the fence for the twenty years as is in the contract with Ameresco. He is asking the board to allow him to get a factory manufactured part that is all PVC coated and will not exposed to the elements. The board discussed all options of changing the fence.
- **Pickard moved to approve the change in fence material plan dated September 18, 2019, Shepard seconded the motion; motion carried 4-0.**

Letter to the Selectboard

- Chair Parent updated the board that a letter was written to District Attorney Michael O'Keefe, from Dan Hoort with the direction of the selectboard. Pickard questioned the selectboard policy about taping the meetings. Chair Parent stated to the board that he spoke with KP Law regarding taping and was told that when asked originally KP Law didn't know there was a policy on taping. The policy was set in 2009 so it wasn't made aware to KP Law or the town administrator. He went on to inform the board that town counsel went to the attorney general and it was told that there is no law that the tapes cannot be destroyed. Pickard asked Eldridge to check with the Town Administrator to see which should be followed so the board is following the correct process.

Open Meeting Law Complaint

- Chair Parent informed the board that he was instructed by town counsel to have the board vote for a liaison to communicate with town counsel and then vote to have town counsel respond to the open meeting law complaint.
- **Freeman moved to have town counsel respond to the open meeting law complaint, filed by Jude Ahern on October 5, 2019; Pickard seconded the motion; motion carried 4-0**
- **Pickard moved to have the chair of the board be the liaison for all future matters. Freeman seconded; motion carried 4-0**

Minutes

- October 2, 2019 – **Pickard moved to approve the minutes as amended; Freeman Seconded the motion. Motion carried 4-0**

Topics for future concern - *Please note that all meetings are recorded, and a vote may be taken on any item of business

- Josem Way regarding single lot release. For the November 6th meeting.
- Report from TA regarding audio recordings, do we keep them, or do we delete once approved by the board members.

Meeting Adjourned 9:15pm