



## Town of Brewster Planning Board

2198 Main St., Brewster, MA 02631

brewplan@brewster-ma.gov

(508) 896-3701 x1133

### MEETING AGENDA

2198 Main Street

January 24, 2024 at 6:30 PM

#### Planning Board

Amanda Bebrin, Chair

Alexander Wentworth  
Vice Chair

Robert Michaels  
Clerk

Charlotte Degen

Madalyn Hillis-Dineen

Antone Freitas

Elizabeth Taylor

#### Town Planner

Jonathon Idman

#### Senior Department Assistant

Lynn St. Cyr

This meeting will be conducted in person at the time and location identified above. This means that at least a quorum of the members of the public body will attend the meeting in person and members of the public are welcome to attend in person as well. **As a courtesy only, access to the meeting is also being provided via remote means in accordance with applicable law. Please note that while an option for remote attendance and/or participation is being provided as a courtesy to the public, the meeting/hearing will not be suspended or terminated if technological problems interrupt the virtual broadcast or affect remote attendance or participation, unless otherwise required by law.** Members of the public with particular interest in any specific item on this agenda, which includes an applicant and its representatives, should make plans for in-person vs. virtual attendance accordingly.

Members of the public who wish to access the meeting may do so in the following manner:

**Phone:** Call (312) 626 6799 or (301) 715-8592. Webinar ID: 841 0778 1002. Passcode: 612505.

To request to speak: Press \*9 and wait to be recognized.

**Zoom Webinar:** <https://us02web.zoom.us/j/84107781002?pwd=VTVSV1ExaUNCL253NmNZV21Gdmo4dz09>  
Passcode: 612505. To request to speak: Tap Zoom "Raise Hand", then wait to be recognized.

When required by law or allowed by the Chair, persons wishing to provide public comment or otherwise participate in the meeting, may do so by accessing the meeting remotely, as noted above. Additionally, the meeting will be broadcast live, in real time, via **Live broadcast** (Brewster Government TV Channel 18), **Livestream** ([livestream.brewster-ma.gov](http://livestream.brewster-ma.gov)), or **Video recording** ([tv.brewster-ma.gov](http://tv.brewster-ma.gov)).

The Planning Board packet can be found on the Calendar on the Town of Brewster website ([www.brewster-ma.gov](http://www.brewster-ma.gov)). Please note that the Planning Board may take official action, including votes, on any item on this agenda.

1. Call to Order.
2. Declaration of a Quorum.
3. Meeting Participation Statement.
4. Recording Statement. As required by the Open Meeting Law we are informing you that the Town will be video and audio taping as well as broadcasting this public meeting. In addition, if anyone else intends to either video or audio tape this meeting they are required to inform the Chair.
5. Public Announcements and Comment. Members of the public may address the Planning Board on matters not on the meeting's agenda for a maximum of 3-5 minutes at the Chair's discretion. The Planning Board will not reply to statements made or answer questions raised during public comment but may add items presented to a future agenda.
6. **PUBLIC HEARING: Case No. 2024-02:** Applicant/Owner Town of Brewster proposes selective tree cutting or removal along the approximate 2.5 mile length of Millstone Road, associated with the Town's Millstone Road Improvements Project. As Millstone Road is a town way and designated scenic road, the Planning Board will hold a joint public hearing with the Tree Warden on the proposed tree work pursuant to Massachusetts General Laws Chapter 87, Section 3 and Chapter 40, Section 15C. Votes may be taken at the hearing.
7. 2023 Planning Board Annual Report. The Planning Board will review, discuss, and may vote to approve the draft annual report.
8. Stormwater Management by the Numbers. The Planning Board will review and generally discuss the number and type of stormwater management permits received in 2023.



**Planning Board**

Amanda Bebrin, Chair

Alexander Wentworth  
Vice Chair

Robert Michaels  
Clerk

Charlotte Degen

Madalyn Hillis-Dineen

Antone Freitas

Elizabeth Taylor

**Town Planner**

Jonathon Idman

**Senior Department**

**Assistant**

Lynn St. Cyr

9. Approval of Meeting Minutes: January 10, 2024.
10. Committee Reports.
11. For Your Information.
12. Matters Not Reasonably Anticipated by the Chair.
13. Next Meetings: February 14, 2024 and February 28, 2024.
14. Adjournment.

**Date Posted:**

01/17/24

**Date Revised:**

**Received by Town Clerk:**

2024 JAN 17 2:30 PM  
*[Signature]*  
BREWSTER TOWN CLERK

**CASE NO. 2024-02**

**JOINT PUBLIC HEARING WITH TREE WARDEN  
MILLSTONE ROAD IMPROVEMENTS PROJECT  
APPLICANT: TOWN OF BREWSTER**



Town of Brewster  
Planning Board  
Ch. 179 Application Cover Sheet

FOR TOWN OFFICIAL USE ONLY

TOWN CLERK RECEIVED:

24 JAN 2021 9:14 AM  
BREWSTER TOWN CLERK

PERMIT NUMBER ASSIGNED:

PR# 2021-02

Project Location:

Millstone Road

Street Address

Book 1291 Page 1139

Deed/ Title Reference

Assessors Map(s) and Parcel(s)

Roadway that abuts CH, RM, RL & RR

Zoning District(s)

Applicant:

Town of Brewster (c/o Griffin Ryder, DPW Director)

Name

2198 Main Street, Brewster, MA 02631

Mailing Address

508.896.3701

Phone Number

gryder@brewster-ma.gov

Email Address

Property Owner (if different than Applicant):

Name

Mailing Address

Phone Number

Email Address

Professional Representative:

Vanasse Hangen Brustlin, Inc. (c/o Steve Rhoads, Project Manager)

Name

101 Walnut Street, P.O. Box 9151, Watertown, MA 02472

Mailing Address

617.924.1770

Phone Number

srhoads@vhb.com

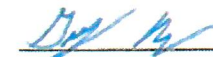
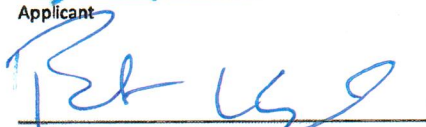
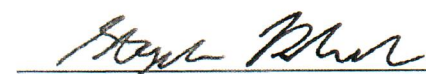
Email Address

Type of Application (Check as applicable):

- Special Permit  
(Zoning Bylaw Section 179-51 or list other or different Zoning Bylaw Sections, as applicable, below)
- Site Plan Review (Zoning Bylaw Section 179-63)
- Decision Modification (Provide relevant case number/s below)
- Decision Extension (Provide relevant case number/s below)
- Other (List Zoning Bylaw Section/s below) Joint Public Hearing with Tree Warden for proposed tree work on Millstone Road (a designated scenic road)

Brief Project Description: Please see the attached memorandum for the project description.

Signatures

|   |            |
|---|------------|
|    | 12.21.2023 |
| Applicant   | Date       |
|    | 12.21.2023 |
| Property Owner (if different than Applicant)  | Date       |
|  | 12.21.2023 |
| Professional Representative (as applicable)   | Date       |

*If the Applicant is not the Owner, the Application materials shall include the Owner's written consent or authorization to make application, or evidence that the Applicant's interest in the property is sufficient to make application (e.g. lease, P&S Agreement, etc.).*

*The burden is on the applicant to provide accurate, sufficient and complete information in the application. Attached is a checklist of materials and information required to be submitted for a complete application. Incompleteness could be cause for delays in review or denial of an application.*

*By making application, the Owner and Applicant hereby authorize the Planning Board and its agents to conduct site visits, at reasonable times, to assist in review of the application.*

*Please refer to current Planning Board schedule for application filing deadlines and associated meeting dates. The Board will make best efforts to work within this filing schedule but is not obligated to do so; the Board's review timelines are established under the Brewster Code and Massachusetts General Laws. In its discretion, the Board may agenda matters, which do not require public hearings, for the next available meeting even if received after the respective filing deadline.*

**Submit to: Brewster Planning Department  
Town Offices- 2198 Main Street  
Brewster, Massachusetts 02631-1898  
(508) 896-3701 x 1133  
brewplan@brewster-ma.gov**



# Town of Brewster

2198 Main Street  
Brewster, MA 02631-1898  
Phone: (508) 896-3701  
Fax: (508) 896-8089

Office of:  
Department of Public Works

## MEMORANDUM

**TO:** Brewster Planning Board  
**FROM:** Griffin Ryder, Department of Public Works Director  
**RE:** Millstone Road Improvement Project- Associated Tree Work  
Joint Public Hearing with the Planning Board and Tree Warden  
**DATE:** January 4, 2024

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The Town of Brewster is proposing to make improvements to Millstone Road, along its entire length, from Route 6A to Route 137 (approx. 2.5 miles). The proposal will increase/widen the existing, varied width (approx. 20-22 ft) cross-section of the roadway to create uniform 11-foot wide travel lanes, 1.5-foot wide shoulders and a continuous 5-foot wide sidewalk (separated with a grass strip where possible) (the “Project”). Currently, no sidewalks exist and shoulders are limited.

This roadwork project involves associated tree trimming, cutting or removal within or along the town owned road layout. Accordingly, the Town of Brewster, through its Department of Public Works, hereby requests that the Planning Board and Tree Warden hold a joint public hearing pursuant to and in accordance with Massachusetts General Laws Chapter 87, Section 3 and Chapter 40, Section 15C to consider the proposed tree work associated with the Project.

The Project design has been guided by a lengthy and robust process of public input and engagement. In fact, the original Project design was substantially changed following public forums and comment periods. The overarching philosophy of the current design is how to best maintain the existing character of the roadway and minimize the overall impact to vegetation and abutting properties while implementing safety enhancements for motorists, pedestrians, and bicyclists. The redesign included reducing the cross-section width which in turn helped to reduce the amount of tree removal necessary.

This iterative, public design process also involved field inspections by Town staff and meetings by Town staff with property owners along the Project corridor to, among other things, further refine and minimize the amount of tree work necessary to accommodate the Project and to ensure safety and convenience in the road right-of-way (ROW), as follows:

- The Tree Warden and the DPW Director walked the roadway on a few separate occasions to identify larger diameter trees (9” diameter or greater) that were stand alone and not part of a larger forested area that would need to be removed per the design.
- The Tree Warden also identified trees that were already dead or had been damaged by utility line clearing or by disease or insects.

- Following these site walks, the DPW Director closely reviewed the trees identified per the parameters above that were to be removed on the site plans.
- Following this initial review of the site plans, additional trees that could be saved were identified. These trees were then reviewed again in the field and the plans adjusted. This iterative process will continue up to and through construction (and post-construction close-out activities)

The larger stand-alone trees in the Town's ROW that have been identified for removal are depicted in the plansheet sheets included with and in support of this request and have also been marked in the field with survey ribbon. None of these trees are particularly unique or extraordinary. Included on the following pages are some photos of a few locations along the roadway corridor to help describe existing context.

Following the original construction of the roadway in the 1960's, the surrounding vegetation of trees and bushes generally has since filled in areas adjacent to the roadway. It has been recognized through the design process that some level of vegetation removal, cutting and trimming would be required, irrespective of the Project, as standard maintenance to create or maintain safe sight lines in the ROW. Another aim of the project is to ensure safety for all roadway users into the future and to minimize, as practical, the Town's maintenance costs and obligations in the ROW going forward.

As it stands today, outside of the occasional trees and shrubs associated with residential developments abutting the road, the road edges are generally heavily and continuously forested. Approximately 1,600 linear feet of land abutting the roadway is undeveloped and owned by the State (Nickerson State Park), the Town of Brewster or Brewster Conservation Trust, with forest that extends well beyond the Project limits and ROW depth. In large part, these areas both define and ensure the continued, desirable wooded character of the surrounding area and road corridor.

As part of its field outreach, Town staff has also been working with property owners along the roadway to address concerns about the loss of vegetation specific to those properties, including anticipated screening and buffering issues. Depending on the level of particular impact anticipated, and within the confines of the Project design and available funds, replacement trees and shrubs may be offered in certain cases. These discussions will continue through completion; before, during and after construction. In any case, replacement vegetation will be installed (likely on private property) so as not to interfere with the safety or appropriate use within the ROW, and to avoid ongoing maintenance cost or obligation to the Town. A sample palette of appropriate, native species that might be offered through this program have been included in support of the request.

I look forward to meeting and discussing this item at the Planning Board's next available, regularly scheduled meeting, which I understand is January 24, 2024. I'm happy to coordinate site visits or provide additional information through Planning Staff in the meantime.



*Photo 1- Photo Looking North of Large Maple Trees to Remain in Front of 108 Millstone Road*



*Photo 2- Photo Looking North at Stand Alone Oak Trees to be removed at 328 Millstone Road.*





*Photo 3- Example of Trees Impacted by Utility Line Clearing.*



*Figure 4- Photo looking east of example of forested edge.*

# TOWN OF BREWSTER PUBLIC WORKS DEPARTMENT

TOWN OF BREWSTER  
MILLSTONE ROAD  
TITLE SHEET & INDEX  
SHEET 01 OF 123

## PLAN AND PROFILE OF MILLSTONE ROAD

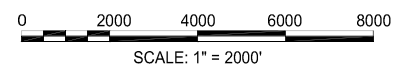
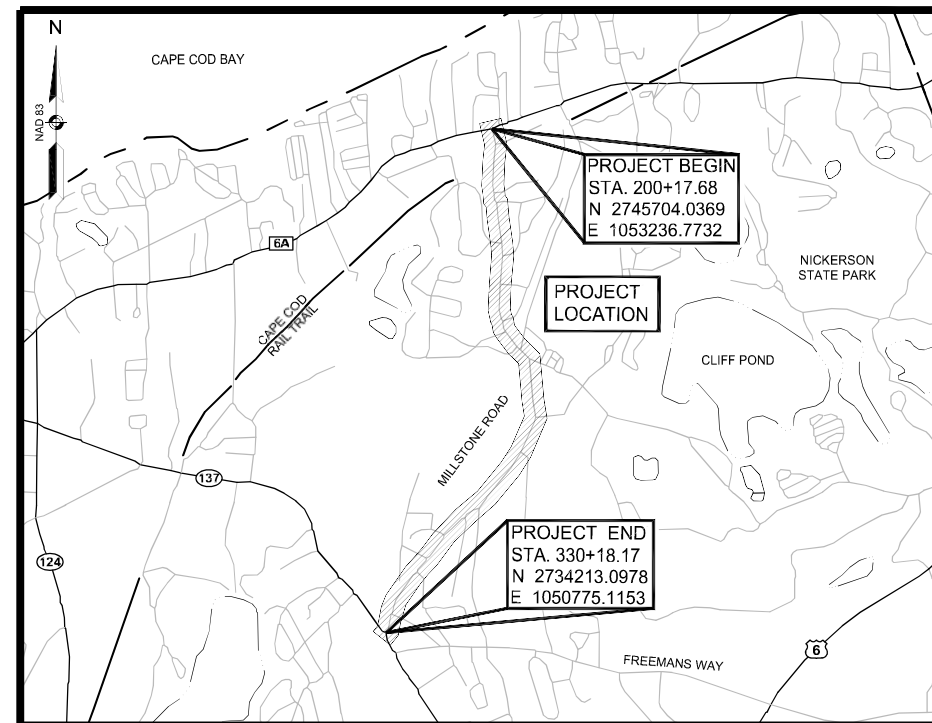
### IN THE TOWN OF BREWSTER BARNSTABLE COUNTY

THE OCTOBER 2017 CONSTRUCTION STANDARD DETAILS, THE 2015 OVERHEAD SIGNAL STRUCTURE AND FOUNDATION STANDARD DRAWINGS, MASSDOT TRAFFIC MANAGEMENT PLANS AND DETAIL DRAWINGS, THE 1990 STANDARD DRAWINGS FOR SIGNS AND SUPPORTS, THE 1968 STANDARD DRAWINGS FOR TRAFFIC SIGNALS AND HIGHWAY LIGHTING, AND THE LATEST EDITION OF THE AMERICAN STANDARD FOR NURSERY STOCK.

Abbreviated Tree Hearing Planset  
(The highlighted sheets in the index below  
are included in this set)

#### INDEX

| SHEET NO. | DESCRIPTION   |
|-----------|---|
| 01        | TITLE SHEET & INDEX                                       |
| 02        | LEGEND  |
| 03        | ABBREVIATIONS & GENERAL NOTES                             |
| 04        | KEY PLAN  |
| 05 - 06   | TYPICAL SECTIONS  |
| 07        | CONSTRUCTION BASELINE TABLES                              |
| 08 - 19   | CONSTRUCTION PLANS  |
| 20 - 31   | PROFILES  |
| 32 - 43   | ALIGNMENT & GRADING PLANS                                 |
| 44 - 55   | TRAFFIC PLANS   |
| 56 - 57   | TRAFFIC SIGN SUMMARY SHEET                                |
| 58        | TRAFFIC SIGNAL DETAILS                                    |
| 59 - 63   | TEMPORARY TRAFFIC CONTROL PLANS                           |
| 64 - 75   | UTILITY PLANS   |
| 76 & 76A  | LANDSCAPE PLAN & DETAILS                                  |
| 77 - 82   | CONSTRUCTION DETAILS TREE PROTECTION DETAIL SHEET 82 ONLY |
| 83 - 123  | CROSS SECTIONS  |




LENGTH OF PROJECT = 13,022 FEET = 2.466 MILES

100% DESIGN

#### DESIGN DESIGNATION (MILLSTONE ROAD)

DESIGN SPEED 35-40 MPH  
FUNCTIONAL CLASSIFICATION MINOR ARTERIAL

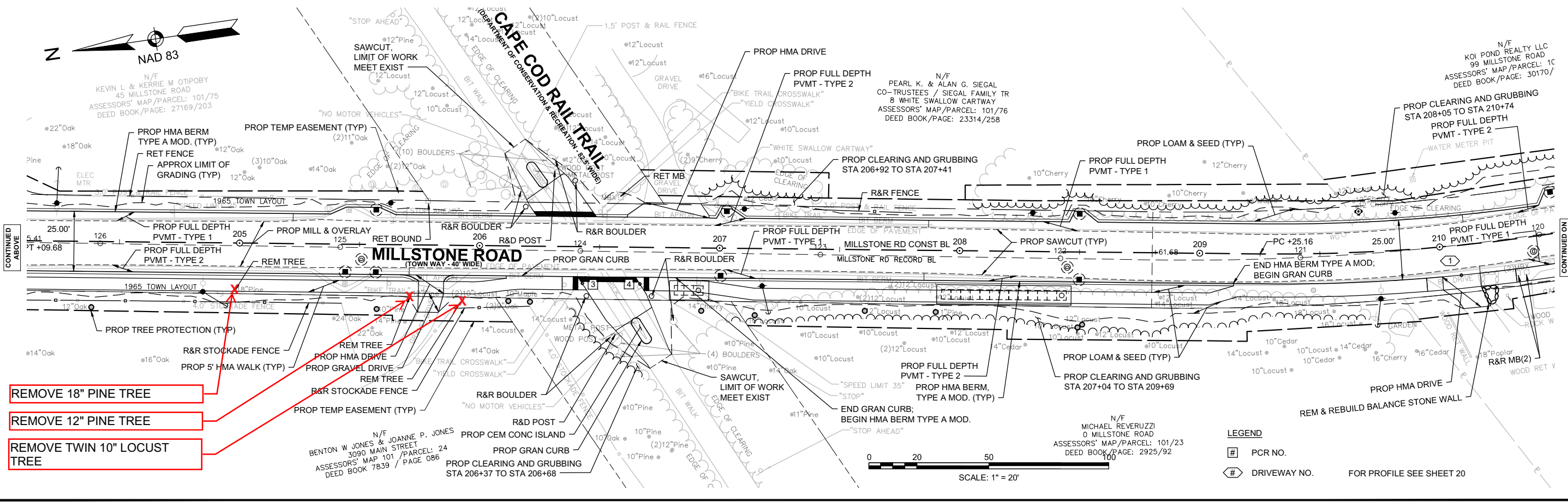
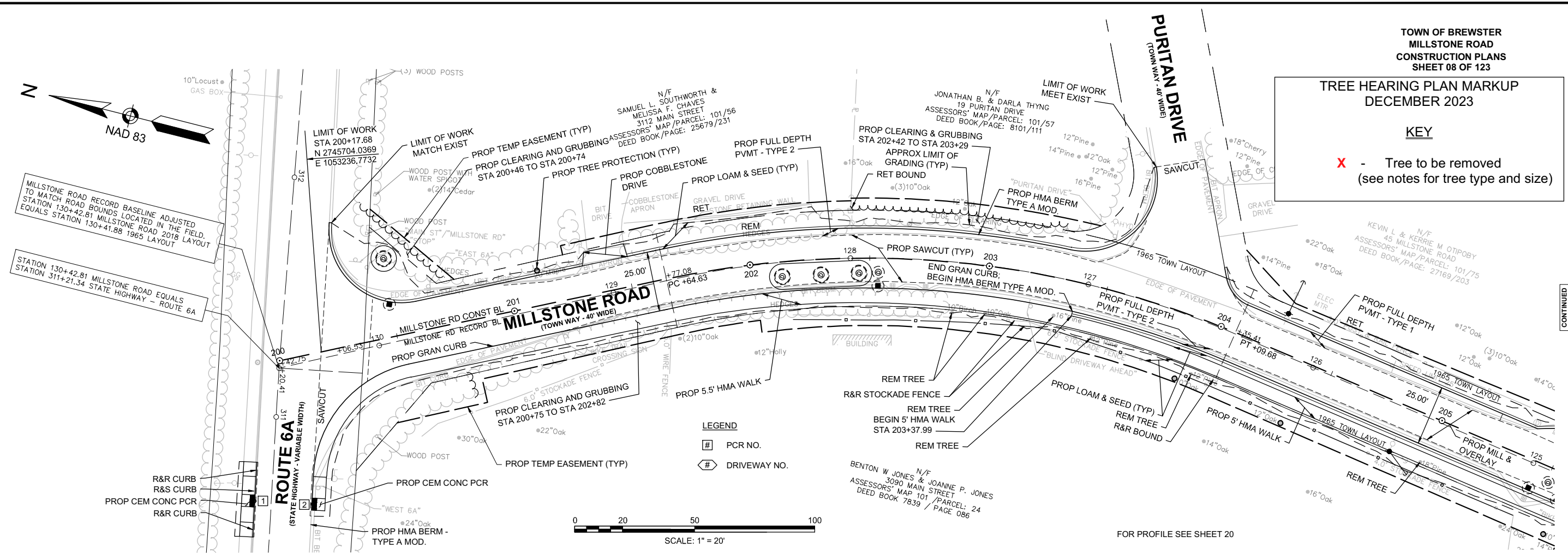
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|------|-------------|-------|
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|      |             |       |
|      |             |       |

|   |                       |  |
|---|-----------------------|--|
| ENGINEER  | DATE                  |  |
|  <b>Vanasse Hangen Brustlin, Inc.</b><br>101 Walnut St., PO Box 9151<br>Watertown, MA 02472<br>617.924.1770 FAX 617.924.2286 |                       |  |
| DESIGNED BY<br>MLD  | APPROVED BY<br>SHK    | SHEET OF<br>01 123                         |
| DRAWN BY<br>DJM   | DTG CHECKED BY<br>SJR | VHB CAD FILE NAME<br>14170.00_HD(COV) - 01 |
| CHECKED BY<br>SJR   | DATE<br>OCTOBER, 2022 | JOB NO.<br>14170.00                        |

TREE HEARING PLAN MARKUP  
DECEMBER 2023

KEY

X - Tree to be removed  
(see notes for tree type and size)



REMOVE 18" PINE TREE

REMOVE 12" PINE TREE

REMOVE TWIN 10" LOCUST TREE

CONTINUED BELOW

CONTINUED ON SHEET NO. 09

TREE HEARING PLAN MARKUP  
DECEMBER 2023

TOWN OF BREWSTER  
MILLSTONE ROAD  
CONSTRUCTION PLANS  
SHEET 09 OF 123

KEY

X - Tree to be removed  
(see notes for tree type and size)

HENRY'S ROAD  
(PRIVATE WAY - 40' WIDE)



NAD 83

N/F  
KOI POND REALTY LLC  
99 MILLSTONE ROAD  
ASSESSORS' MAP/PARCEL: 101/78  
DEED BOOK/PAGE: 30170/137

PROP TEMP EASEMENT (TYP)

PROP PERMANENT

N/F  
NOAH & MEGAN EHRENPREIS  
133 MILLSTONE ROAD  
ASSESSORS' MAP/PARCEL: 101/79  
DEED BOOK/PAGE: 31040/266

PROP HMA DRIVE  
R&R MB

DONALD W. MCNICHOLO TRUSTEE  
DONALD W. MCNICHOLO REVOC TR  
139 MILLSTONE ROAD  
ASSESSORS' MAP/PARCEL: 101/80  
DEED BOOK/PAGE: 26375/83

EDGE OF CLEARING  
LIMIT OF WORK  
MEET EXIST

PROP CLEARING AND GRUBBING  
STA 214+28 TO STA 215+18

N/F  
PAUL F. MULLIN  
159 MILLSTONE ROAD  
ASSESSORS' MAP/PARCEL: 101/100  
DEED BOOK/PAGE: 26314/34

RET STONE  
RET WALL  
R&R MB  
PROP GRAVEL  
DRIVE  
PROP HMA  
DRIVE

MILLSTONE ROAD

+55.44 211 (TOWN WAY - 40' WIDE)

PROP GRAN CURB  
STA 210+98 TO 212+39

PROP HMA DRIVE

PROP HMA DRIVE

PROP MILL &  
OVERLAY

PROP FULL DEPTH  
PAVEMENT - TYPE 1

PROP HMA DRIVE

REMOVE 10" BIRCH TREE

REMOVE TWIN 10" OAK TREE

REMOVE 10" OAK TREE

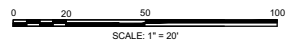
REMOVE 9" MAPLE TREE

LEGEND

# PCR NO.

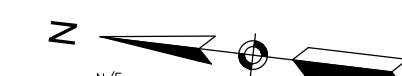
# DRIVEWAY NO.

FOR PROFILE SEE SHEET 21



CONTINUED ON  
SHEET NO. 08

CONTINUED  
BELOW



NAD 83

N/F  
PAUL F. MULLIN  
159 MILLSTONE ROAD  
ASSESSORS' MAP/PARCEL: 101/100  
DEED BOOK/PAGE: 26314/34

KING PHILIP ROAD  
(PRIVATE WAY - 40' WIDE)

N/F  
TODD L. & JANE F. SCHOFIELD  
179 MILLSTONE ROAD  
ASSESSORS' MAP/PARCEL: 100/66  
DEED BOOK/PAGE: 8204/083

N/F  
DAVID F. NEVERS  
193 MILLSTONE ROAD  
ASSESSORS' MAP/PARCEL: 100/67  
DEED BOOK/PAGE: 29078/133

N/F  
FERNANDO J. & SHEILA J. DIMAGGIO  
203 MILLSTONE ROAD  
ASSESSORS' MAP/PARCEL: 100/68  
DEED BOOK/PAGE: 29633/92

N/F  
KEVIN P. & NANCY D. FITZGIBBONS  
213 MILLSTONE ROAD  
ASSESSORS' MAP/PARCEL: 100/69  
DEED BOOK/PAGE: 11682/066

MILLSTONE ROAD

+54.02222

PROP HMA DRIVE

PROP HMA DRIVE

PROP FULL DEPTH  
PVT - TYPE 2

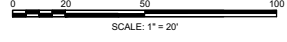
PROP HMA DRIVE

LEGEND

# PCR NO.

# DRIVEWAY NO.

FOR PROFILE SEE SHEET 21



CONTINUED ABOVE

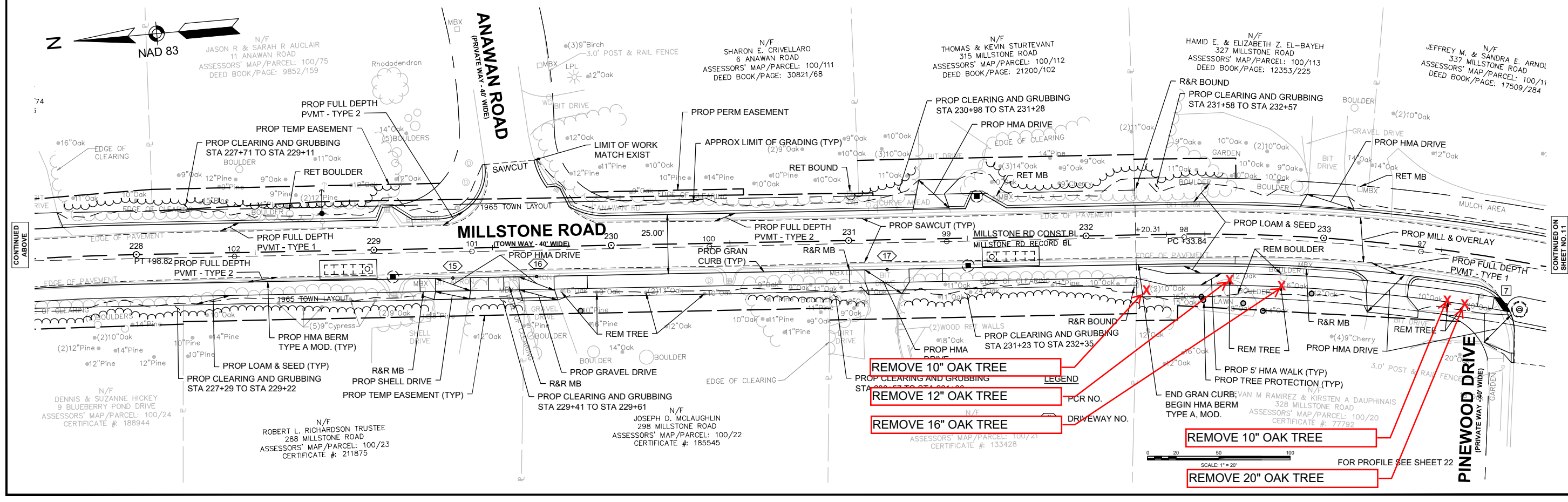
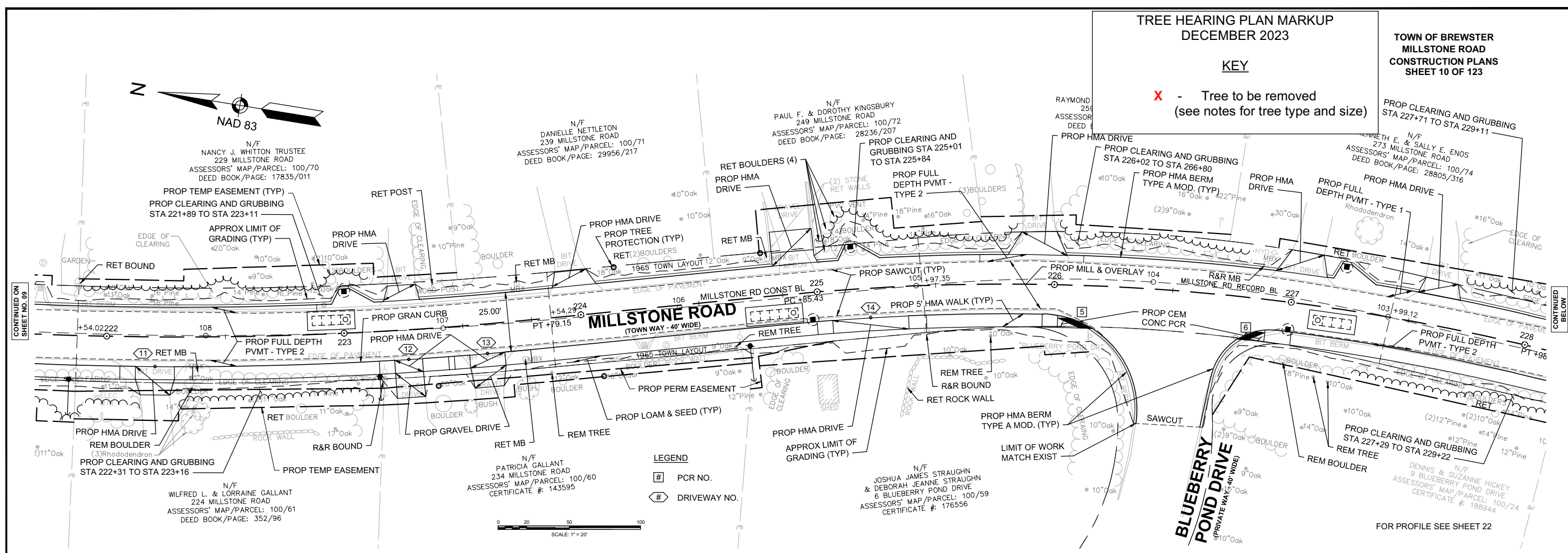
CONTINUED ON  
SHEET NO. 10

TREE HEARING PLAN MARKUP  
DECEMBER 2023

TOWN OF BREWSTER  
MILLSTONE ROAD  
CONSTRUCTION PLANS  
SHEET 10 OF 123

KEY

X - Tree to be removed  
(see notes for tree type and size)



Continued Below

Continued on Sheet No. 11

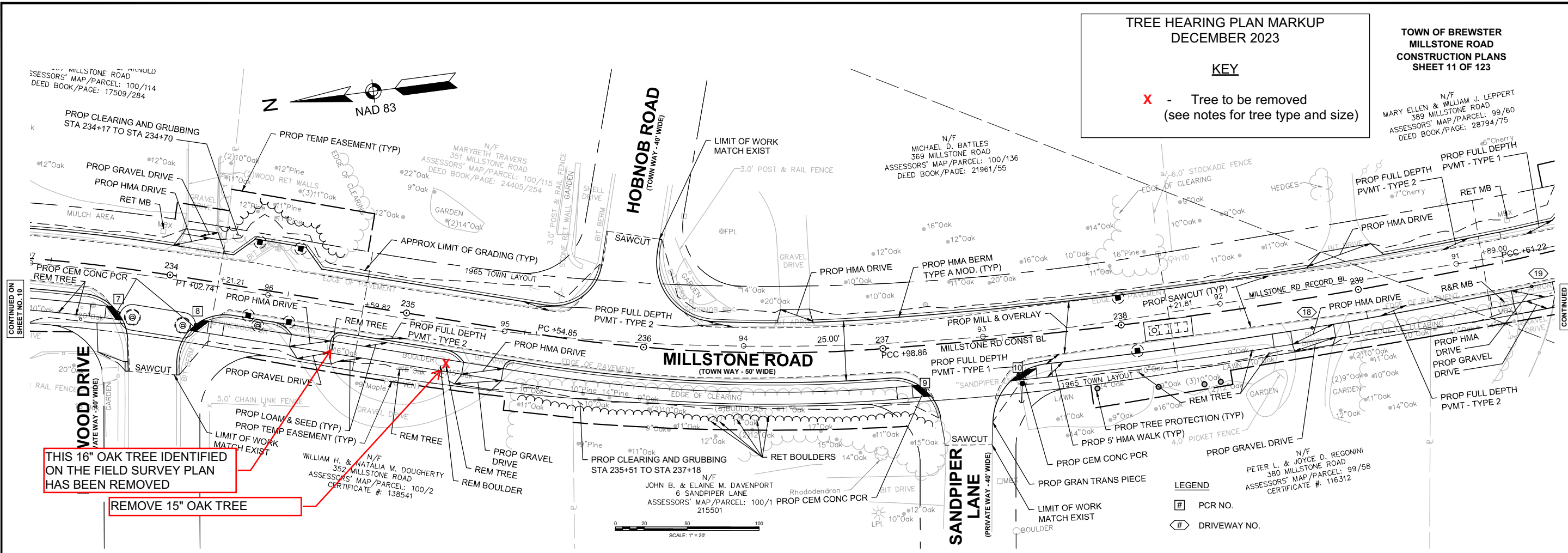
TREE HEARING PLAN MARKUP  
DECEMBER 2023

TOWN OF BREWSTER  
MILLSTONE ROAD  
CONSTRUCTION PLANS  
SHEET 11 OF 123

KEY

X - Tree to be removed  
(see notes for tree type and size)

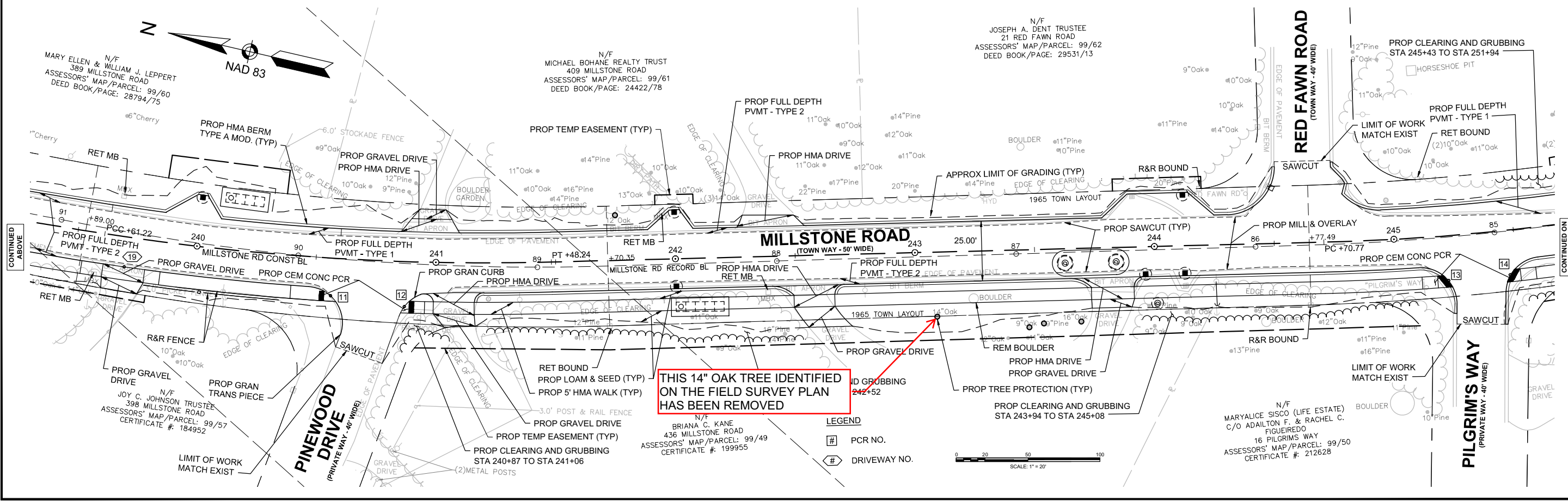
N/F  
MARY ELLEN & WILLIAM J. LEPPERT  
389 MILLSTONE ROAD  
ASSESSORS' MAP/PARCEL: 99/60  
DEED BOOK/PAGE: 28794/75



THIS 16" OAK TREE IDENTIFIED  
ON THE FIELD SURVEY PLAN  
HAS BEEN REMOVED

REMOVE 15" OAK TREE

LEGEND  
# PCR NO.  
# DRIVEWAY NO.



THIS 14" OAK TREE IDENTIFIED  
ON THE FIELD SURVEY PLAN  
HAS BEEN REMOVED

LEGEND  
# PCR NO.  
# DRIVEWAY NO.

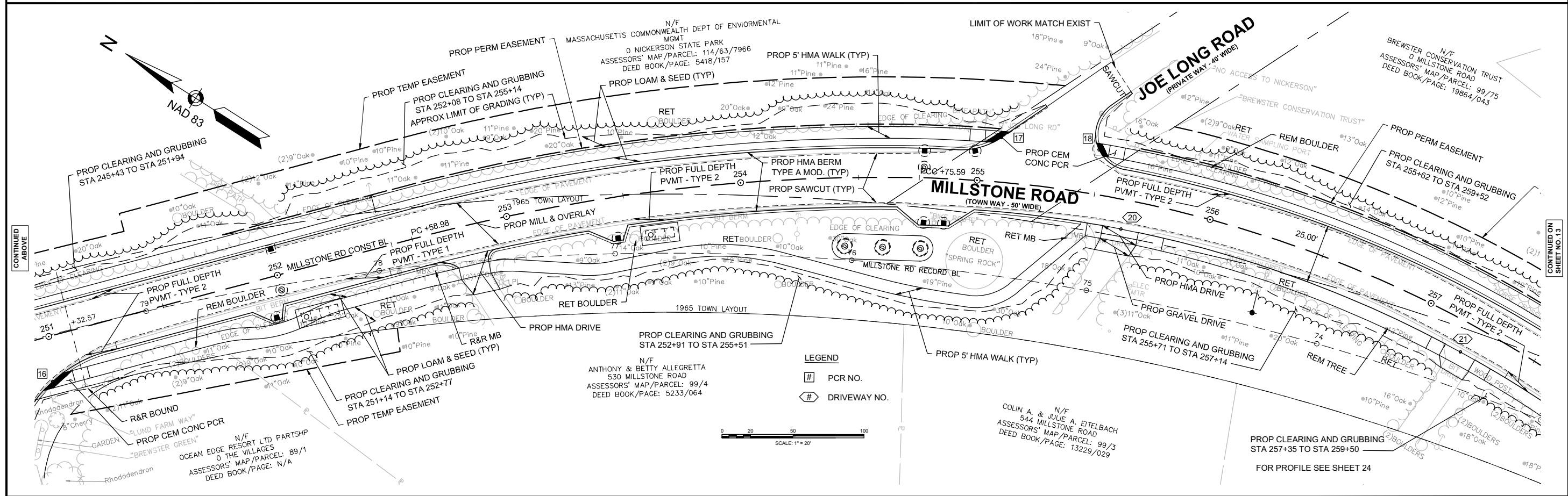
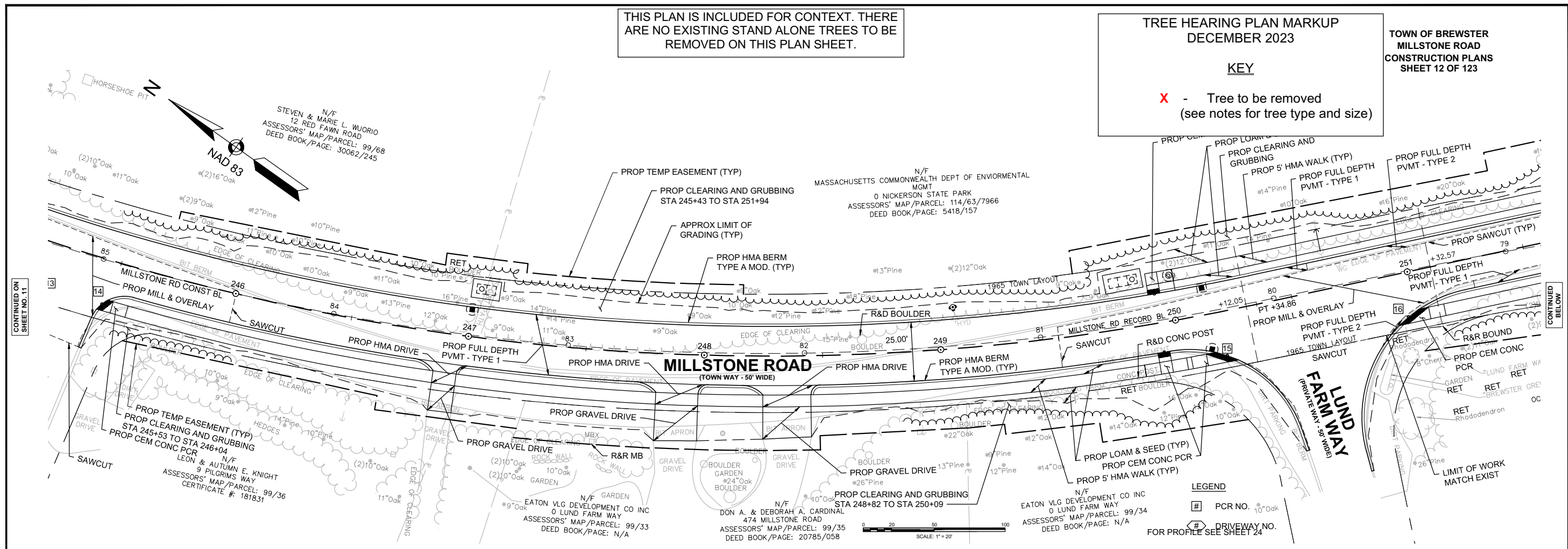
THIS PLAN IS INCLUDED FOR CONTEXT. THERE ARE NO EXISTING STAND ALONE TREES TO BE REMOVED ON THIS PLAN SHEET.

TREE HEARING PLAN MARKUP  
DECEMBER 2023

TOWN OF BREWSTER  
MILLSTONE ROAD  
CONSTRUCTION PLANS  
SHEET 12 OF 123

KEY

X - Tree to be removed  
(see notes for tree type and size)

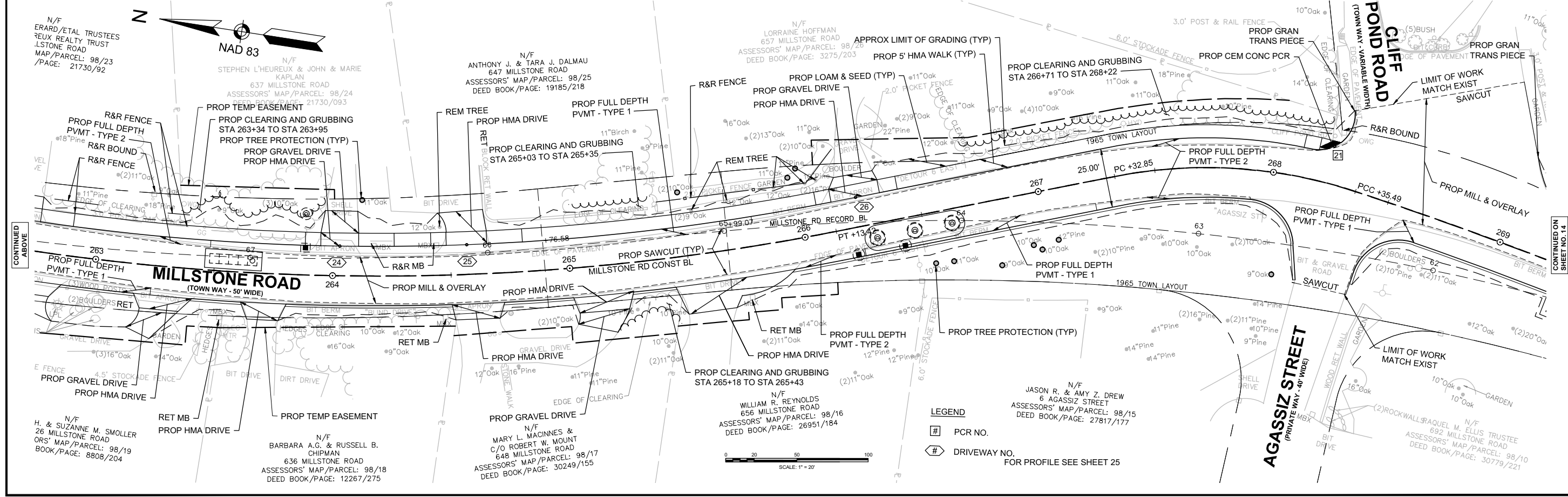
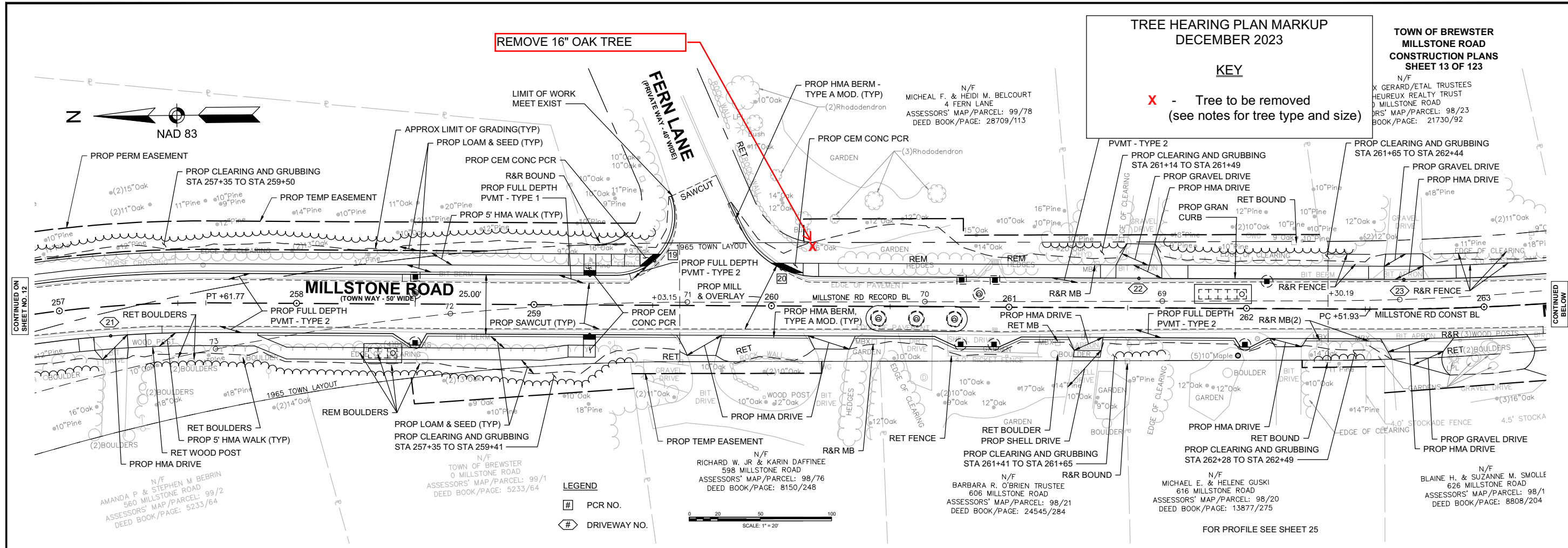


**TREE HEARING PLAN MARKUP**  
**DECEMBER 2023**

**KEY**

**X** - Tree to be removed  
 (see notes for tree type and size)

**TOWN OF BREWSTER**  
**MILLSTONE ROAD**  
**CONSTRUCTION PLANS**  
**SHEET 13 OF 123**



CONTINUED ON SHEET NO. 12

CONTINUED BELOW

CONTINUED ABOVE

CONTINUED ON SHEET NO. 14

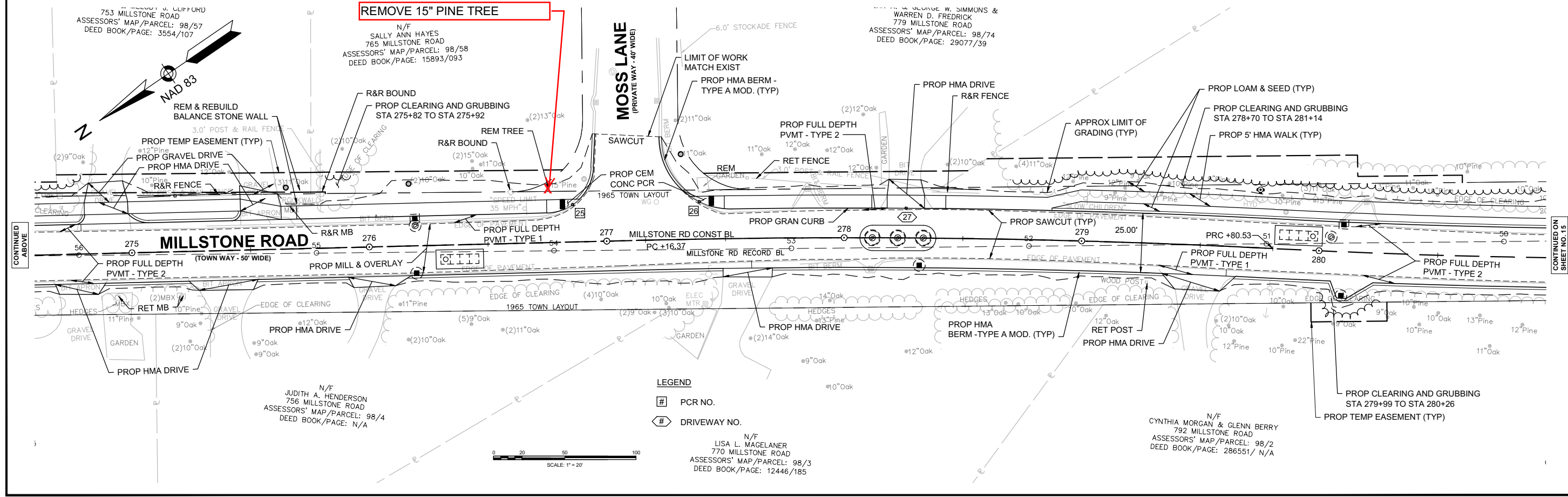
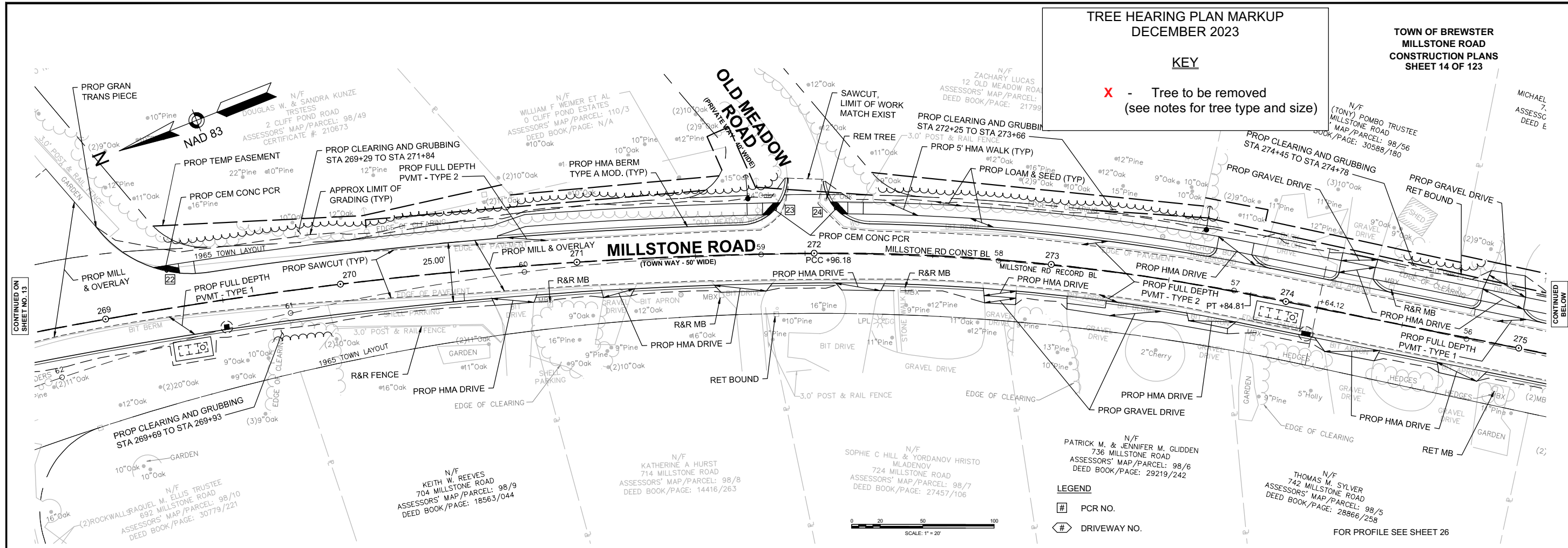


TREE HEARING PLAN MARKUP  
DECEMBER 2023

TOWN OF BREWSTER  
MILLSTONE ROAD  
CONSTRUCTION PLANS  
SHEET 14 OF 123

KEY

X - Tree to be removed  
(see notes for tree type and size)



CONTINUED ON  
SHEET NO. 13

CONTINUED  
BELOW

CONTINUED  
ABOVE

CONTINUED  
ON  
SHEET NO. 15

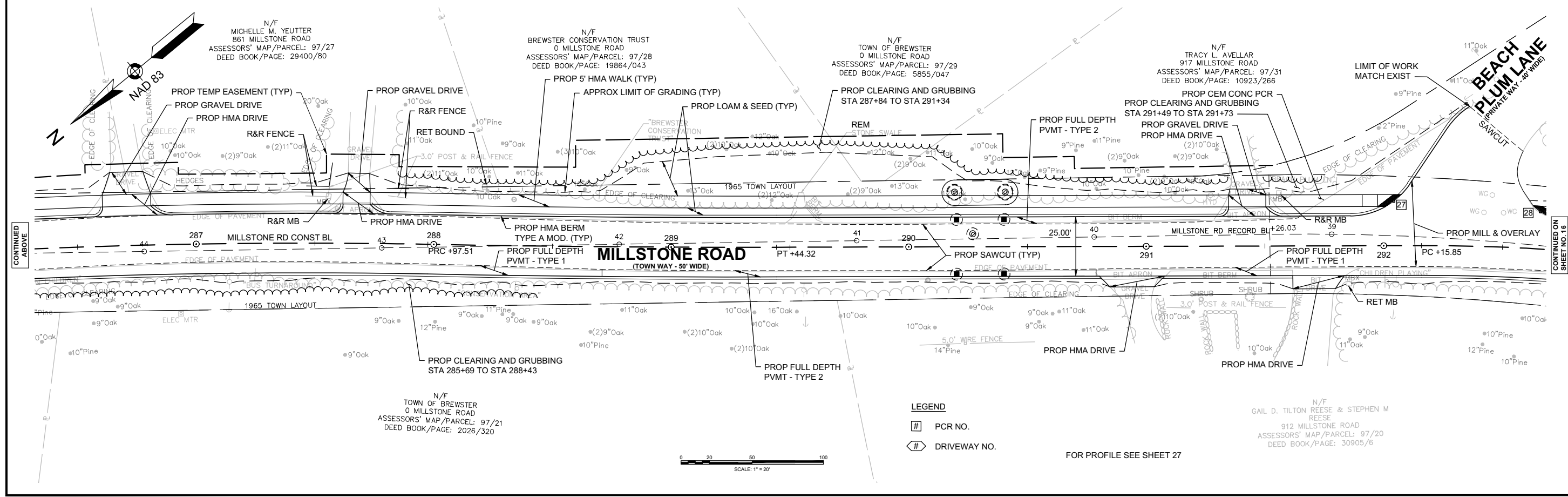
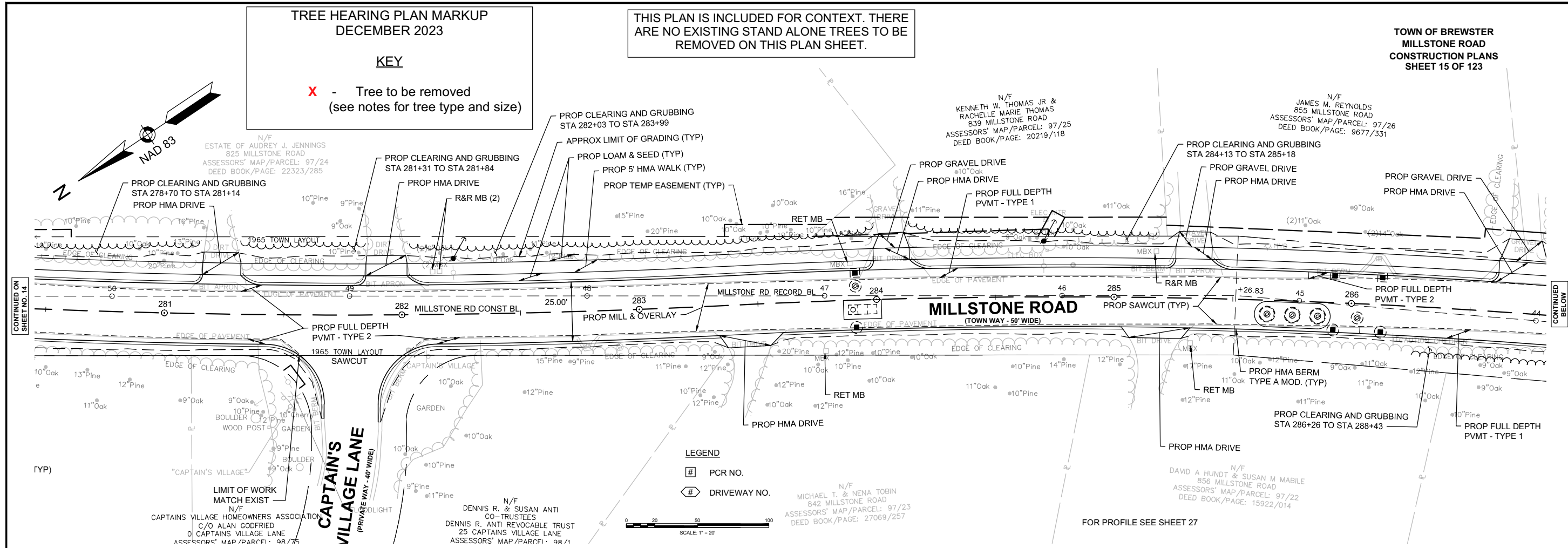
TREE HEARING PLAN MARKUP  
DECEMBER 2023

KEY

X - Tree to be removed  
(see notes for tree type and size)

THIS PLAN IS INCLUDED FOR CONTEXT. THERE ARE NO EXISTING STAND ALONE TREES TO BE REMOVED ON THIS PLAN SHEET.

TOWN OF BREWSTER  
MILLSTONE ROAD  
CONSTRUCTION PLANS  
SHEET 15 OF 123



14170.00\_H01GEN1.DWG  
Plotted on: 26-Oct-2023 1:37 PM

CONTINUED ON  
SHEET NO. 14

CONTINUED  
BELOW

CONTINUED  
ABOVE

CONTINUED ON  
SHEET NO. 16

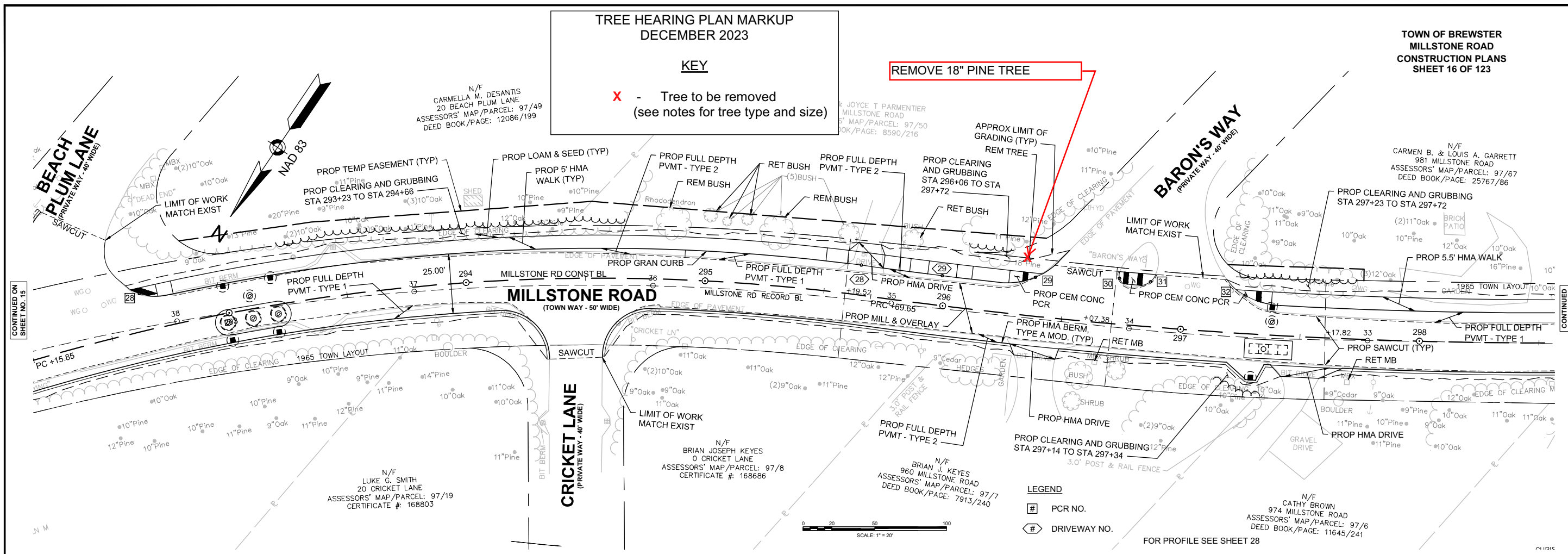
TREE HEARING PLAN MARKUP  
DECEMBER 2023

KEY

X - Tree to be removed  
(see notes for tree type and size)

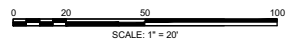
REMOVE 18" PINE TREE

TOWN OF BREWSTER  
MILLSTONE ROAD  
CONSTRUCTION PLANS  
SHEET 16 OF 123

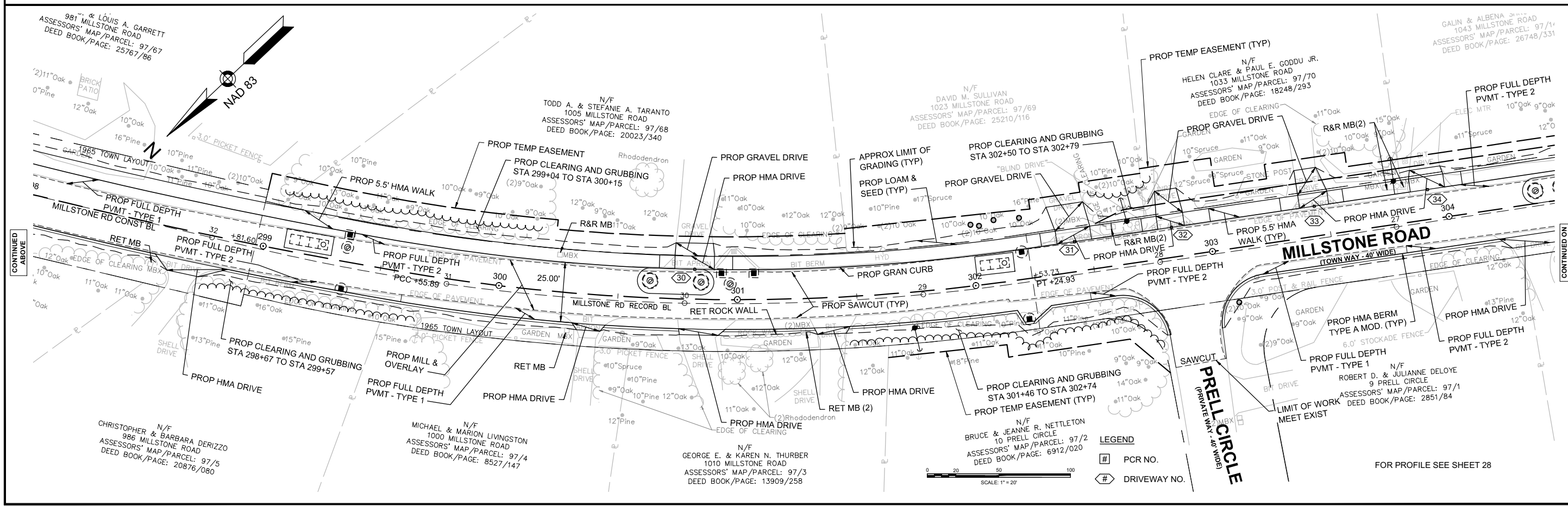


LEGEND

- # PCR NO.
- # DRIVEWAY NO.

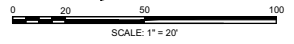


FOR PROFILE SEE SHEET 28



LEGEND

- # PCR NO.
- # DRIVEWAY NO.



FOR PROFILE SEE SHEET 28

CONTINUED ON  
SHEET NO. 15

CONTINUED  
BELOW

CONTINUED  
ABOVE

CONTINUED  
ON  
SHEET NO. 17

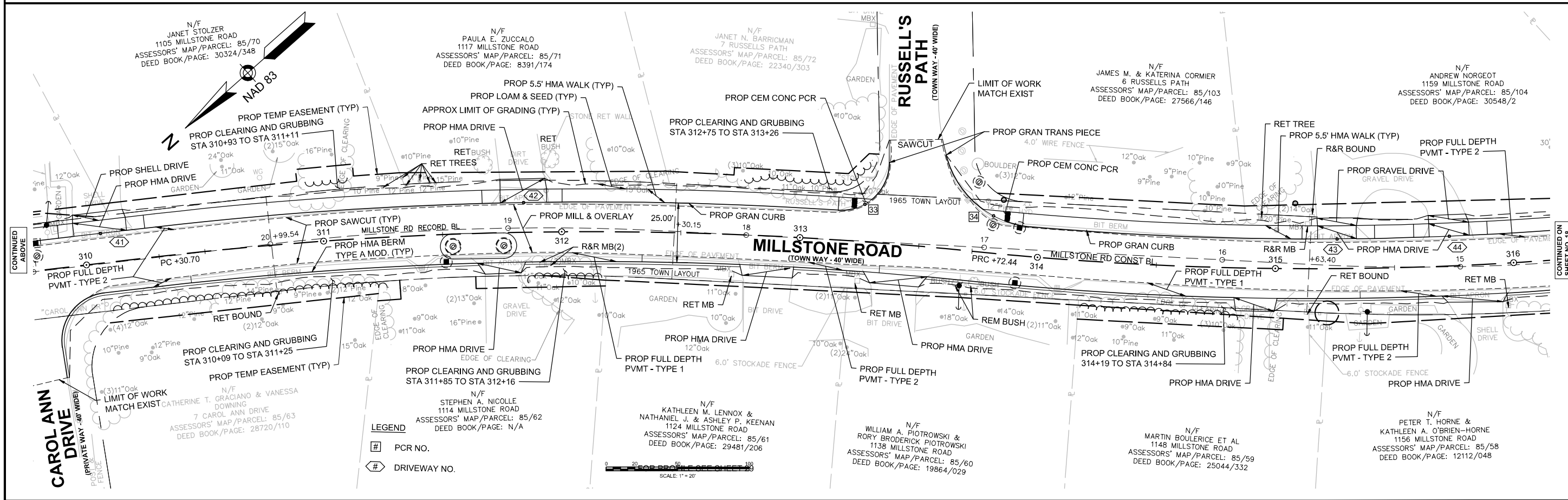
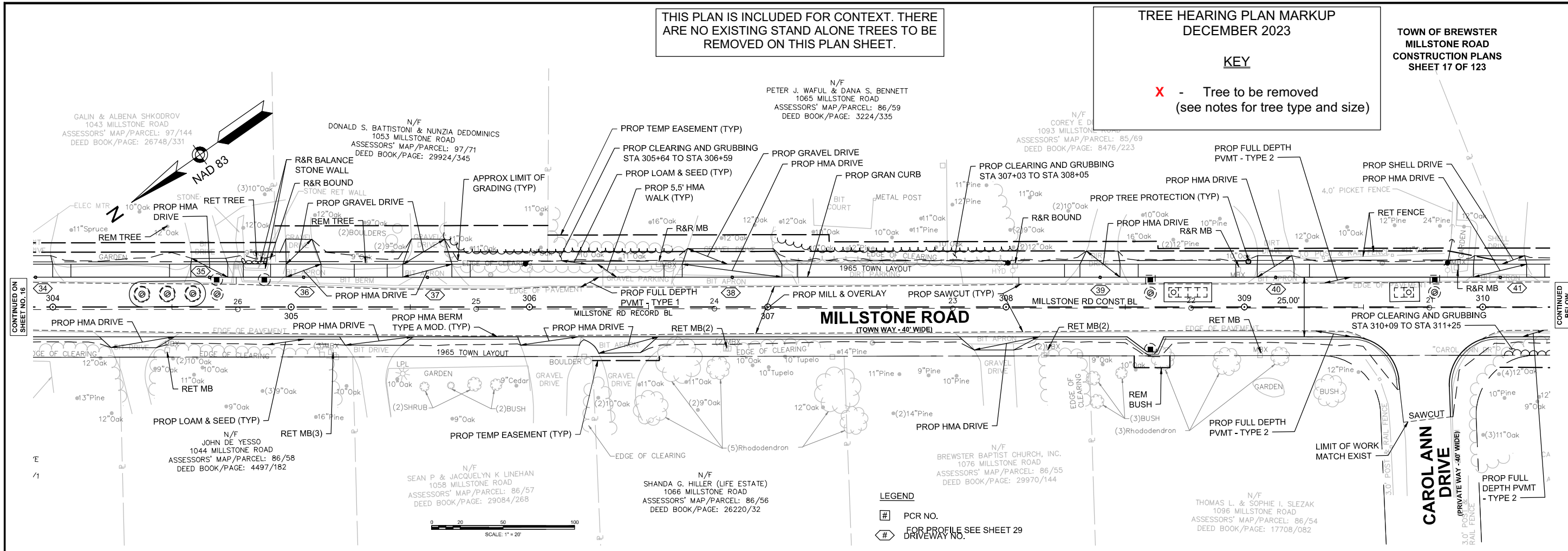
THIS PLAN IS INCLUDED FOR CONTEXT. THERE ARE NO EXISTING STAND ALONE TREES TO BE REMOVED ON THIS PLAN SHEET.

TREE HEARING PLAN MARKUP  
DECEMBER 2023

TOWN OF BREWSTER  
MILLSTONE ROAD  
CONSTRUCTION PLANS  
SHEET 17 OF 123

KEY

X - Tree to be removed  
(see notes for tree type and size)



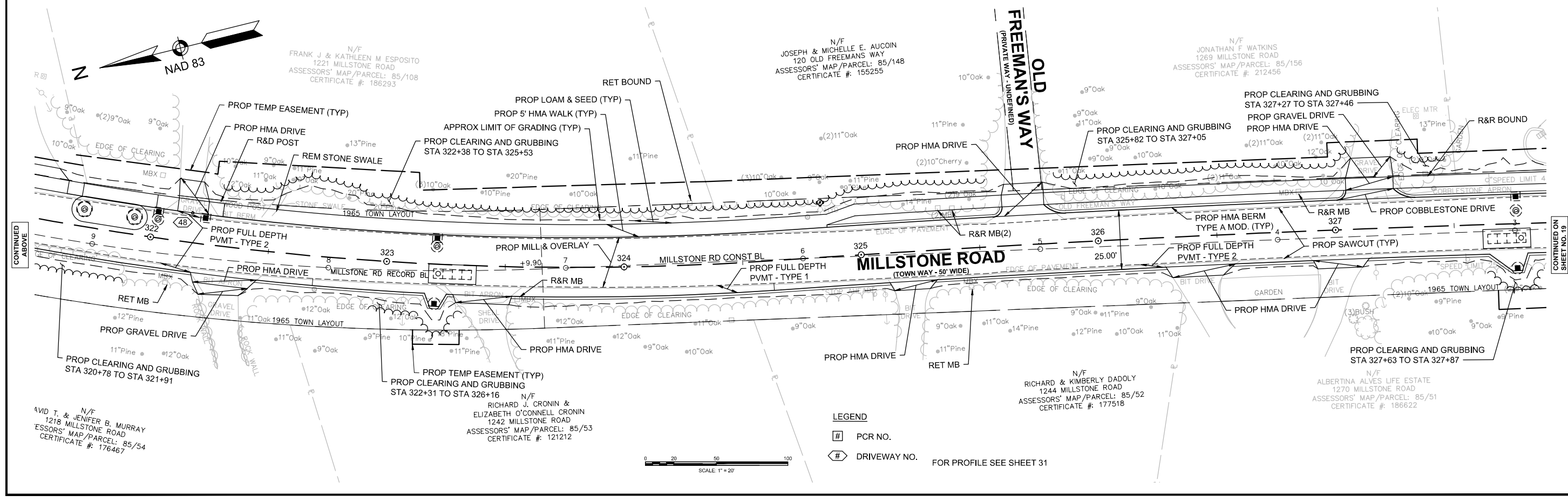
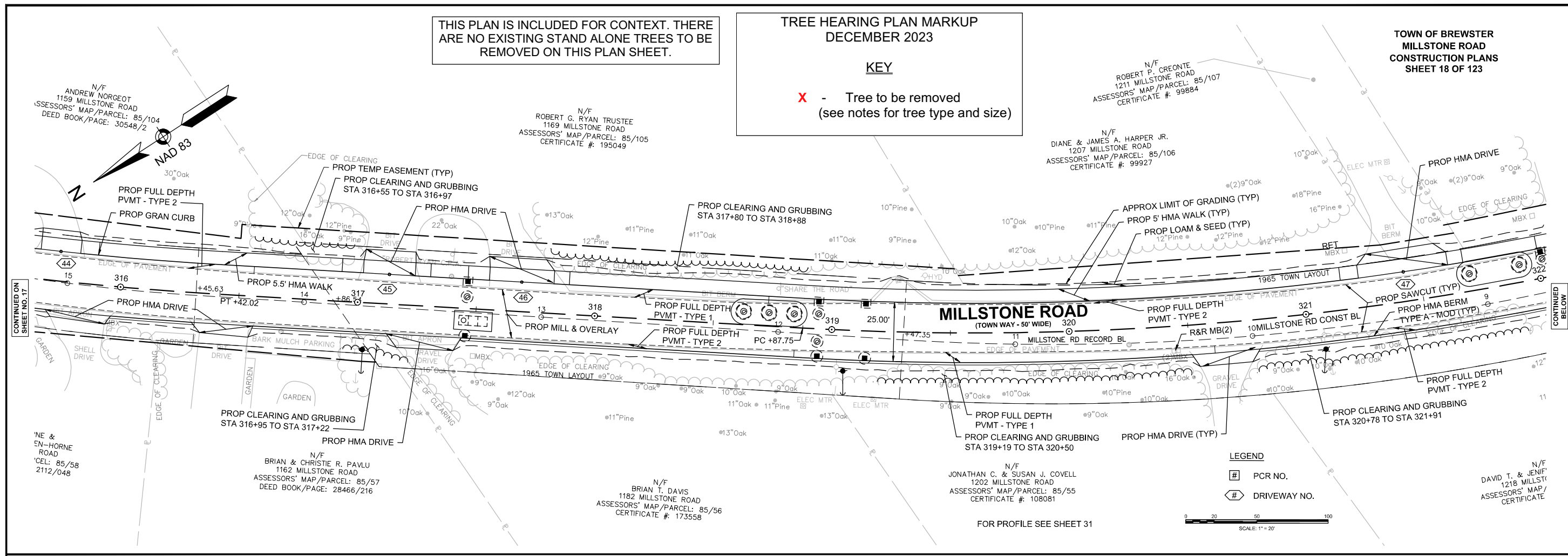
THIS PLAN IS INCLUDED FOR CONTEXT. THERE ARE NO EXISTING STAND ALONE TREES TO BE REMOVED ON THIS PLAN SHEET.

TREE HEARING PLAN MARKUP  
DECEMBER 2023

**KEY**

X - Tree to be removed  
(see notes for tree type and size)

TOWN OF BREWSTER  
MILLSTONE ROAD  
CONSTRUCTION PLANS  
SHEET 18 OF 123



14170\_00\_HOIGEN.DWG  
Plotted on: 26-Oct-2023 1:48 PM

CONTINUED BELOW

CONTINUED ON SHEET NO. 19

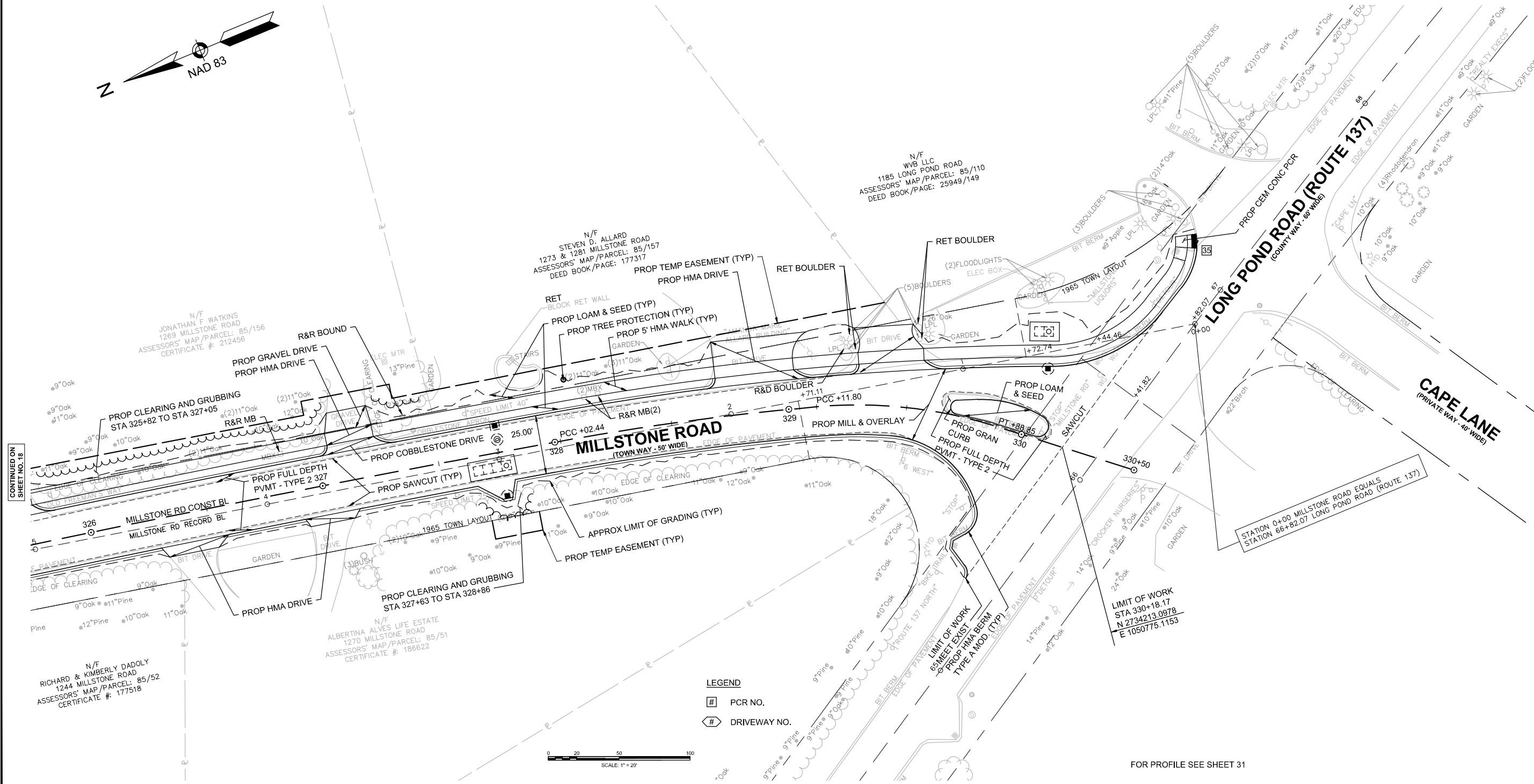
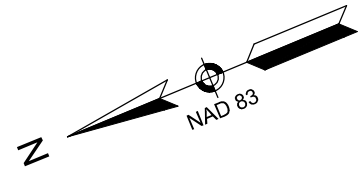
THIS PLAN IS INCLUDED FOR CONTEXT. THERE ARE NO EXISTING STAND ALONE TREES TO BE REMOVED ON THIS PLAN SHEET.

**TREE HEARING PLAN MARKUP  
DECEMBER 2023**

**KEY**

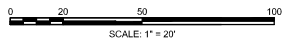
**X** - Tree to be removed  
(see notes for tree type and size)

**TOWN OF BREWSTER  
MILLSTONE ROAD  
CONSTRUCTION PLANS  
SHEET 19 OF 123**



CONTINUED ON SHEET NO. 18

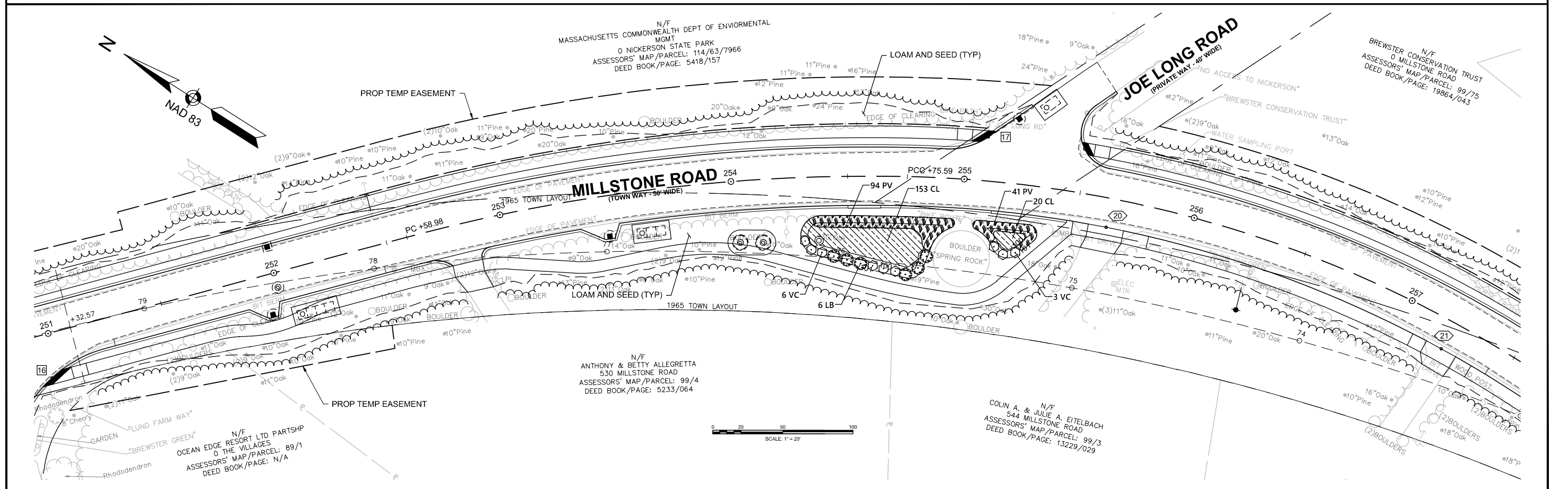
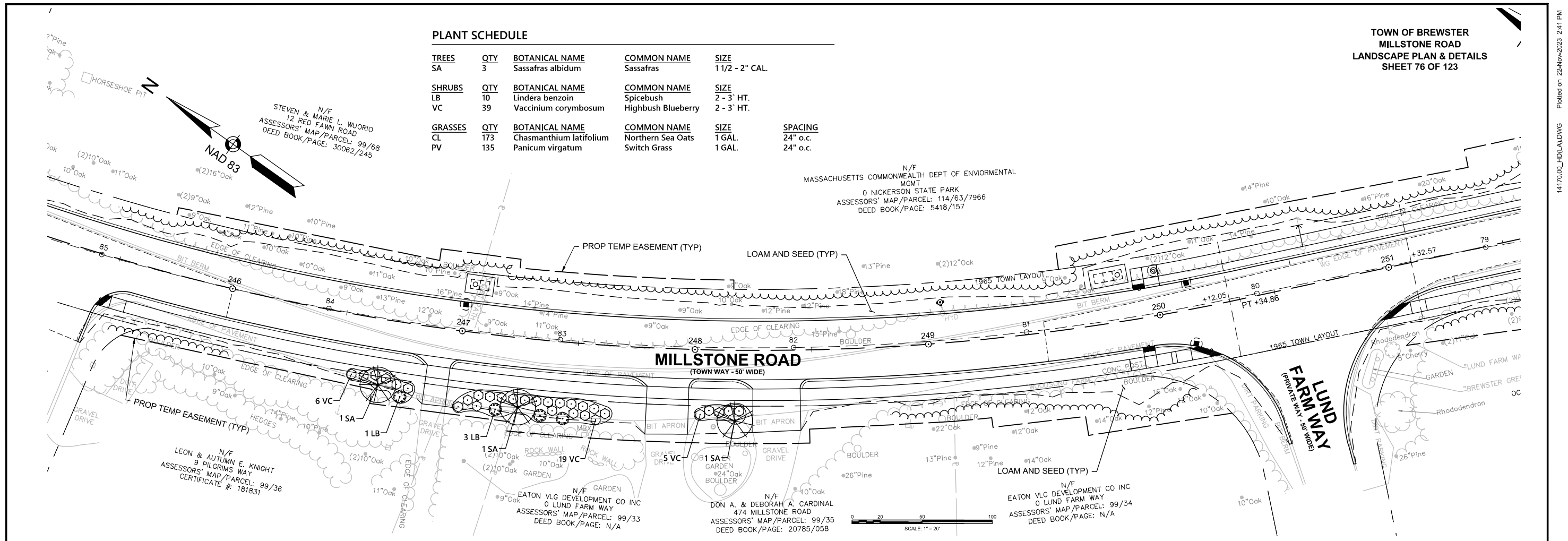
- LEGEND**
- # PCR NO.
  - ◇ DRIVEWAY NO.

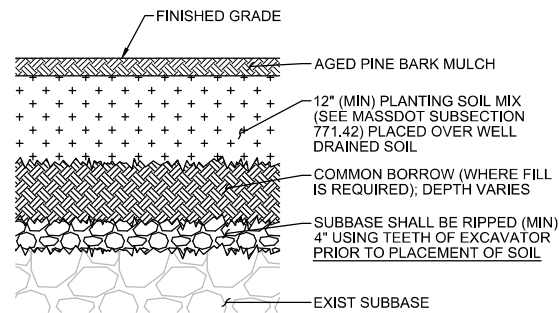


FOR PROFILE SEE SHEET 31

PLANT SCHEDULE

| TREES   | QTY | BOTANICAL NAME          | COMMON NAME        | SIZE            |          |
|---------|-----|-------------------------|--------------------|-----------------|----------|
| SA      | 3   | Sassafras albidum       | Sassafras          | 1 1/2 - 2" CAL. |          |
| SHRUBS  | QTY | BOTANICAL NAME          | COMMON NAME        | SIZE            |          |
| LB      | 10  | Lindera benzoin         | Spicebush          | 2 - 3' HT.      |          |
| VC      | 39  | Vaccinium corymbosum    | Highbush Blueberry | 2 - 3' HT.      |          |
| GRASSES | QTY | BOTANICAL NAME          | COMMON NAME        | SIZE            | SPACING  |
| CL      | 173 | Chasmanthium latifolium | Northern Sea Oats  | 1 GAL.          | 24" o.c. |
| PV      | 135 | Panicum virgatum        | Switch Grass       | 1 GAL.          | 24" o.c. |

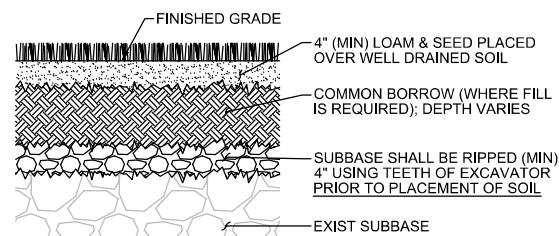




NOTE  
ALL EXISTING ASPHALT SHALL BE STRIPPED AND REMOVED PROPT TO TILLING. ASPHALT SHALL NOT BE MIXED WITH THE SUBBASE.

**PLANTING BED IN FORMER PAVED AREAS**

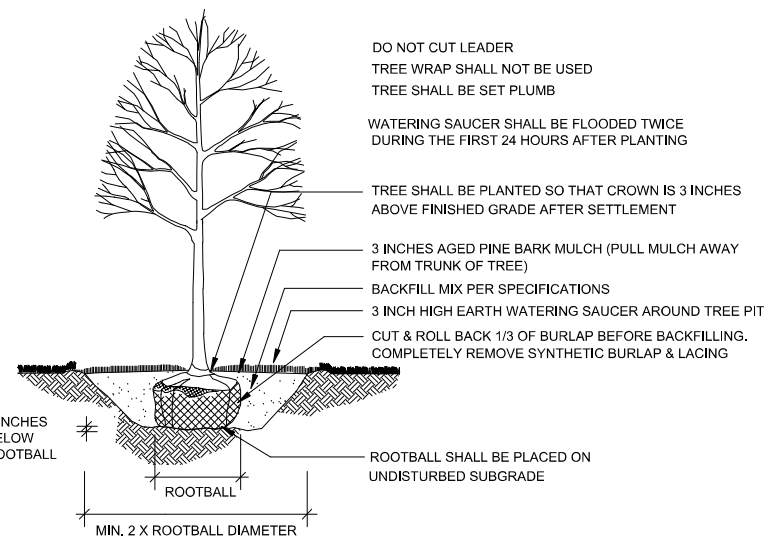
SCALE: N.T.S.



NOTE  
ALL EXISTING ASPHALT SHALL BE STRIPPED AND REMOVED PRIOR TO TILLING. ASPHALT SHALL NOT BE MIXED WITH THE SUBBASE.

**LAWN IN FORMER PAVED AREAS**

SCALE: N.T.S.



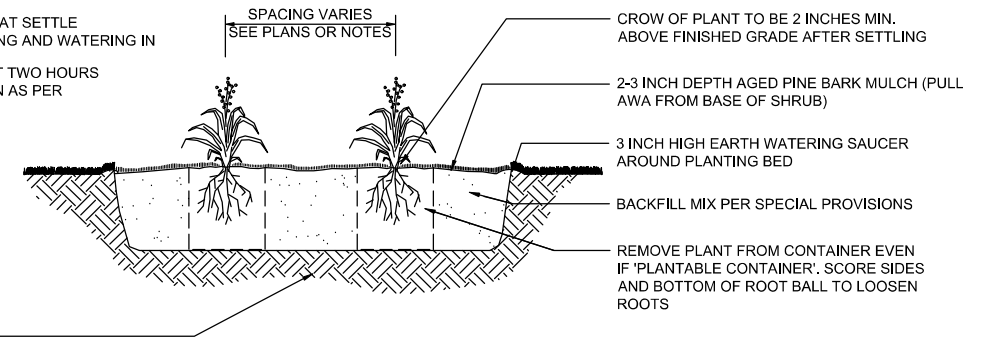
**DECIDUOUS TREE PLANTING**

NOT TO SCALE

EXCAVATE TO REQUIRED DEPTH AND BACKFILL WITH PLANTING MIX

RAISE AND REPLANT AND PLANTS THAT SETTLE MORE THAN 3 INCHES AFTER PLANTING AND WATERING IN

WATER BY FLOODING TWICE IN FIRST TWO HOURS AFTER PLANTING. WATER & MAINTAIN AS PER STANDARD SPECIFICATIONS



**PERENNIAL PLANTING**

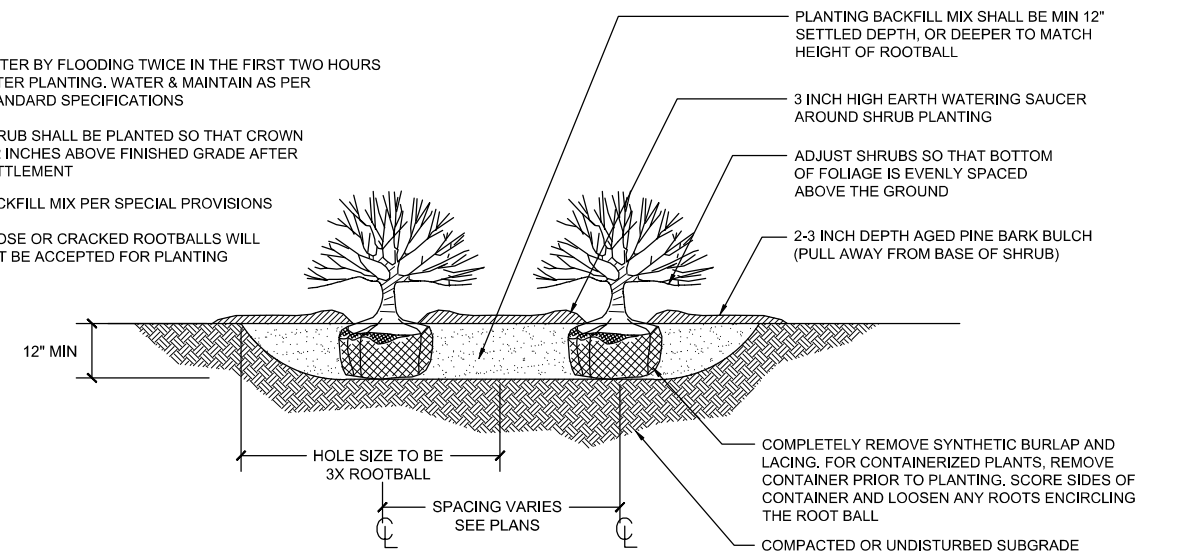
SCALE: N.T.S.

WATER BY FLOODING TWICE IN THE FIRST TWO HOURS AFTER PLANTING. WATER & MAINTAIN AS PER STANDARD SPECIFICATIONS

SHRUB SHALL BE PLANTED SO THAT CROWN IS 2 INCHES ABOVE FINISHED GRADE AFTER SETTLEMENT

BACKFILL MIX PER SPECIAL PROVISIONS

LOOSE OR CRACKED ROOTBALLS WILL NOT BE ACCEPTED FOR PLANTING

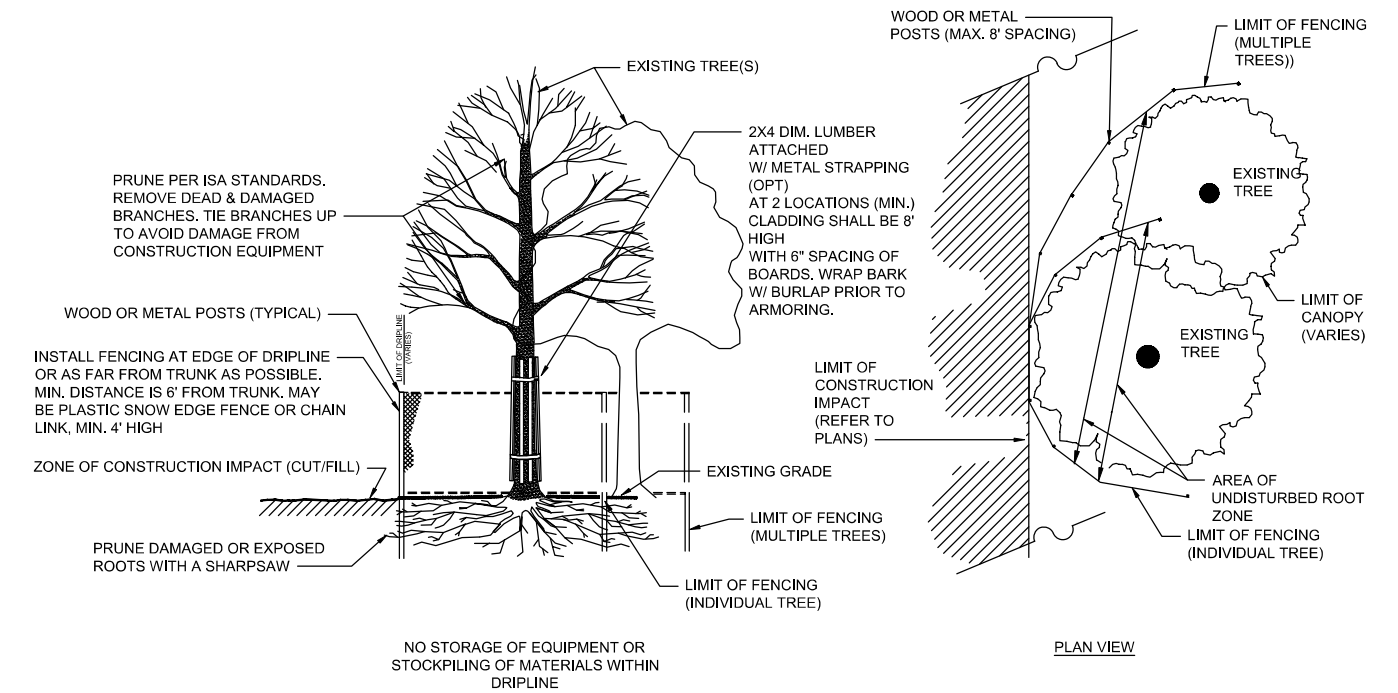


**SHRUB PLANTING**

SCALE: N.T.S.

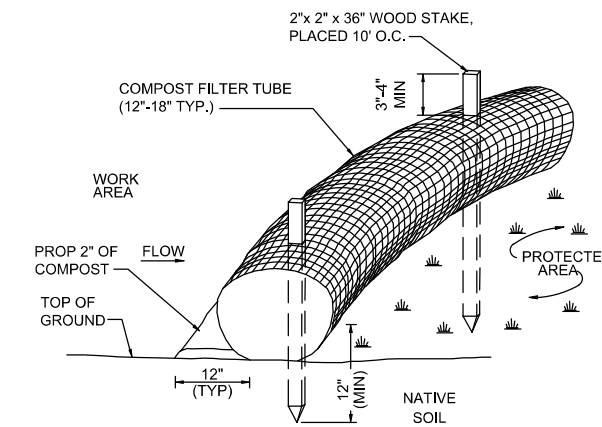


|    |  |        |         |        |        |
|----|--|--------|---------|--------|--------|
| 16 | STA 229+98.28, 12.5' RT<br>ALGN - MILLSTONE RD CONST BASELINE  | 1.09%  | 103.70  | 14'-0" | 6'-6"  |
| 17 | STA 231+15.89, 12.5' RT<br>ALGN - MILLSTONE RD CONST BASELINE  | 4.51%  | 107.97  | 14'-0" | 6'-6"  |
| 18 | STA 238+78.40, 12.5' RT<br>ALGN - MILLSTONE RD CONST BASELINE  | -1.29% | 115.48  | 6'-6"  | 7'-8"  |
| 19 | STA 238+78.40, 12.5' RT<br>ALGN - MILLSTONE RD CONST BASELINE  | -1.85% | 114.63  | 6'-6"  | 9'-0"  |
| 20 | STA 255+63.66, 12.5' RT<br>ALGN - MILLSTONE RD CONST BASELINE  | 2.43%  | 101.450 | 11'-0" | 6'-6"  |
| 21 | STA 257+20.71, 12.5' RT<br>ALGN - MILLSTONE RD CONST BASELINE  | 0.73%  | 105.39  | 7'-8"  | 6'-6"  |
| 22 | STA 261+54.66, -12.5' LT<br>ALGN - MILLSTONE RD CONST BASELINE | 2.48%  | 100.81  | 6'-6"  | 11'-0" |
| 23 | STA 262+66.36, -12.5' LT<br>ALGN - MILLSTONE RD CONST BASELINE | 3.92%  | 104.61  | 6'-6"  | 14'-0" |
| 24 | STA 264+02.82, -12.5' LT<br>ALGN - MILLSTONE RD CONST BASELINE | 5.16%  | 111.09  | 6'-6"  | 15'-0" |
| 25 | STA 264+56.93, -12.5' LT<br>ALGN - MILLSTONE RD CONST BASELINE | 4.54%  | 113.61  | 6'-6"  | 15'-0" |
| 26 | STA 266+23.98, -12.5' LT<br>ALGN - MILLSTONE RD CONST BASELINE | -0.02% | 115.76  | 6'-6"  | 7'-8"  |
| 27 | STA 278+25.89, -12.5' LT<br>ALGN - MILLSTONE RD CONST BASELINE | 0.30%  | 116.99  | 6'-6"  | 9'-0"  |
| 28 | STA 295+63.96, -12.5' LT<br>ALGN - MILLSTONE RD CONST BASELINE | -1.71% | 112.51  | 9'-0"  | 6'-6"  |
| 29 | STA 298+98.21, -12.5' LT<br>ALGN - MILLSTONE RD CONST BASELINE | -0.47% | 112.21  | 7'-8"  | 6'-6"  |
| 30 | STA 300+81.84, -12.5' LT<br>ALGN - MILLSTONE RD CONST BASELINE | -0.90% | 109.93  | 6'-6"  | 7'-8"  |
| 31 | STA 302+43.46, -12.5' LT<br>ALGN - MILLSTONE RD CONST BASELINE | 2.16%  | 110.90  | 6'-6"  | 9'-0"  |
| 32 | STA 302+84.44, -12.5' LT<br>ALGN - MILLSTONE RD CONST BASELINE | 3.91%  | 112.08  | 6'-6"  | 11'-0" |
| 33 | STA 303+44.79, -12.5' LT<br>ALGN - MILLSTONE RD CONST BASELINE | -0.48% | 113.23  | 7'-8"  | 6'-6"  |
| 34 | STA 303+92.72, -12.5' LT<br>ALGN - MILLSTONE RD CONST BASELINE | -0.60% | 112.73  | 6'-6"  | 7'-8"  |
| 35 | STA 304+65.68, -12.5' LT<br>ALGN - MILLSTONE RD CONST BASELINE | 0.11%  | 112.34  | 9'-0"  | 6'-6"  |
| 36 | STA 305+05.21, -12.5' LT<br>ALGN - MILLSTONE RD CONST BASELINE | 1.33%  | 112.89  | 6'-6"  | 14'-0" |
| 37 | STA 305+57.15, -12.5' LT<br>ALGN - MILLSTONE RD CONST BASELINE | 1.30%  | 113.39  | 6'-6"  | 7'-8"  |
| 38 | STA 306+85.02, -12.5' LT<br>ALGN - MILLSTONE RD CONST BASELINE | -0.68% | 113.70  | 7'-8"  | 6'-6"  |
| 39 | STA 308+39.42, -12.5' LT<br>ALGN - MILLSTONE RD CONST BASELINE | -1.06% | 113.09  | 6'-6"  | 7'-8"  |
| 40 | STA 309+13.09, -12.5' LT<br>ALGN - MILLSTONE RD CONST BASELINE | -0.85% | 112.51  | 9'-0"  | 6'-6"  |
| 41 | STA 310+07.28, -12.5' LT<br>ALGN - MILLSTONE RD CONST BASELINE | -0.76% | 111.93  | 6'-6"  | 7'-8"  |
| 42 | STA 311+84.19, -12.5' LT<br>ALGN - MILLSTONE RD CONST BASELINE | -0.02% | 111.30  | 7'-8"  | 6'-6"  |
| 43 | STA 315+25.93, -12.5' LT<br>ALGN - MILLSTONE RD CONST BASELINE | 0.36%  | 111.84  | 6'-6"  | 7'-8"  |
| 44 | STA 315+73.46, -12.5' LT<br>ALGN - MILLSTONE RD CONST BASELINE | 0.03%  | 111.93  | 6'-6"  | 7'-8"  |
| 45 | STA 317+12.70, -12.5' LT<br>ALGN - MILLSTONE RD CONST BASELINE | -1.17% | 110.79  | 9'-0"  | 6'-6"  |
| 46 | STA 317+68.53, -12.5' LT<br>ALGN - MILLSTONE RD CONST BASELINE | -0.44% | 110.30  | 9'-0"  | 6'-6"  |
| 47 | STA 321+43.06, -12.5' LT<br>ALGN - MILLSTONE RD CONST BASELINE | -1.33% | 109.73  | 7'-8"  | 6'-6"  |
| 48 | STA 322+16.30, -12.5' LT<br>ALGN - MILLSTONE RD CONST BASELINE | -0.09% | 109.16  | 9'-0"  | 6'-6"  |



### TREE PROTECTION OF EXISTING TREE(S)

SCALE: N.T.S.

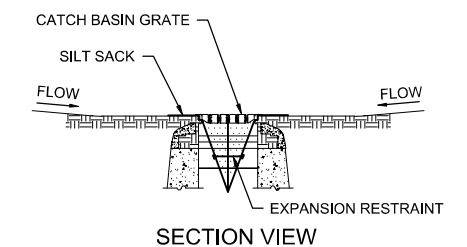
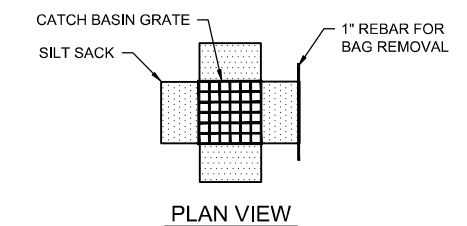


### NOTES:

1. FILTER TUBE SHALL BE FILLED BY BLOWN IN ORGANIC COMPOST AND PLACED AS ILLUSTRATED ON THE PROJECT PLANS.
2. COMPOST FILTER TUBES SHALL BE INSPECTED PERIODICALLY AND AFTER ALL STORM EVENTS, AND REPAIRED OR REPLACED AS NEEDED.
3. AT COMPLETION OF PROJECT, COMPOST FILTER TUBES SHALL BE CUT OPEN AND COMPOST MATERIAL SHALL BE DISPERSED ON SITE, AS DETERMINED BY THE ENGINEER.
4. THE EMPTY FILTER TUBE FABRIC SHALL BE COLLECTED AND DISPOSED OF PROPERLY.

### SEDIMENTATION FENCE

SCALE: N.T.S.



### NOTES:

1. INSTALL SILT SACK IN EXISTING CATCH BASINS, BEFORE COMMENCING WORK, AND IN NEW CATCH BASINS IMMEDIATELY AFTER INSTALLATION OF STRUCTURE. MAINTAIN UNTIL BINDER COURSE PAVING IS COMPLETE OR A PERMANENT STAND OF GRASS HAS BEEN ESTABLISHED.
2. GRATE TO BE PLACED OVER SILT SACK.
3. SILT SACK SHALL BE INSPECTED PERIODICALLY AND AFTER ALL STORM EVENTS AND CLEANING OR REPLACEMENT SHALL BE PERFORMED

### INLET PROTECTION - SILT SACK IN CATCH BASIN

SCALE: N.T.S.



**WHITE PINE**

Pinus strobus

**Mature Height:**

50-80 ft.

**Mature Width:**

20-40 ft.

**General Habit:**

Tall and wide

Pyramidal

Tends to lose lower branches as it ages

**Maintenance**

Low

**INSTALLED PRICING:**

5-6' HT : \$400 /ea

**PREFERRED CONDITONS**

Sun: Full sun, 6+ hrs a day  
Soils: High organic content, loam, sand  
PH: Acidic  
Spacing Req: 24-60'  
USDA Hardiness Zones: 3a-8a



**EASTERN RED CEDAR**

Juniperus Virginiana

**Mature Height:**

30-40 ft.

**Mature Width:**

10-20 ft.

**General Habit:**

Fastigiate

Conical

Dense

**Maintenance**

Low

**INSTALLED PRICING:**

5-6' HT : \$500 /ea

**PREFERRED CONDITONS**

Sun: Partial shade to full sun  
Soils: Dry to moist and well drained  
PH: Acidic - neutral  
Spacing Req: 12-24'  
USDA Hardiness Zones: 2a-9a

Vulnerable to deer



**COMMON SASSAFRAS**

Sassafras albidum

**Mature Height:**

30-60 ft.

**Mature Width:**

25-40 ft.

**General Habit:**

Rounded

Irregular

Multistem

**Maintenance**

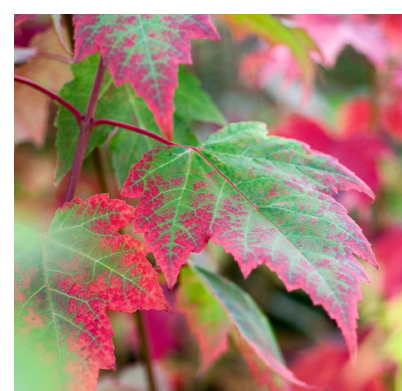
Pruning to maintain shape

**INSTALLED PRICING:**

1.5"-2." : \$700 /ea

**PREFERRED CONDITONS**

Sun: Partial shade to full sun  
Soils: Well drained, sandy  
PH: Acidic  
Spacing Req: 24-60'  
USDA Hardiness Zones: 4a-9a



**RED MAPLE**

Acer rubrum

**Mature Height:**

40-80 ft.

**Mature Width:**

30-50 ft.

**General Habit:**

Oval

Pyramidal

**Maintenance**

Low

**INSTALLED PRICING:**

1.5"-2." : \$700 /ea

**PREFERRED CONDITONS**

Sun: Partial shade to full sun  
Soils: Moist and well drained  
PH: Slightly Acidic  
Spacing Req: +40'  
USDA Hardiness Zones: 2b-9b



**WHITE OAK**

Quercus alba

**Mature Height:**

50-120 ft.

**Mature Width:**

50-80 ft.

**General Habit:**

Pyramidal

Rounded

Spreading

**Maintenance**

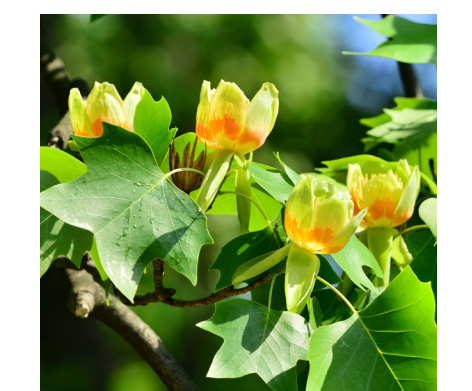
Acorns

**INSTALLED PRICING:**

1.5"-2." : \$800 /ea

**PREFERRED CONDITONS**

Sun: Partial shade to full sun  
Soils: Coarse, deep, moist, well-drained  
PH: Acidic - neutral  
Spacing Req: +60'  
USDA Hardiness Zones: 4a-9a



**TULIP TREE**

Liriodendron tulipifera

**Mature Height:**

50-120 ft.

**Mature Width:**

30-60 ft.

**General Habit:**

Oval

Pyramidal

Rounded

**Maintenance**

Low

**INSTALLED PRICING:**

1.5"-2." : \$700 /ea

**PREFERRED CONDITONS**

Sun: Partial shade to full sun  
Soils: Moist and well drained  
PH: Acidic - neutral  
Spacing Req: 12-24'  
USDA Hardiness Zones: 4a-9a

# Cape Cod Native Shrubs



**BEACH PLUM**  
 Prunus maritima

Mature Height:  
3-6 ft.

Mature Width:  
3-6 ft.

General Habit:  
Spreading  
Dense

INSTALLED PRICING:  
4-5' B&B:  
\$350 /ea

**PREFERRED CONDITONS**  
Sun: Full sun  
Soils: Well drained, sandy  
USDA Hardiness Zones: 3-7



**SMOOTH SUMAC**  
 Rhus glabra

Mature Height:  
9-15 ft.

Mature Width:  
9-15 ft.

General Habit:  
Multistemmed  
Spreading

INSTALLED PRICING:  
#3 Pot :  
\$ 200/ea

**PREFERRED CONDITONS**  
Sun: Partial shade to full sun  
Soils: Well drained, rocky  
USDA Hardiness Zones: 3a-9a



**FRAGRANT SUMAC**  
 Rhus aromatica

Mature Height:  
2-6 ft.

Mature Width:  
6-10 ft.

General Habit:  
Creeping  
Dense

INSTALLED PRICING:  
#3 Pot :  
\$100 /ea

**PREFERRED CONDITONS**  
Sun: Partial shade to full sun  
Soils: Well drained, rocky  
USDA Hardiness Zones: 3a-9a



**COMMON WITCHHAZEL**  
 Hamamelis virginiana

Mature Height:  
10-20 ft.

Mature Width:  
10-20 ft.

General Habit:  
Multistemmed

INSTALLED PRICING:  
3-4' B&B:  
\$300 /ea

**PREFERRED CONDITONS**  
Sun: Partial shade to full sun  
Soils: Well drained, moist  
USDA Hardiness Zones: 3a-9a



**WINTERBERRY**  
 Ilex verticillata

Mature Height:  
3-15 ft.

Mature Width:  
3-12 ft.

General Habit:  
Rounded  
Dense

INSTALLED PRICING:  
#3 Pot :  
\$100 /ea

**PREFERRED CONDITONS**  
Sun: Shade to Full sun  
Soils: Well drained, moist  
USDA Hardiness Zones: 3a-9a



**BLACK CHOKEBERRY**  
 Aronia melanocarpa

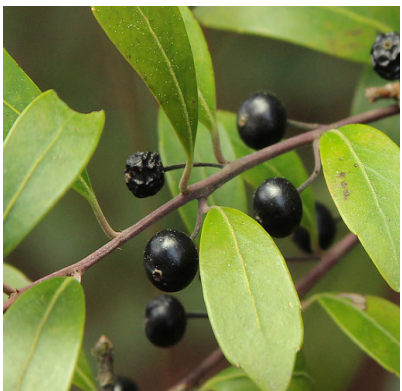
Mature Height:  
3-6 ft.

Mature Width:  
3-6 ft.

General Habit:  
Shrubby

INSTALLED PRICING:  
#3 Pot :  
\$100 /ea

**PREFERRED CONDITONS**  
Sun: Shade to Full sun  
Soils: Highly adaptable  
USDA Hardiness Zones: 3a-8a



**INKBERRY**  
 Ilex glabra

Mature Height:  
5-10 ft.

Mature Width:  
5-8 ft.

General Habit:  
Round  
Dense

INSTALLED PRICING:  
#3 Pot :  
\$250 /ea

**PREFERRED CONDITONS**  
Sun: Partial shade to full sun  
Soils: Moist, Sandy  
USDA Hardiness Zones: 4a-11a



**NORTHERN BAYBERRY**  
 Myrica pensylvanica

Mature Height:  
5-10 ft.

Mature Width:  
5-10 ft.

General Habit:  
Dense

INSTALLED PRICING:  
3-4' B&B:  
\$300 /ea

**PREFERRED CONDITONS**  
Sun: Partial shade to full sun  
Soils: Highly adaptable  
USDA Hardiness Zones: 3a-7a



**SHADBUSH**  
 Amelanchier canadensis

Mature Height:  
10-20 ft.

Mature Width:  
10-20 ft.

General Habit:  
Multistemmed

INSTALLED PRICING:  
3-4' B&B:  
\$200 /ea

**PREFERRED CONDITONS**  
Sun: Shade to Full sun  
Soils: Highly adaptable  
USDA Hardiness Zones: 4b-9a



**HIGHBUSH BLUEBERRY**  
 Vaccinium corymbosum

Mature Height:  
3-12 ft.

Mature Width:  
3-10 ft.

General Habit:  
Shrubby

INSTALLED PRICING:  
#1 Pot :  
\$100 /ea

**PREFERRED CONDITONS**  
Sun: Shade to Full sun  
Soils: Acidic, well drained  
USDA Hardiness Zones: 3a-8a



**SPICEBUSH**  
 Lindera benzoin

Mature Height:  
8-15 ft.

Mature Width:  
6-15 ft.

General Habit:  
Multistemmed  
Shrubby

INSTALLED PRICING:  
5-6' B&B:  
\$350 /ea

**PREFERRED CONDITONS**  
Sun: Partial shade to full sun  
Soils: Highly adaptable  
USDA Hardiness Zones: 5a-9a



**ARROWWOOD VIBURNUM**  
 Viburnum Dentatum

Mature Height:  
5-10 ft.

Mature Width:  
6-10 ft.

General Habit:  
Clumping  
Rounded

INSTALLED PRICING:  
3-4' B&B:  
\$250 /ea

**PREFERRED CONDITONS**  
Sun: Partial shade to full sun  
Soils: Moist, well drained  
USDA Hardiness Zones: 3a-7a

# **2023 PLANNING BOARD ANNUAL REPORT**

## **2023 Report of the Planning Board**

The Planning Board is made up of seven elected members who serve staggered four-year terms. The Board meets on the second and fourth Wednesdays of each month at 6:30 pm in Town Hall. The Board holds special meetings as needed and work session meetings when necessary for planning and zoning bylaw discussion. Public hearings are advertised in the Cape Codder newspaper. Agendas are posted in Town Hall and on the Town's website. The public is also invited to sign up for the Planning Board's agendas, minutes, and alerts through the Town's website. The public is always welcome and encouraged to participate in Planning Board meetings. Beginning in 2018, an on-going item, "Citizen's Forum," was added to the Planning Board agenda to encourage additional communication with the citizens of Brewster. Planning Board meeting packets are also posted to the Town's website on the Town Calendar and on the Planning Department webpage. Meetings are recorded and available for viewing on the Town website, Facebook page, or Local Channel 8. Data and information regarding current topics, is posted on the Planning Department webpage on the Town's website. The Zoning Bylaw (Chapter 179 of the Town Code), Subdivision Rules and Regulations (Chapter 290 of the Town Code), and Stormwater Management Bylaw (Chapter 272 of the Town Code) can be found on the Town website under the Planning Department webpage.

### **Statutory Authority**

The Planning Board operates within the statutory authority conferred by Massachusetts General Laws (MGL), Chapters 40A and 41. These laws set the direction and scope of Planning Board review as it relates to zoning, and the subdivision of land. The Planning Board also supports implementation of other Town Board and Committee policies through near and long-term planning projects.

### **Planning Board Regulatory Jurisdiction**

- Site Plan Review
- Special Permits
- Land Division Plans
- Approval Not Required (ANR) Division Plans
- Scenic Road Act (MGL Chapter 40 §15C) & Public Shade Tree Act (MGL Chapter 87 §3)
- Major Stormwater Management Permits

### **Summary of 2023 Applications**

- 6 ANR Applications; 1 Site Plan Review; 2 Special Permit Modifications; 1 Request to Modify Parking Requirements; 16 Major Stormwater Management Permits; and 1 Major Stormwater Management Permit Modification.

### **Summary of Other 2023 Activities**

- Reviewed, discussed, and endorsed the Revised Local Comprehensive Plan including holding a joint public hearing with the Select Board.
- Reviewed, discussed, and recommended support of the Comprehensive Permit Application for the Spring Rock Village Housing Development to the Zoning Board of Appeals.
- Reviewed and discussed a potential demolition delay bylaw with the Brewster Historical Society.

- Held a public listening session on accessory dwelling units including discussion on potential bylaw amendments.
- Reviewed and discussed stormwater management and permitting with Griffin Ryder, Director, Department of Public Works.
- Reviewed, discussed, and approved amended Planning Board forms for special permit and site plan review applications.
- Reviewed stormwater management permit statistics for 2022.
- Rob Michaels and Tony Freitas represented the Planning Board at the Town of Brewster's First Annual Volunteer Fair.

### **Zoning Bylaw Amendments**

The Planning Board regularly sponsors amendments to the Town's Zoning Bylaw (Chapter 179). Amendments range from housekeeping items to complex zoning reform efforts. In 2023, the Planning Board worked on amendments to the Definitions (179-2), Accessory Dwelling Units (179-42.2), Table 1 Use Regulations, and Table 2 Area Regulations sections of the Zoning Bylaw. The purpose of these amendments was to encourage the creation of ADUs to help address year-round housing supply concerns in the town while at the same time preserving residential neighborhoods. The amendments were approved at the Special Town Meeting on November 13, 2023. Approval of the amendments by the Attorney General is pending as of this time.

### **Planning Board Members & Activities**

Amanda Bebrin, Chair (member since 2020; term expires 2026)

Alexander Wentworth, Vice Chair (member since 2022; term expires 2027)

Robert Michaels, Clerk (member since 2022; term expires 2027)

Charlotte Degen, (member since 2016; term expires 2024)

Antone Freitas (member since 2022; term expires 2025)

Madalyn Hillis-Dineen (member since 2016; term expires 2026)

Elizabeth Taylor (member since 1999; term expires 2025)

Much of the work of the Planning Board is complex, demanding, and requires understanding of applicable State statutes, Town bylaws, and subdivision regulations. Board members regularly participate in training and workshops to further their knowledge of complex land use and permitting issues. In 2023, Planning Board members participated in various training and workshops including site plan review, special permits, variances, adopting and revising rules and regulations, zoning with overlay districts, affordable housing, open meeting law, public records law, and conflict of interest law.

In addition, Board members participate actively with, or serve in a liaison capacity on, other Town Boards and Committees. Madalyn Hillis-Dineen served on the Brewster Municipal Affordable Housing Trust through June of 2023. The Board thanks Madalyn for her dedicated years of service on the Trust. Tony Freitas currently serves on the Brewster Municipal Affordable Housing Trust. Amanda Bebrin served, including as Vice Chair, on the Vision Planning Committee through its dissolution in December 2023. Amanda also serves as an at-large member and Chair of the Bay Property Planning Committee. Robert Michaels serves on the Water Quality Review Committee. Charlotte Degen is the Select Board liaison.

Elizabeth Taylor serves on the Open Space Committee and the Community Preservation Committee. Alexander Wentworth served on the Vision Planning Committee through its dissolution in December 2023.

**Planning Board Staff & Liaison**

Jon Idman joined the Town of Brewster as the Town Planner in May 2022. Jon provides support to the Board with development review; compliance with local, regional, and state bylaws and regulations; drafting of zoning bylaw amendments; and long-range planning projects. Jon also provided support to the Vision Planning Committee through its dissolution in December 2023.

Lynn St. Cyr, Senior Department Assistant, joined the Planning Department in August 2016. Lynn provides administrative support to the Board by assisting applicants with the application process; responds to inquiries from the public; and supports the work of the Town Planner.

Ned Chatelain, Select Board member, presently serves as the liaison to the Planning Board.

Respectfully Submitted,  
Amanda Bebrin, Chair

DRAFT

# **STORMWATER MANAGEMENT BY THE NUMBERS**



2023 STORMWATER MANAGEMENT PERMITS

| DATE OF RECEIPT     | PERMIT #     | PERMITTEE   | ADDRESS                         | MAP | PARCEL TYPE | WAIVER                       | STATUS                                      | DATE OF ISSUANCE                                |
|---------------------|--------------|---|---------------------------------|-----|-------------|------------------------------|---|---|
| <b>CONSERVATION</b> |              |   |                                 |     |             |                              |   |   |
| 03/21/23            | SWMC2023-01  | The Free Sea Turtle, LLC and 162 Underpass Road, LLC                              | 162 Underpass Road              | 77  | 9           | Major site clean up, grading |   | Approved<br>CC Meeting<br>03/28/23              |
| 09/20/23            | SWMC2023-02  | Eastward MBT LLC, Trustee, Eastward Homes Bussiness Trust, William Marsh, Manager | 0 Vesper Pond Dr/ Lot A Main St | 138 | 74          | Major Driveway Construction  |   | Submitted<br>09/20/2023<br>Approved<br>11/27/23 |
| 11/21/23            | SWMC2023-03  | Angelo & Pamela Masi  | 168 Highland Moors              | 115 | 38          | Minor - Construction         |   | Submitted,<br>11/2023                           |
| 12/08/23            | SWMC2023-04  | Mog Real Estate Holdings LLC  | 94 Thad Ellis Road              | 89  | 5           | Major commercial building    |   | Submitted<br>12/08/2023                         |
| 12/08/23            | SWMC 2023-05 | Kevin Casey   | 0 Cranview Road                 | 10  | 67 & 68     | Major Residential Drainage   |   | Submitted<br>12/8/2023                          |
|                     |              |   |                                 |     |             |                              |   |   |
|                     |              |   |                                 |     |             |                              |   |   |
| <b>PLANNING</b>     |              |   |                                 |     |             |                              |   |   |
| 01/26/23            | SWMP2023-01  | Lisa Mullin   | Lot 3, Tubman Road              | 55  | 142-3       | Major single family dwelling | 6.2.B.(6)<br>treatment of total phosphorous | Approved<br>PB Meeting<br>02/08/23              |

## 2023 STORMWATER MANAGEMENT PERMITS

| DATE OF RECEIPT | PERMIT #    | PERMITTEE                 | ADDRESS                      | MAP | PARCEL | TYPE   | WAIVER | STATUS                           | DATE OF ISSUANCE |
|-----------------|-------------|---------------------------|------------------------------|-----|--------|--|--------|----------------------------------|------------------|
| 01/26/23        | SWMP2023-02 | Pause A While             | 250 Underpass Road           | 77  | 2      | Major parking area with 14 spaces                    | None   | Approved PB Meeting 02/22/23     |                  |
| 01/27/23        | SWMP2023-03 | Eastward MBT LLC          | 724 Long Pond Road           | 75  | 21     | Major driveway                                       | None   | Withdrawn at PB Meeting 02/22/23 |                  |
| 01/27/23        | SWMP2023-04 | Eastward MBT LLC          | 736 Long Pond Road           | 75  | 20     | Major single family dwelling, site improvements      | None   | Approved PB Meeting 02/22/23     |                  |
| 02/22/23        | SWMP2023-05 | Michael & Corrine Denucci | Lot 61, Blueberry Pond Drive | 89  | 38     | Major single family dwelling                         | None   | Approved PB Meeting 03/08/23     |                  |
| 03/01/23        | SWMP2023-06 | Remington's Trust         | 61-63 AP Newcomb Road        | 25  | 75     | Minor swimming pool, patio, site improvements        | None   | Approved                         | 03/08/23         |
| 03/01/23        | SWMP2023-07 | Whiffletree LLC           | 0 Whiffletree Avenue         | 6   | 4      | Major 2 single family dwellings, driveway, utilities | None   | Approved PB Meeting 04/26/23     |                  |

## 2023 STORMWATER MANAGEMENT PERMITS

| DATE OF RECEIPT | PERMIT #    | PERMITTEE                    | ADDRESS               | MAP | PARCEL | TYPE  | WAIVER   | STATUS                          | DATE OF ISSUANCE |
|-----------------|-------------|------------------------------|-----------------------|-----|--------|---|--|---------------------------------|------------------|
| 03/20/23        | SWMP2023-08 | Pine Harbor Wood Products    | 205 Cranview Road     | 20  | 14     | Minor detached accessory building               | Submission of post construction BMP volume calculations; specific construction-period erosion control measures | Approved                        | 05/10/23         |
| 03/21/23        | SWMP2023-09 | David & Karen Whitney        | 25 Sumner Lane        | 51  | 65     | Major detached accessory building               | None   | Approved PB Meeting<br>06/14/23 |                  |
| 03/22/23        | SWMP2023-10 | William & Laura Brondyk      | 5 Tanglewood Road     | 73  | 86     | Major single family dwelling, site improvements | 6.2.B.(6) treatment of total phosphorous   | Approved PB Meeting<br>04/12/23 |                  |
| 03/24/23        | SWMP2023-11 | Michael & Mary Sharon        | 393 Paines Creek Road | 37  | 6      | Major single family dwelling, site improvements | None   | Approved PB Meeting<br>04/12/23 |                  |
| 03/24/23        | SWMP2023-12 | Christopher & Gillian Platts | Lot 7, Run Hill Road  | 35  | 32     | Major single family dwelling, site improvements | None   | Approved PB Meeting<br>04/12/23 |                  |
| 04/14/23        | SWMP2023-13 | Sea Mist 1 Nominee Trust     | 0 Main Street         | 16  | 34     | Minor single family dwelling, site improvements | None   | Approved                        | 04/18/23         |

## 2023 STORMWATER MANAGEMENT PERMITS

| DATE OF RECEIPT | PERMIT #    | PERMITTEE                    | ADDRESS                  | MAP | PARCEL | TYPE  | WAIVER                            | STATUS                      | DATE OF ISSUANCE |
|-----------------|-------------|------------------------------|--------------------------|-----|--------|---|-----------------------------------|-----------------------------|------------------|
| 04/28/23        | SWMP2023-14 | Peter & Maryellen Kumiega    | 42 Badger Lane           | 101 | 122    | Minor swimming pool, deck   | None                              | Approved                    | 05/01/23         |
| 05/02/23        | SWMP2023-15 | Chris & Kathleen Yerkes      | 32 Beechtree Drive       | 83  | 25     | Minor addition to single family dwelling                              | None                              | Approved                    | 05/03/23         |
| 05/02/23        | SWMP2023-16 | Omavin Ventures LLC          | 2648 Main Street         | 89  | 12     | Minor additional parking  | None                              | Approved                    | 05/10/23         |
| 05/15/23        | SWMP2023-17 | Rose Fiore                   | 91 Clipper Way           | 67  | 25     | Minor pool pavilion, pool patio, accompanying walls                   | None                              | Approved                    | 05/15/23         |
| 05/17/23        | SWMP2023-18 | David Colton                 | 17 Labrador Lane         | 126 | 95     | Minor swimming pool, deck   | Submission of volume calculations | Approved                    | 05/19/23         |
| 05/17/23        | SWMP2023-19 | Joe Freeman                  | 74 Highland Moors Drive  | 114 | 50     | Minor addition, covered porch, concrete pads for whirlpool, generator | None                              | Approved                    | 05/19/23         |
| 05/18/23        | SWMP2023-20 | 178 Bonnie Doone Cartway LLC | 178 Bonnie Doone Cartway | 102 | 13     | Major cottage, 2 single family dwellings, site improvements           | None                              | Approved PB Meeting 6/14/23 |                  |

## 2023 STORMWATER MANAGEMENT PERMITS

| DATE OF RECEIPT | PERMIT #              | PERMITTEE                    | ADDRESS  | MAP | PARCEL   | TYPE  | WAIVER | STATUS                       | DATE OF ISSUANCE |
|-----------------|-----------------------|------------------------------|--|-----|----------|---|--------|------------------------------|------------------|
| 05/19/23        | SWMP2023-21           | Janice Marinello             | 439 Paines Creek Road  | 38  | 1        | Major single family dwelling, ADU, swimming pool, driveway  | None   | Withdrawn PB Meeting 6/14/23 |                  |
| 05/24/23        | SWMP2023-22           | Jacquelyn & Ryan Avery       | 495 Freeman's Way (Building 2, Unit 2 Beechwood Path Condo.) | 107 | 27-14297 | Minor swimming pool, patio  | None   | Approved                     | 05/30/23         |
| 05/30/23        | SWMP2023-12 Amendment | Christopher & Gillian Platts | Lot 7, Run Hill Road   | 35  | 32       | Major single family dwelling, site improvements modification due to elimination of 2 driveway subsurface leaching facilities and utilization of low point | None   | Approved PB Meeting 6/14/23  |                  |
| 06/05/23        | SWMP2023-23           | Troy & Samantha Niezgoda     | 0 Maclean Road   | 95  | 187      | Minor single-family dwelling  | None   | Approved                     | 06/07/23         |
| 06/05/23        | SWMP2023-24           | Suzanne Urquhart             | 82 Crosby Lane   | 114 | 29       | Minor swimming pool, patio  | None   | Approved                     | 06/07/23         |

## 2023 STORMWATER MANAGEMENT PERMITS

| DATE OF RECEIPT | PERMIT #    | PERMITTEE                         | ADDRESS                | MAP | PARCEL TYPE | WAIVER                                      | STATUS  | DATE OF ISSUANCE            |          |
|-----------------|-------------|-----------------------------------|------------------------|-----|-------------|---|---|-----------------------------|----------|
| 06/06/23        | SWMP2023-25 | Daniel and Joan Magrath           | 1795 Long Pond Road    | 93  | 46          | Minor swimming pool, garage addition        | None  | Approved                    | 06/07/23 |
| 06/14/23        | SWMP2023-26 | Bridget Cahill and Craig Caldwell | 500 Run Hill Road      | 33  | 40          | Major addition, garage new driveway         | Phosphorous and TSS treatment level   | Approved PB Meeting 7/12/23 |          |
| 06/26/23        | SWMP2023-27 | Yolanta Quinton                   | 121 Paines Creek Road  | 36  | 11          | Minor 70' x 25' basketball/pickleball court | Submission of post construction BMP volume calculations; specific, construction-period erosion control measures | Approved                    | 06/28/23 |
| 06/28/23        | SWMP2023-28 | Jean and Francis Leidenfrost      | 111 South Orleans Road | 142 | 2           | Minor garage, ADU                           | Submission of post construction BMP volume calculations; specific, construction-period erosion control measures | Approved                    | 06/29/23 |

## 2023 STORMWATER MANAGEMENT PERMITS

| DATE OF RECEIPT | PERMIT #    | PERMITTEE                   | ADDRESS                    | MAP | PARCEL | TYPE   | WAIVER | STATUS                       | DATE OF ISSUANCE |
|-----------------|-------------|-----------------------------|----------------------------|-----|--------|--|--------|------------------------------|------------------|
| 07/06/23        | SWMP2023-29 | Donald W. Delson            | 58 Point of Roacks Road    | 68  | 98     | Minor addition, swimming pool, pool deck                                       | None   | Approved                     | 07/12/23         |
| 07/07/23        | SWMP2023-30 | Frank Esposito              | 1221 Millstone Road        | 85  | 108    | Minor addition   | None   | Approved                     | 07/12/23         |
| 07/07/23        | SWMP2023-31 | Latham Center, Inc.         | 1439 Main Street           | 48  | 61     | Major redevelopment including building expansion, driveways, parking, walkways | None   | Approved PB Meeting 7/26/23  |                  |
| 07/12/23        | SWMP2023-32 | Quintin & Kathleen Brantley | Lot 21, Evelyn's Way       | 142 | 94     | Minor single-family dwelling, driveway   | None   | Approved                     | 07/17/23         |
| 07/13/23        | SWMP2023-33 | Michael Garrity             | 6 Sachem Drive             | 90  | 166    | Minor swimming pool , patio  | None   | Approved                     | 07/17/23         |
| 07/17/23        | SWMP2023-34 | Justin & Jessica Turbide    | 459 Lund Farm Way          | 100 | 139    | Minor addition   | None   | Approved                     | 07/18/23         |
| 07/18/23        | SWMP2023-35 | Reiss Wolf and Dana Levy    | 50 Fishermans Landing Road | 62  | 29     | Major single-family dwelling, swimming pool, tennis court                      | None   | Approved PB Meeting 08/09/23 |                  |

## 2023 STORMWATER MANAGEMENT PERMITS

| DATE OF RECEIPT | PERMIT #    | PERMITTEE                         | ADDRESS               | MAP | PARCEL | TYPE  | WAIVER | STATUS                       | DATE OF ISSUANCE |
|-----------------|-------------|-----------------------------------|-----------------------|-----|--------|---|--------|------------------------------|------------------|
| 08/07/23        | SWMP2023-36 | Shadi Daher                       | 25 Ellis Landing Road | 90  | 101    | Minor addition, swimming pool, patio          | None   | Approved                     | 08/07/23         |
| 08/11/23        | SWMP2023-37 | Paul and Margaret Mitchell        | 154 Beechtree Drive   | 83  | 15     | Minor swimming pool                           | None   | Approved                     | 08/11/23         |
| 08/14/23        | SWMP2023-38 | James Bursma                      | Crocker Lane, Lot 15  | 69  | 10     | Major single-family dwelling, driveway, patio | None   | Approved PB Meeting 09/13/23 |                  |
| 08/25/23        | SWMP2023-39 | Paul Wallace                      | 21 Crosby Lane        | 114 | 4      | Minor ADU, workshop                           | None   | Approved                     | 09/21/23         |
| 09/27/23        | SWMP2023-40 | Russell Karasik and Pamlyn Atkins | 24 Oak Lane           | 125 | 13     | Minor addiiton                                | None   | Approved                     | 09/27/23         |
| 10/12/23        | SWMP2023-41 | Michael Manchuk                   | 0 Independence Way    | 76  | 33     | Minor land clearing                           | None   | Approved                     | 10/16/23         |
| 10/12/23        | SWMP2023-42 | Kelsa Coker                       | 48 Harwich Road       | 57  | 34     | Minor addition                                | None   | Approved                     | 10/16/23         |
| 11/03/23        | SWMP2023-43 | Town of Brewster                  | Millstone Road        |     |        | Major Millstone Road Improvement Project      | None   | Approved PB Meeting 12/13/23 |                  |
| 11/16/23        | SWMP2023-44 | Frissora Family Trust             | Skippers Way          | 79  | 131    | Minor single-family dwelling, covered porch   | None   | Pending                      |                  |





**APPROVAL OF MEETING MINUTES DATED  
JANUARY 10, 2024**



**Brewster Planning Board**  
**2198 Main Street**  
**Brewster, MA 02631-1898**  
**(508) 896-3701 x1133**  
**brewplan@brewster-ma.gov**  
**MEETING MINUTES**

**Approved:**  
**Vote:**

**Wednesday, January 10, 2024 at 6:30 pm**  
**Brewster Town Office Building**

Chair Amanda Bebrin convened a meeting of the Planning Board at 6:30 pm with the following members participating: Charlotte Degen, Tony Freitas, Madalyn Hillis-Dineen, Rob Michaels, Elizabeth Taylor, and Alex Wentworth. Also participating: Jon Idman, Town Planner, and Lynn St. Cyr, Senior Department Assistant. Bebrin declared that a quorum of the Planning Board was present. The Meeting Participation Statement and Recording Statement were read.

**6:32 PM PUBLIC ANNOUNCEMENTS AND COMMENT**

None.

**6:32 PM PUBLIC MEETING**

**Site Plan Review Case No. 2024-01:** Applicant/Owner MOG Real Estate Holdings, LLC has applied for Site Plan Review under Brewster Zoning Bylaw Article XII to demolish all buildings and structures and construct a new automotive service garage with supporting site improvements at 94 Thad Ellis Road (Tax Map 89 Parcel 5), located within the Commercial High Density (CH) Zoning District.

**Documents:**

- 07/24/23 Solar Energy System Proposal
- 07/18/23 Plan Set revised 10/27/23
- 08/08/23 Floorplans and Elevations
- 08/10/23 Isometric and Sections
- 09/20/23 Stormwater Report with Drainage Calculations
- 09/20/23 Stormwater Narrative
- 10/05/23 Email from Susan Tubman
- 10/06/23 Letter from Walter Rymanski
- 10/06/23 Letter from George Sfeir
- 11/22/23 Site Plan Review Application and Narrative
- 12/22/23 Long Term Pollution Prevention Plan
- 01/04/24 Memorandum from Jon Idman, Town Planner
- 01/04/24 Department Review Summary
- 01/10/24 Lighting Details
- Photo Renderings
- Framing Details

Alex Wentworth recused himself from the meeting and left the room. Attorney Ben Zehnder was present on behalf of the Applicant along with Applicant Kristen Wentworth. Zehnder stated that Kristen and Alex Wentworth are the owners of 94 Thad Ellis Road and have been operating Wentworth Motorsports from the site for approximately 25 years. Zehnder stated that the site is a conforming lot under zoning, but it has non-conforming use aspects as it includes two principal structures. There is a residence and an automotive repair shop on the property. The Applicant proposes removing both structures and the sheds currently on site. The proposal required relief from the Zoning Board of Appeals (ZBA). Zehnder stated that this project is unique as the Applicant proposes constructing the new building around the current building and then removing the current building. This will allow the Applicant to continue to operate during

construction. Zehnder also stated that the ZBA granted a special permit to the Applicant on January 9, 2024 to alter a pre-existing non-conforming structure. The project was also reviewed by the Conservation Commission and received an Order of Conditions and a Major Stormwater Management Permit. The project also underwent staff review. The Applicant provided lighting details including cut sheets to staff.

Taylor confirmed with the Applicant that the project has been reviewed by the Conservation Commission. She asked about the proposed plantings. Taylor asked whether the questions on nitrogen loading the Conservation Administrator asked had been answered. Zehnder stated that they had been answered and that the Applicant's engineer has worked closely with the Conservation Administrator on the wetlands delineation. Taylor suggested that plants be added to the perimeter or that a wood fence be used instead of a metal fence. Michaels stated that he visited the site and the proposed project will be a definite improvement including improved stormwater management. Michaels asked for clarification on the parking requirements. Idman responded that he calculated parking requirements using the Town's parking policy based on a 4-bay project, with waiting room, and two employees. The calculation came to twelve spaces. The Applicant has proposed nine spaces. Michaels stated he believed nine spaces were sufficient. Michaels suggested the bike rack be moved to a different location away from the dumpster. Degen and Hillis-Dineen both stated they agreed with the other members and the abutters that the project is a nice improvement. Freitas stated that he did not have any questions and noted that the project has approval from the Zoning Board of Appeals and the Conservation Commission. Bebrin reviewed suggested conditions provided in the staff memorandum. She also noted that extensive departmental comments were received as well as letters of support from abutters. These documents are available for review in the Planning Board packet.

Taylor confirmed with the Applicant that the lights were all downward casting. Degen noted comments received from the Fire Department and asked if the Fire Department would have final approval on the access drive. Idman stated that the Fire Department would like the drive to the north of the building to be limited access and may require signage stating such. Taylor asked if the Conservation Commission has reviewed the lighting. She stated that there may be issues with the wetlands if the lights remain on all night. Zehnder stated the Applicant will comply with local lighting regulations.

Motion by Degen to Approve **Site Plan Review Case No. 2024-01** subject to the Findings and Conditions Suggested in the Staff Memorandum Dated January 4, 2024 and subject to Limited Access of the Drive North of the Building as required by the Fire Department. Second by Hillis-Dineen. Vote: 6-0-0.

Wentworth rejoined the meeting.

#### **6:50 PM APPROVAL OF MEETING MINUTES**

Approval of Meeting Minutes: December 13, 2023.

The Board reviewed the December 13, 2023 meeting minutes. **Motion by Degen to Approve December 13, 2023 Meeting Minutes, as amended. Second by Michaels. Vote: 7-0-0.**

#### **6:52 PM COMMITTEE REPORTS**

Freitas summarized a recent meeting of the Affordable Housing Trust including that work on the Yankee Drive home is being completed and there is a lot of interest in the housing lottery. Housing Coordinator Jill Scalise will be holding an information session for town employees on the housing program and available resources. The Spring Rock Village housing development returned to the Zoning Board of Appeals for review of proposed modifications and was approved. Freitas also stated that the Affordable Housing Trust also reviewed the 2024-2025 Housing budget and noted a recent increase in demand for rental assistance. The rental increases at Serenity were also discussed.

Degen summarized two recent meetings of the Select Board. The December 18<sup>th</sup> Select Board meeting included discussion on regional school tuition agreements, rate increases at Captains Golf Course, changes to non-commercial shellfish regulations, and community pool hours and offerings. The January 8<sup>th</sup> Select Board meeting included discussion

on a needs assessment for the Council on Aging, a union agreement regarding promotion pathways, the Select Board policy on shoulder maintenance, the status of Nauset Regional School District, Town Meeting date of May 11<sup>th</sup>, and Select Board strategic plans.

Michaels summarized the December 22<sup>nd</sup> meeting of the Water Quality Review Committee. WQRC discussed the future of the committee and the renewal process. There will be a comprehensive review of the bylaw including the renewal process. Michaels stated that letters are being sent out to those with certificates stating that the renewal process is being reviewed and no renewal is needed at this time.

Bebrin stated that the Bay Property Planning Committee is planning a final forum for February 15<sup>th</sup> and it will be virtual. There will be a presentation of the final plans for both the bay and pond property. These plans will ultimately be considered at Town Meeting. There will be a joint session with the Select Board on January 23<sup>rd</sup> on final decision points and policies including discussion on housing and a multi-generational community center.

**7:08 PM FOR YOUR INFORMATION**

None.

**7:08 PM MATTERS NOT REASONABLY ANTICIPATED BY THE CHAIR**

Freitas announced that Marissa Consolantis began work as the Housing Program Assistant.

**Motion by Wentworth to Adjourn. Second by Degen. Vote: 7-0-0. The meeting adjourned at 7:10 PM.**

**Next Planning Board Meeting Date: January 24, 2024.**

Respectfully submitted,

---

Lynn St. Cyr, Senior Department Assistant, Planning

**FOR YOUR INFORMATION**

RECEIVED

24 JAN 10 3:50PM

  
ORLEANS TOWN CLERK

JAN 17 2024

**PUBLIC HEARING NOTICE**  
**Town of Orleans Planning Board**

BREWSTER PLANNING BOARD  
ZONING BOARD OF APPEALS

Pursuant to the provisions of Massachusetts General Laws, Chapter 40A, Section 5, the Orleans Planning Board will hold a public hearing on February 13, 2024 at 4:00 PM at the Orleans Town Hall. The meeting is also available via remote participation, through Zoom.com, using the following login information:

The purpose of the hearing is to accept public comments on the following proposed amendments to the Zoning By-laws. Written comments may be submitted to the Planning Board at 19 School Road, Orleans, MA 02653 or by emailing the Planning Board at [gmeservey@town.orleans.ma.us](mailto:gmeservey@town.orleans.ma.us). Anyone having an interest in the hearing is invited to access the remote meeting via Zoom.com using the login information supplied below. Instructions regarding how to access and participate in the remote meeting will be posted in the Planning Board agenda page for this meeting located at <https://www.town.orleans.ma.us/planning-board>. All proposed text can be viewed using the same website link above.

Link to join Webinar: <https://us02web.zoom.us/j/85806277173>

By Phone: (646) 558-8656

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**ARTICLE ##.            AMEND ZONING BYLAWS SECTION 164-31 Apartment**  
**Development**

To see if the Town will vote to amend Section 164-31, to add a new subsection G. to read as follows:

(**Bold underline** = new language    ~~strikethrough~~ = language removed)

**G. Tenure of Rental Units. Units that are rented shall be leased for periods of not be less than thirty (30) days.**

**ARTICLE ##.            AMEND ZONING BYLAWS SECTION 164-13 Schedule of Use**  
**Regulations**

To see if the Town will vote to add a new Section 164-13, to read as follows:

(**Bold underline** = new language    ~~strikethrough~~ = language removed)

GRADING & EARTH RETENTION  
ENGINEERING & ARCHITECTURE

DISTRICTS

| RESIDENTIAL   | R        | RB       | LB       | GB       | VC       | I        | CD#      | SC       | MB       |
|---|----------|----------|----------|----------|----------|----------|----------|----------|----------|
| <b><u>Apartments, 3 to 6 units, subject to the conditions of §164-31 B, C, E, and G</u></b> | <u>O</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>O</u> | <u>O</u> | <u>O</u> | <u>O</u> |
| Apartments, <b><u>7 or more units</u></b> , subject to the conditions of §164-31            | O        | A        | A        | A        | A        | O        | O        | O        | O        |

**ARTICLE ##.      AMEND ZONING BYLAWS SECTION 164-40 Accessory and Congregate Dwellings**

To see if the Town will vote to amend Section 164-40.A, to read as follows:

(**Bold underline** = new language    ~~strikethrough~~ = language removed)

§ 164-40 Accessory and Congregate Dwellings.

A.      Accessory dwellings shall be permitted subject to the following provisions:

(1) The accessory dwelling shall contain no more than ~~eight hundred (800)~~ **one-thousand two hundred (1,200)** square feet of floor area.

~~(2) Any building addition which is involved shall not increase existing lot coverage by more than two percent (2%) of the lot area.~~

(3) The Board of Health must have documented to the Building Commissioner that sewage disposal will be satisfactorily provided for in accordance with the provisions of Title 5 and local Board of Health regulations, including provisions for an appropriate reserve area on the site.

~~(4) Lot area must equal at least 30,000 square feet of contiguous buildable upland.~~

(5) The dwellings if leased shall be for periods of not less than ninety (90) days.



**ARTICLE ##. AMEND ZONING BYLAWS SECTION 164-34 Off-Street Parking Regulations**

To see if the Town will vote to amend Section 164-34. B., Table of Minimum Requirements as follows:

(**Bold underline** = new language    ~~strikethrough~~ = language removed)

Table of Minimum Requirements

| <b>RESIDENTIAL</b>   |   |
|--|---|
| <b>TYPE OF USE</b>   | <b>REQUIRED NUMBER OF SPACES</b>                          |
| Dwelling unit having <del>2 or more</del> bedrooms                         | <del>2 spaces</del> <b><u>1 space</u></b>                 |
| <del>Dwelling unit having fewer than 2 bedrooms</del>                      | <del>1 space</del>  |
| Home occupation  | Additional spaces may be required by the Board of Appeals |
| <del>Multifamily apartment or condominium</del> <del>1 bedroom</del>       | <del>1.5 spaces per unit (see note)</del>                 |
| <del>Multifamily apartment or condominium</del> <del>2 or 3 bedrooms</del> | <del>2 spaces per unit</del>                              |
| <del>All multifamily buildings must provide visitor parking</del>          | <del>1 space per 3 units</del>                            |

**ARTICLE ##. AMEND ZONING BYLAWS SECTION 164-22 Modifications**

To see if the Town will vote to add a new Section 164-22 A (11), to read as follows:

(**Bold underline** = new language    ~~strikethrough~~ = language removed)

- (11) **Up to two (2)** ~~One (1) single-family or two family dwellings~~ may be erected on any lot located in the General Business, Limited Business, or Village Center District, **which lot is connected to public sewer services**, regardless of common ownership with that of adjoining land located in the same district, which existed on January 1, 2023 and ~~contained at least twenty thousand (20,000)~~ **ten thousand (10,000)** s.f. of buildable upland and had a minimum frontage of one hundred (100) feet:

**ARTICLE ##. AMEND ZONING BYLAWS SECTION 164-32 Dwellings in commercial structures or accessory to commercial uses**

To see if the Town will vote to amend Section 164-32, as follows:

(**Bold underline** = new language    ~~strikethrough~~ = language removed)

**§ 164-32 Dwellings in commercial structures or accessory to commercial uses.**

**Up to four (4)** dwellings in commercial structures or accessory to commercial uses may be permitted **on a lot either within the commercial structure or in a separate structure on the same lot** where allowed under § 164-13, subject to the following conditions:

**1. General Requirements:**

- a. A site plan shall be submitted and reviewed as provided in § 164-33.
- b. Architectural Review Committee approval is required, as provided in § 164-33.1
- c. Prior to occupancy of any dwelling unit in a commercial structure, screening as described in § 164-34D(1) and as required under Site Plan approval must be installed along side and rear lot lines, except in the Village Center District.
- d. At least thirty percent (30%) of the floor area on the parcel shall be used for commercial purposes.**
- e. In the Village Center District, first floor units fronting on streets shall be reserved for commercial uses.**

**2. ~~Village Center District~~**

~~Up to three (3) units may be permitted on a lot either within the commercial structure or in a separate structure located on the same lot<sup>1</sup>. The following criteria must be met:~~

- ~~a. In mixed use buildings, first floor units fronting on streets shall be reserved for commercial uses.~~
- ~~b. Any building used exclusively for residential purposes must be located behind other buildings that have frontage on the street. In no case shall any building used exclusively for residential purposes front the street.~~
- ~~c. In the event of a corner lot the Site Plan Review Committee shall determine which street frontage will be the primary street frontage.~~

- ~~d. At least 30% of the floor area on the parcel shall be used for commercial purposes.~~
- ~~e. One (1) off-street parking space will be required for each dwelling unit. When units with two (2) or more bedrooms are proposed parking must be provided that meets the requirements of § 164-34 or an affidavit must be supplied to the building commissioner indicating the provision, through a shared parking agreement or other means, of the off-street parking spaces.~~

### ~~3. Other Business Districts~~

- ~~No more than two (2) dwelling units may be allowed on a lot within a structure used for commerce through new construction, addition, or conversion. The following criteria must be met:~~
- ~~a. At least 30% of the floor area on the parcel shall be used for commercial purposes.~~
  - ~~b. (Reserved)~~
  - ~~c. Off-street parking shall be provided for the dwelling units as per requirements of this chapter.~~
  - ~~d. For each dwelling unit having in excess of one (1) bedroom, unpaved open space of at least four hundred fifty (450) square feet shall be provided.~~
    - ~~1 Up to four (4) units may be allowed, see Section 164-19.1. E.~~

## **ARTICLE ##. AMEND ZONING BYLAWS SECTION Add new 164-28.1**

### **Conversion of existing hotel, motel, or motor inn to multiple dwellings.**

To see if the Town will vote to add a new Section 164-28.1, to read:

#### **§ 164-28.1 Conversion of existing hotel, motel, or motor inn to multiple dwellings.**

**A. Existing hotels, motels, or motor inns may be converted to multiple dwellings subject to the provisions herein.**

**B. Such conversion to dwellings may have a total of not more than one hundred (100) dwelling units.**

**C. Exterior additions, not to exceed fifteen percent (15%) of the ground area of the existing dwelling, shall be permitted, provided that all required yard setbacks are maintained.**

**D. Number of units. Each hotel, motel, or motor inn rental unit may be converted to one (1) dwelling unit, including dormitory housing units. Any conversion proposing more dwelling units than the number of current rental units shall be limited to no more than a fifteen percent (15%) increase in total units.**

**Ex: 60 rental units = conversion of up to 69 dwelling units**

60 \* 115% = 69

**E. There shall be not less than a five-foot buffer strip of planting of grass between any driveway or parking area and the abutter's line and around the dwelling, and no parking area shall be less than ten (10) feet from the side line of the street or way.**

**F. The sewage disposal system shall be approved by the Board of Health before a permit may be granted for any such remodeling. No Special Permit shall be granted by the Zoning Board of Appeals unless the property is fully connected to town sewer or the Board of Health certifies that the septic system can achieve an effluent nitrogen concentration of 19 milligrams per liter (mg/l) or less, as measured at the point of discharge.**

**G. Other Dimensional Requirements. The applicable district frontage and yard requirements shall be observed. With third floor housing, the building height provisions of Section 164-19.1. E. 1 through E. 7 may be utilized in the Village Center, General Business, and Limited Business districts. In such instances the mean height measured between the bottom of the eave and the highest point of the ridge on a pitched roof shall not exceed 35 feet.**

And further to amend Section 164-13, Schedule of Use Regulations to add the following:

**DISTRICTS**

| RESIDENTIAL   | R        | RB       | LB       | GB       | VC       | I        | CD#      | SC       | MB       |
|---|----------|----------|----------|----------|----------|----------|----------|----------|----------|
| <b><u>Conversion of Existing Hotel, Motel, or Motor Inn to Multiple Dwellings</u></b> | <u>O</u> | <u>A</u> | <u>A</u> | <u>A</u> | <u>A</u> | <u>O</u> | <u>O</u> | <u>O</u> | <u>O</u> |