

Scituate Planning Board, September 13, 2012

TOWN OF SCITUATE, MASSACHUSETTS

SCITUATE PLANNING BOARD

MINUTES

September 13, 2012

Members Present: Mr. William Limbacher, Chairman; Daniel Monger, Vice Chairman; Richard Taylor, Clerk; Eric Mercer and Robert Vogel.

Members Absent: Alternate member seat vacant.

Others Present: Ms. Laura Harbottle, Town Planner

See Sign-in List for names of others present at this meeting.

Location of meeting: Selectmen's Hearing Room, Town Hall

Mr. Limbacher called the meeting to order at 7:35 P.M. He announced the meeting was being audio recorded and asked if there were any other recordings being taken. The meeting was being taped for airing on the local cable television channel.

Documents

9/13/12 Planning Board Agenda

9/13/12 Planning Board Agenda – Amended on 9/11/12

ACCEPTANCE OF AGENDA: Mr. Monger moved to accept the amended agenda. Mr. Taylor seconded the motion and the vote was unanimous in favor.

Potential Alternate Member Interview

Documents

Cover letter and resume of Monte Newman

Questions for Planning Board Candidates

Chairman Limbacher asked candidate Monte Newman to give a little background on himself. Mr. Newman indicated that he is here because he saw the article in the Scituate Mariner. He has lived in Scituate for 10 years and is the former chair of the Cable Television Committee so he is familiar with Town government although he can't say how it works. He indicated that he wants to make a contribution to the Town he loves. He said he grew up on the South Shore. Mr. Newman indicated he has a business background and has previously worked for NBC and GE before his retirement. He thinks the alternate position would be a good fit for him to learn the process and he has the time to commit to the position.

Mr. Taylor thanked him for coming and asked him his thoughts on balancing business development with the character of the Town. He indicated that this is a tricky issue. Existing infrastructure and services need to be considered. He believes the Town needs to figure out what it needs and wants and he is comfortable expanding development as this will be a way to expand the tax base without asking people to pay more.

Mr. Monger said that the Planning Board has been focused on economic development and trying to get more revenue into the Town. It is a big problem and a tough issue. Zoning changes will probably be necessary. Mr. Monger asked Mr. Newman if he had any thoughts about 3A/North Scituate/Greenbush. Mr. Newman said that the Master Plan says 19% of the land is available for development. He indicated that types of jobs need to be considered – blue versus white collar jobs. He thinks the business must fit the

environment. He thinks the Town would benefit by increasing the tax base. He said it needs to be communicated to prospective employers why people like Scituate.

Mr. Vogel was curious as to how revenue could be increased taking the burden off the taxpayer while balancing the Town's infrastructure replacement needs which are substantial over the next decade with the schools and public safety center. Good schools attract new people to the Town and keep the price of existing homes up. Mr. Vogel indicated the Planning Board deals with Site Plan Review and Zoning and Planning issues. Economic development and viability are issues going forward and Mr. Vogel feels that Mr. Newman's business background may be very helpful. Mr. Newman indicated that the Town needs to figure out what type of business it wants and go after prospective businesses.

Mr. Taylor indicated that the town floated the idea of a Business Improvement District but it was a hard sell because it creates a fee. He asked how Mr. Newman would feel about selling that idea. Mr. Newman indicated that that is what he does. He identifies businesses and talks to them. He said marketing is the issue. Outreach to the business community needs to happen. Mr. Newman said it takes time and he has it.

Mr. Mercer thanked Mr. Newman for coming. He indicated the Planning Board has a steep learning curve and it is alright to feel a little lost in the beginning. The Planning Board is interested in business development, but it takes time. He asked what can be done to keep resident business dollars in Town? Mr. Newman indicated that Scituate needs to be an interesting destination point. The businesses must promote themselves and let people know what is here. The Chamber of Commerce does this, but Mr. Newman feels that more public relations are necessary including the local cable TV.

Chairman Limbacher indicated he plays golf with Mr. Newman and his question is would he be willing to run for the position in the spring election as the appointment only runs until then. Mr. Newman indicated he would be willing to run for the position. He indicated that he has read the Master Plan and it is quite a guide. He indicated that the Management of Growth section was interesting. He asked who had responsibility for that. The Board responded that it was various Boards including the Planning Board who have responsibility, but not much authority. Mr. Newman commented that a plan is really needed for the infrastructure.

Potential Alternate Member Interview

Documents

Cover letter and biography of Stephen Pritchard

Questions for Planning Board Candidates

Chairman Limbacher welcomed Mr. Pritchard and asked him to give a little background on himself. Mr. Pritchard indicated he has lived in Scituate for 18 years. He enjoys the Town. He has worked in many capacities over the years and is now looking for a chance to help the Town manage its growth. Mr. Pritchard indicated he has a business/mechanical engineering background. He received a mechanical engineering degree from Northeastern and an MBA from Loyola. He has been in energy/commercial real estate and a venture capitalist and was in the Romney Administration from 2003 to 2007 with four different jobs including Secretary of Environmental Affairs. He has been on both sides - as a reviewer and as an applicant. He had the responsibility to try to permit a power plant. He spent a lot of time in front of local boards as well as with the state, MEPA and the Energy Facilities Siting Board.

Mr. Pritchard indicated that he has seen how government interacts with business. He participated in getting the Maritime Center started here in Scituate while he was in the Romney administration. He also was MWRA chair and ran the safety review of the Fort Point Channel tunnel after the concrete ceiling tile collapsed in 2006. He said he has spent the last four years working in commercial real estate and hospitality development in the Caribbean with a focus on low impact and sustainable development. He indicated the challenges in Scituate are complex, but not like in the Caribbean. He feels his eclectic experience could be helpful and acknowledges that he still has a lot to learn. He indicated that he has never sat on a local board and would like the opportunity to participate.

Mr. Mercer asked Mr. Pritchard if Romney wins in November will he be going with the administration. Mr. Pritchard indicated no. Mr. Mercer asked what things the Town needs to do better. Mr. Pritchard indicated that the focus has started with the infrastructure – facilities and utilities. The tax base is a big challenge. More economic development is needed. Mr. Pritchard indicated the Master Plan addresses some items, but the burden needs to be taken off the taxpayer. Mr. Mercer indicated that economic development is frustrating. It takes a long time. How could it be sped up to receive more income for the Town? Mr. Pritchard indicated that the challenges aren't in the permitting. He said Scituate is not an easy place to get to. It is not a place that people come to year round. It is far from the airport. The train has improved accessibility to the Town, however, the town is burdened by its geography. Mr. Pritchard feels that businesses will need to be recruited to come here. The image of a New England sea coast town should be preserved. Marketing the Town will help.

Mr. Vogel asked where would development occur if it could? The town will be limited due to its road ways and utilities. Portions of Route 3A may need to be rezoned from residential to commercial. Mr. Pritchard indicated that if land is rezoned impacts must be minimized. Access and consensus building will be necessary.

Mr. Monger agreed that Scituate is geographically challenged. Cohasset is also geographically challenged, but has managed to double their tax base in the past 10 years. Everyone is not thrilled with the results on Route 3A. How do you deal with misinformation and build a consensus? Mr. Pritchard indicated it is not easy. It takes effort to identify and involve people in the process. Once momentum occurs, a consensus can usually be reached. Mr. Monger indicated that he feels Scituate could have a stronger presence in the state. He said there seems to be a lack of knowledge of the Board as to how to achieve this. Mr. Pritchard said he is familiar with grant programs. He said he has a lot of connections. He indicated that he could help figure out the who, what and timing for some of the grant applications the Town might want to do.

Mr. Taylor inquired about how to create the right environment for change without the authority. Mr. Taylor asked if Mr. Pritchard had any experience writing grant proposals. Mr. Pritchard indicated that he has no experience in writing them, but has reviewed and approved them. He indicated he has contacts and believes that you have to get into the politics. He said getting on and up the list is a challenge, but if a project has merits it will usually be successful. Mr. Pritchard indicated that you have to understand who is running the grant program and how they set priorities. The state agencies try to allocate money fairly and around the state.

Chairman Limbacher indicated that Mr. Pritchard talked about Scituate as being a destination. Chairman Limbacher said that Scituate has sections. He inquired how you provide economic development to one area without alienating another. Mr. Pritchard indicated by compromise. The world is changing and ways need to be found to maintain the overall character. The character must be maintained in a sustainable way. Not everyone will be happy. Ways to mitigate the impacts should be carefully considered. With infrastructure needs, the burden on taxpayers without additional economic development must be considered. Public safety must also be considered. Scituate has challenges due to the sea coast. Seawalls are expensive and must be maintained. Mr. Pritchard indicated that he has the time to commit as he has no real job at the moment and he is willing to run for the seat in the spring election.

Potential Alternate Member Interview

Documents

Cover letter and resume of Jeffrey D. Wilson

Questions for Planning Board Candidates

Email of 9/13/12 from Jeff Wilson indicating he won't be able to attend

Email of 9/13/12 from Laura Harbottle thanking him for his interest and letting him know the process will continue and we will keep his name on file

Mr. Wilson was unable to make the scheduled interview.

Site Plan Administrative Review – Salt Shed – 68 Captain Peirce Road Assessor's Map/Block/Lot 27/5/A
Applicant/Owner: Town of Scituate - DPW

Documents

Application and Plan of Proposed Salt Shed at the Highway Barn 68 Captain Peirce Road Scituate, MA prepared by Town of Scituate Department of Public Works Engineering Division dated 7/18/12.
Comment from Director of Public Health dated August 30, 2012.

Al Bangert, Director of Scituate DPW was present. He indicated that Scituate is switching over to straight salt for treatment of snow on the roads. A mixture of sand and salt is not nearly as effective and it results in much more clean up in the spring. The swept up sand must be handled as a hazardous waste material and is expensive to cart away and dispose of properly.

Mr. Bangert indicated that the state is switching its policy to straight salt. He indicated that the salt will be able to be purchased at one time and won't have to be replenished during the season resulting in a cost savings to the Town due to the larger proposed salt shed. The site is a fully disturbed site. The salt shed will be located where vehicle parking occurs now. The vehicle parking will be moved under cover to the old salt shed, thus prolonging the life of the equipment and keeping the site more orderly. The shed will cost approximately \$140,000. \$88,000 of this is for the steel and fabric structure. The rest is for the concrete foundation which is necessary for the loader to push the salt against. The building will be under the height limit of 40 feet. The structure has been ordered and should be up in 6 to 10 weeks if approved. The foundation has not been designed yet.

Mr. Taylor and Mr. Monger had no questions. Mr. Vogel said that the structure was close to Tara Road. Mr. Bangert indicated that Tara Road is a paper street and the only view is from Curtis Street. The structure will be white so it will blend in with the environment. Mr. Vogel inquired if it was lit. Mr. Bangert said by only the light on the loader. Mr. Vogel inquired about the environmental friendliness of the salt. Mr. Bangert indicated it was from the ocean and dried in settling ponds and shipped from Mexico. He indicated there is less residual from the salt as it goes away versus disposal of the sand in the spring. Mr. Mercer asked about the fabric roof. Mr. Bangert indicated that is what Mass Highway is using. The fabric life should be 10 to 12 years.

Mr. Taylor moved to approve a Site Plan for a Salt Shed at the Highway Barn 68 Captain Peirce Road Scituate, MA for the Town of Scituate Department of Public Works Sheet 1 of 1 dated July 18, 2012 prepared by the Town of Scituate, DPW, Engineering Division, subject to the following conditions:

Hours of construction on the site for the Salt Shed shall be 7:00 am to 6:00 pm or dusk whichever comes earlier on a weekday and 8:00 am to 4:00 pm or dusk whichever comes earlier on a Saturday. No construction is permitted on Sunday or a legal holiday.

Erosion Control shall be as provided on the plan.

No storage of materials of any type shall be located between the shed and the wetlands.

The drainage from the Salt shed shall be directed so that no contaminated runoff directly enters the wetland.

Mr. Vogel seconded the motion. Motion was unanimously approved.

Discuss/vote language changes recommended by Town Counsel, VBOD & WRPD Zoning Bylaw Changes for Fall Town Meeting

Documents

Revised draft of the Water Resources Protection District bylaw dated 9/12/2012

Explanation of changes and draft of the Water Resource Protection District bylaw dated 8/31/2012

Revised wording to Village Business Overlay District wording by Town Counsel dated 7/30/12

Chairman Limbacher indicated that there are minor changes to the Water Resource Protection District (WRPD) and Village Business Overlay District (VBOD) bylaws. He indicated that since the last meeting, he and Laura Harbottle met with the Water Resource Committee (WRC) several times to review the proposed changes to the bylaw. DEP and Town Council have had their input and it is all in the latest language. If the Board approves the language at this meeting, the legal ad would then be run for the public hearing. Ms. Harbottle indicated that this language is similar to language being used in other towns. She indicated that the WRC wanted definitions added and these came from a model groundwater bylaw supplied by John Clarkeson. The findings section was changed. Selectman Rick Murray didn't want to see the bylaw weakened. The uses and activities also changed.

Town Planner, Laura Harbottle went through all the changes made from the previous draft of the WRPD bylaw. She indicated that the Selectmen, as the Water Resource Commissioners, can adopt regulations for boating/swimming; however, there are state regulations that control these issues for public water supplies. She indicated that there should be a vote to advertise the zoning articles for the public hearing.

Mr. Taylor moved to approve the changes to the Water Resource Protection District Zoning Bylaw and Map dated 9/13/12 for advertising for the public hearing. Mr. Monger seconded the motion. Motion was unanimously approved.

Mr. Monger moved to approve the changes to the Village Business Overlay District Zoning Bylaw as last revised by Town Counsel for advertising for the public hearing. Mr. Mercer seconded the motion. Motion was unanimously approved.

Form A Plan – 530 Chief Justice Cushing Highway
Assessor's Map/Block/Lot 37-2-19
Applicant/Owner: Busi Investment Trust, Frederick C. Zimonja, Trustee

Documents

Application and Plan of Land in the Town of Scituate, MA located at 530 Chief Justice Cushing Highway prepared by Ross Engineering Co., Inc for Busi Investment Trust, Frederick C. Zimonja, Trustee dated July 23, 2012 consisting of sheets 1 – 3.

Email from Ross Engineering extending the time for action until 9/14/12.

Paul Mirabito indicated that the plan before the Board is a Land Court Petitioner's Plan of the Deer Common Flexible Open Space Subdivision approved by Special Permit by the Planning Board. Mr. Mirabito indicated that Land Court needs to approve the lots prior to a decree plan being drawn up. The decree plan will reference the Special Permit and is necessary to sell the lots. The plan differs slightly from the subdivision plan in that the lot area of Lot 29 is about 250 sq. ft. less as Land Court wanted a land court disk held as a fixed point for the traverse. No interior lots of the subdivision change.

Town Planner, Laura Harbottle told the Board she questioned Mr. Mirabito if the Special Permit Conditions should be listed on the plan, but he assured her that the conditions will be on the title.

Mr. Taylor moved to endorse, as approval under the Subdivision Control Law Not Required a Plan of Land Land Court Plan 18670G in Scituate, MA showing a division of Lot 1 as shown on Land Court Plan 18670C for 530 Chief Justice Cushing Highway as the plan is a Land Court Subdivision Plan. Plan prepared by Ross Engineering Co., Inc. for applicant/owner Busi Investment Trust, Frederick C. Zimonja, Trustee dated July 23, 2012 consisting of sheets 1-3. Mr. Mercer seconded the motion. Motion was approved unanimously.

Form A Plan – 36 – 48 Treasure Island Road
Assessor's Map/Block/Lot 4-01--12
Applicant: Dennis J. Dillley
Owner: Treasure Island, LLC

Documents

Application and Plan of Land in the Town of Scituate, MA located at Treasure Island prepared by Ross Engineering Co., Inc. for Applicant Dennis J. Dilley and Owner Treasure Island, LLC dated May 28, 2012.

Paul Mirabito was present for the applicant. He indicated that the applicant wants to extend his lot for the existing garage to be on the same property as the house.

Town Planner, Laura Harbottle indicated that the access is not shown, but referenced in the plan notes. No new building lot is being created.

Mr. Taylor moved to endorse as approval under the Subdivision Control Law Not Required a Plan of Land Land Court Plan 7532N for Treasure Island in Scituate, MA showing a division of the remainder of Lot C as shown on Land Court Plan 7532H as the plan is not a subdivision as a piece of land shown as Lot 17 is being added to house # 34 shown as Lot 14 and it is a conveyance or change in lot line which does not alter the existing frontage as required under the Scituate Zoning Bylaw. The Plan was prepared by Ross Engineering Co., Inc. for applicant Dennis J. Dilley and Owner Treasure Island, LLC. Motion was seconded by Mr. Monger. Motion was unanimously approved.

Accounting

Documents

P.O. # 13001044(\$70.00), P.O. #13001223(\$108.54), P.O. #13001332(\$15.00), P.O. # 13001486 (\$57.50), P.R. # 13001861(\$26.25)

Mr. Taylor moved to approve the requisitions of \$ 70.00 to Westongraphics for Water Resource Protection District Maps for the Special Town Meeting Fall 2012, \$ 108.54 to Community Newspaper Co. for the legal ad in the Scituate Mariner for 33 Garden Road, for \$15.00 to Image Resolutions for Water Resource Protection District Maps for the Special Town Meeting Fall 2012, for \$57.50 to Chessia Consulting Services, LLC for assistance with the Settlement Agreement for Walnut Tree Hill and for \$26.25 to Westongraphics for New Water Resource Protection District maps for the Special Town meeting Fall 2012. Mr. Monger seconded the motion. Motion was unanimously approved.

Minutes

Mr. Taylor moved to approve the August 9, 2012 and August 23, 2012 meeting minutes. Mr. Monger seconded the motion. Motion was approved unanimously.

Discussion of Meeting Dates for November and December

November and December 2012 meeting dates were discussed. The Board is scheduled to meet on November 8 and 20. There is also the Special Town Meeting on November 13. It was decided that we will plan for a meeting on Tuesday, November 20 and if it is not necessary, the meeting will be cancelled. The meeting location will likely need to change as to not conflict with the Board of Selectmen. The WPA Building was expressed as a possible location.

Liaison Reports

Chairman Limbacher indicated that he was at the last Design Review Committee meeting where they discussed 10 New Driftway's proposed sign for the Jacob Hatch Building. They are looking at a new location and height and have placed temporary posts. Chairman Limbacher thought that the new location seems better and he is confident that the Design Review Committee's input will be helpful. He indicated that they discussed changing the language of the condition to approve the sign and allowing the property to be in conformance with required signage i.e. stop signs, directional signs, handicapped parking signs.

Town Planner Report

Ms. Harbottle indicated that she spends some of her time writing grants. She writes and manages the FEMA elevation grants, has worked on open space grants such as for the Crosbie property, she worked on the Green Communities Grant getting Scituate \$160,000 and she has worked on grants through MAPC which the Economic Development Commission would like her to work on this year. She indicated the Town was precluded from the DLTA grant because it was awarded the sea level rise grant with Marshfield.

Ms. Harbottle indicated that the Riverways Condominiums will be on the agenda next time. She said that the condominium owners have been notified and may come to find out the project status.

Ms. Harbottle indicated that the Building Inspector recommends a small change in the Flexible Open Space bylaw to deal with lot width. The Board may also want to consider amending accessory dwellings as separate structures in the R-3 district.

A Stormwater Permit was filed for property on Hatherly Road near Gannett. The proponent wants to raze the garage and build a house. It is a flat lot. The Board expressed a desire to see the permit application.

Ms Harbottle indicated that she has been in contact with Mr. Duval regarding the land disturbance at 87 Maple Street. She indicated he is talking with his attorney about the need for a stormwater permit.

The Board was copied on a Floodplain Special permit from the Zoning Board. Ms. Harbottle inquired if the Board wished to comment. They indicated they did not.

Mr. Vogel inquired if the Doherty matter was still pending. Ms. Harbottle indicated it was in court.

The Planning Board recently signed a Form A Plan for 349 Hatherly Road. Ms. Harbottle indicated that the surveyor would like to add a note to the plan indicating the date of the Land Court survey. Mr. Monger moved to approve the addition of the note to the plan. Mr. Taylor seconded the motion. Motion was unanimously approved.

Chairman Limbacher indicated that the Board has received a letter from the Town Administrator asking for a recommendation of a Planning Board member or its appointee to serve on the Public Facilities Master Plan Steering Committee. After discussion, it was determine that Chairman Limbacher has the time and the interest to be on the committee. Mr. Monger moved that the Board recommend William Limbacher to be their representative to the Public Facilities Master Plan Steering Committee. Motion was seconded by Mr. Mercer. Motion was unanimously approved.

Discuss and vote recommendation to Selectmen on Alternate Member

Mr. Vogel started the discussion by indicating that the Board had two very qualified candidates. One is very business savvy and has the time and the interest. The second has been in government, achieved results and has many accomplishments. Mr. Vogel believes that Scituate needs a candidate that will help bring forward results in the Town.

Mr. Limbacher indicated that the two candidates are strong in different areas that the Board is looking for. Mr. Mercer indicated that Mr. Pritchard is uniquely qualified and has much government experience at the state level which could be an asset to Scituate. He indicated that Mr. Newman has the time to commit to the position. Chairman Limbacher indicated that Mr. Newman has done projects that need to be accomplished and both men have good skills.

Mr. Taylor confirmed that Mr. Wilson is now out of consideration. Chairman Limbacher replied in the affirmative. Mr. Taylor commented that we have 2 extremely qualified candidates. Mr. Monger indicated he was impressed with Mr. Newman, but he was blown away by Mr. Pritchard. He expressed concern about his time commitment. He indicated he favors Mr. Pritchard. Chairman Limbacher asked the Board if Mr. Pritchard would be better here or on the Economic Development Commission.

After discussion of the merits of both candidates, Mr. Taylor moved to recommend to the Board of

Selectmen that Stephen Pritchard be appointed to the position of Alternate Member to the Planning Board. Mr. Monger seconded the motion. Motion was unanimously approved.

Mr. Vogel moved to adjourn the meeting at 10:20 pm. Mr. Mercer seconded the motion. Motion was unanimously approved.

Respectfully submitted,

Karen Joseph
Planning Board Secretary

Richard Taylor, Clerk