

**SCITUATE PLANNING BOARD    MINUTES    January 24, 2019**

Members Present: Ann Burbine, Chairman; Stephen Pritchard, Vice Chairman; Patricia Lambert, Clerk, William Limbacher and Benjamin Bornstein

Others Present: Karen Joseph, Town Planner; Shari Young Planning Administrative Assistant

Members absent: Rebecca Lewis

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

Location of meeting: Selectmen's Hearing Room, Town Hall, 600 C J Cushing Highway, Scituate

Chairman Burbine called the meeting to order at 6:30 P.M. The meeting was being recorded for airing on local cable television.

**Documents**

- 1/24/19 Planning Board Agenda

ACCEPTANCE OF AGENDA: Chairman Burbine indicated there was a posted agenda. Mr. Pritchard seconded the motion for the posted agenda and the vote was unanimously in favor.

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**Old Business, New Business, Correspondence, Administrative Items, Update**

**Minutes**

**Documents**

- Meeting minutes 1.10.19

Ms. Lambert moved to approve the meeting minutes for January 10, 2019.

Mr. Bornstein seconded the motion; the vote was unanimously in favor.

**Accounting**

**Documents**

PO #1907249 (\$5,078.12), PO #1907213 (\$1,350.00), PO #1907212 (\$4,160.00)

Ms. Lambert moved to approve the requisition of \$5, 078.12 to Horsley Witten for inspections at Seaside at Scituate, for \$ 1,350.00 to Merrill Corporation for work on the Stormwater Regulations and for \$4,160.00 to Merrill Corporation for inspections at Curtis Estates.

Mr. Limbacher seconded the motion; the vote was unanimously in favor.

**Liaison Reports:**

**Water meeting reported by Mr. Pritchard:**

- Focus was on the reservoir expansion
  - A lot of permitting still needed, project is a couple years out
    - Currently developing Environmental Impact Report
  - Will give approximately 23 more days of storage
    - Provide additional margin on a drought situation
    - Raise about a foot and a half, height limitations due to 3A

- Analytical work had a lot of nice data
- Presentation supposed to be posted online; will follow up with DPW
- Fish ladder is part of the project
  - Improve the design and ensure the ladders are working properly
- Been working on this proposal since 2013
- Water Resources Commission made a nice presentation about conservation efforts

**ZBA reported by Mr. Borstein:**

- Stockbridge 40B project
  - ZBA ruled modifications are a substantial change to the plan
    - 68 units in 34 duplex building vs. 74 units in 16 buildings
    - Modifications to stormwater, site plans and grading plans
    - Height of structures to 26' from 36'
    - ½ of parking will be garage
    - Town water, on private septic
    - First approved in 2003
    - 25% affordable units
  - Abutter comments made regarding traffic and how patterns have changed since the permit was issued
  - Conservation Commission and Planning & Development provided comments requesting Peer Review
    - Independent Peer Review Consultant will be contracted
- Herring Brook Meadow
  - Not on subsidized housing inventory yet
    - Could go on inventory after occupancy permits issued
  - Have not received all permits, but do have ZBA permit

**CPC reported by Ms. Burbine:**

- Athletic Fields at the high school
  - \$8M-\$10M discussion how to pay for it
    - Possible CPC will pay \$5M along with a bond for the remainder so burden not to be put on the tax payers
    - CPC would be committed to the project above other projects because of the bond
    - Fields have been a discussion since the 80's; question has been how to fund them
    - Requires Town Meeting vote
    - Certain things CPC can't pay for i.e. turf

**School Committee reported by Ms. Burbine and Ms. Lambert:**

- Elementary School buildings – money had been appropriated for the study
- 4 different scenarios
- 3-5 year build out

**Planning/Development Report – Ms. Joseph**

- 50 Country Way –
  - Mr. Genta looking to take over bond

- Current bond \$587K, remaining work is \$66K from Consulting Engineer review
- Board agreed the bond could be moved from McDougall to Genta
  - Need information on financial rating of the bond institution
  - Amount of bond based on Consulting Engineer estimate
- Applicant to come before the Board for a formal vote when bond is ready
- Legal Ad for Zoning in the paper 1/24/19 and 1/31/19
  - Zoning Public Hearing on February 7, 2019
- Seaside at Scituate
  - In violation of the SWPPP
  - Need to take care of stormwater onsite
    - Some failure of erosion control
    - Need to improve the original design for temporary stormwater controls of the site
    - Meeting with Toll Brothers Friday 1/25/19 to address erosion and stormwater issues
  - Remediation starting on site will be hauling Monday-Thursday
  - Addressing trucking complaints
  - Meeting with Toll Brothers to discuss additional inspections Friday 2/1/19
- Office has received several Accessory Dwelling applications
- Office has received several Site Plan Administrative Review applications

**Public Hearing – Special Permit – Accessory Dwelling Unit – 185 First Parish Road**  
**Assessor's Map/Block/Lot 44-3-60**  
**Applicant/Owner: Kelly & Susan Killeen**

**Document**

- PDF of Plans 185 First Parish Road
- PDF ACDU Special Permit Application
- PDF of Assessor's Card
- Doc Transmittal Letter dated 12.27.18
- PDF GIS map image
- PDF Killeen\_optc -- REV111418-100
- PDF Primary House Floor Plan
- Email dated 1.2.19 with extension for Stormwater Permit
- Photos of existing property conditions provided by Mr. Killeen 1.24.19

Attendees: Kelly Killeen, Homeowner

Mr. Killeen reviewed the project for the Board.

- Proposed accessory dwelling structure is 18' x 40', approximately 720 sq. ft., single floor living
- Dwelling will be for his in-laws
- Further action from ZBA
  - Non-conforming for its area, currently 17, 924 sq. ft. under the requirement for R-2 lots size of 20,000 sq. ft.
  - Substantially over the up to 20% increase in livable area allowed by the bylaw

- Section 6 Special permit required
- Site Plan review
  - Driveway to the back is crushed stone
    - Accessory parking space behind structure with walkway
  - 2 doorways for egress, egresses are shielded from the road
  - Creating courtyard area in the existing driveway , a shared patio
  - Reconfiguring the existing stairway to the primary house
  - Parking for 4 cars
  - Stormwater management in the process of responding to comments from Merrill for Stormwater Permit
    - Roof will drain into a chamber system
- Structure
  - Maintains character of the neighborhood
    - Primary house is 1920's, surrounding buildings are of the same vintage
    - Goal to make it look like an out building
  - Board and batten siding on the front
  - Faux barn doors
  - Sides all shingled
  - Clipped ceiling upstairs for storage and mechanicals
  - Will not have full foundation on the accessory dwelling
  - No living on the second floor
  - Front door opens into the back yard
  - Landscaping will be used for screening around the courtyard

Ms. Joseph indicated the stormwater permit is still under review and the applicant will be before the ZBA for a Section 6 finding on February 28, 2019.

Mr. Killeen indicated the driveway will be stone as existing and is pervious. Mr. Killeen provided photos to the Board to show what the existing conditions are and where the proposed dwelling will be located. He said they do not plan to take any trees down and the shed will stay. The new structure will be on town water routed through the existing house not on a separate water meter. The Board requested that the Water Department provide comments.

Ms. Burbine suggested the applicant may want to look at reconfiguring the parking in the rear and find a way to eliminate the steps into the dwelling since the unit will be for an elderly couple. Mr. Killeen said they look at it, but they do need to meet certain building codes. He indicated the existing ground and the floor of the existing house set the elevation for the new dwelling; they want to have 12" above the existing ground for the slab of new dwelling which means two 6" steps.

There was discussion that the applicant will be at the Zoning Board of Appeals on February 28, 2019. The Board also made note of comments from the Board of Health; the current septic system is for four bedrooms, there is a deed restriction that the primary dwelling can only have 3 bedrooms and 1 bedroom in the accessory dwelling.

There was discussion about the exterior lighting over the doors and that there may be some landscape lighting in the courtyard; lighting will be down light, low voltage, with nothing planned to light the driveway at this time. The driveway will be delineated with cobbles.

*Public Comment:*

Mr. Steve Syer resident at 189 First Parish Road asked how tall the building is and if it could ever be turned into a two bedroom rental unit. Mr. Killeen indicated the building is approximately 17' tall. The Board said it would be conditioned that the dwelling could only be one bedroom and the second floor cannot be expanded; the owner of the property has to live on the property either in the primary dwelling and the accessory dwelling and they can never be sold separately.

*Motion:*

Ms. Lambert moved to accept the applicant's request to continue the public hearing for the Accessory Dwelling Special Permit at 185 First Parish Road until March 14, 2019 at 7:00 pm. and to continue the time for action for filing with the Town Clerk until March 29, 2019.

Mr. Bornstein seconded the motion; the vote was unanimously in favor.

It was also mentioned that the electrical would be underground running from the primary house; there may have to be two meters.

**MASTER PLAN update reported by Mr. Pritchard:**

- Working on a list of potential representatives/stakeholder/constituents to make up the initial Advisory Committee
  - Committee of about 10- 12 people, including 2 members "at large"
  - Need to have all components represented, conservation, town infrastructure, etc.
  - Ms. Burbine recommended Glen Wilder
- Estimating end of March before ready for a kick off meeting of the Master Plan
- Want to be at a place when the summer population comes to get the most public feedback
- Consulting team on board and will be developing a schedule and plan

**Public Meeting – Site Plan Administrative Review – 87 Glades Road**

**Assessor's Map/Block/Lot: 5-3-28**

**Applicant/Owner: Doris M. Crary & Dennis A. Badore Revocable Trust**

**Documents**

- PDF Crary, Doris – PB SPAR – 87 Glades Road
- PDF SPAR Site PlanREV 12-27-18
- PDF SPAR ApplicationREV 12-27-18
- Doc transmittal letter dated 1.3.19
- PDF ZBA Decision dated 6.11.18
- Photos of existing property 1.24.19 provided by Mr. Garfield

Attendees: James Garfield, Morse Engineering; Doris Crary, Property Owner

Mr. Garfield and Ms. Crary reviewed the plans for the Board and provided additional pictures of the existing building.

- Currently 4 units, 8 bedrooms

- Pre-existing non-conforming due to property line setbacks
  - Encroaches on the abutter to the North
  - Also non-conforming with FEMA Flood zone elevation only at 10.2
- Parking at rear for 2 cars
- Since 1983 has been 4 units
- Proposal is 3 units, 6 bedrooms, on piles
  - First floor elevation 18.5' approximately 3' above FEMA flood zone
    - Additional 3 feet helps reduce insurance costs
    - Will have 2 parking spots that currently exist with additional parking under the dwelling as it will be on piles
  - Height of building approximately 40'
  - 3 units each with 1090 sq. ft. living area with 2 bedrooms each
  - ZBA decision was in favor of the plan
  - Pending Board of Health review and comments
  - Skirting around the pilings, will be lattice work and garage doors
  - Selling as Condominiums
  - Attic space will just be storage, no livable area

There was discussion regarding the alley area where the proposed absorption system is located and the 10' right of way. Ms. Cray indicated the 10' right of way is the access to the back parking, but is also access to two other properties behind. She said the system that is in the right of way currently goes to the property next door; the new septic system is in the back of the proposed project property and the chambers are under the house. Mr. Bornstein commented on the massing of the structure, the square footage increasing 22% and the layout getting much larger. He opined it will be very dominating in the area; he opined the project should be reviewed by the Design Review Committee (DRC). Ms. Cray opined there are other buildings in the area that are three stories and this will not be too dominating.

The Board all agreed the project should be reviewed by the DRC with regard to the massing and how the building will fit into the neighborhood. There were concerns about the new structure dominating the area, dwarfing some of the buildings next to it, and the straight up and down design.

Ms. Cray opined the project will enhance the neighborhood, currently abutting properties are already dwarfed by the building. She indicated they have done all they can to the structure and it is just too old.

Ms. Joseph indicated that comments were received from John Campbell and Mary Tegan owners of 89 and 91 Glades Road with concerns about the septic system being too close to their property, the elevation of the septic tank, and raising the grade over 3' for the existing 7'8" benchmark causing additional flooding and damage to their property. The applicant and Ms. Joseph noted that they will be going back to the Board of Health to review revisions to the septic plan; initially they had asked for variances for Title 5. Ms. Joseph also noted that Conservation is meeting on the project.

The Board agreed to have the project reviewed by the DRC with callouts regarding the massing and how it fits into the neighborhood. The Board thought a long view perspective would be helpful to see how the building will fit into the row.

*Public Comments:*

Mr. Joe Joyce owner of 83 Glades Road said he is in support of redoing the building; all the properties in the area should be elevated. He thought the massing comment was very good for the DRC. He indicated he will be doing something with his properties, but is waiting to see how to design it based on this project because of the water issues in the area. Mr. Joyce said he had several questions; Ms. Burbine directed him to provide a list of questions to the Planning Board office to be directed to the applicant that can be answered at the next meeting. He questioned the 7.8 benchmark and made comments about the septic and the grading. Ms. Burbine indicated he will have to discuss the septic concerns at the Board of Health meeting as it is not in the Boards prevue.

The applicant indicated they are trying to maintain the current grade.

*Motion:*

Ms. Lambert moved to accept the applicant's request to continue the public meeting for the Site Plan Administrative Review for 87 Glades Road until February 28, 2019 at 7:00 pm. and to continue the time for action for filing with the Town Clerk until March 15, 2019.

Mr. Pritchard seconded the motion; the vote unanimously in favor.

**Documents**

- Email to the Board from Shari Young dated 1.18.19 with agenda
- Email to the Board from Karen Joseph dated 1.18.19 with meeting materials for 185 First Parish Road
- Email to the Board from Karen Joseph dated 1.18.19 with meeting materials for 87 Glades Road
- Email to the Board from Shari Young dated 1.23.19 with meeting minutes from 1.10.19
- Email to the Board from Karen Joseph dated 1.24.19 with additional meeting materials for 87 Glades Road.

These items were distributed to the Board electronically.

Mr. Limbacher moved to adjourn the meeting at 7:57 p.m. Mr. Pritchard seconded the motion; the vote was unanimously in favor.

Respectfully submitted,

Shari Young  
Planning Board Administrative Assistant

Patricia A. Lambert, Clerk

Date Approved: February 7, 2019