

SCITUATE PLANNING BOARD MINUTES January 25, 2018

Members Present: Stephen Pritchard, Chairman; Ann Burbine, Vice Chairman; Benjamin Bornstein, Clerk, William Limbacher, Richard Taylor and Alternate Member Patricia Lambert.

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

Members absent: None

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 Pritchard called the meeting to order at 7:00 P.M. The meeting was being recorded for airing on local cable television.

Documents

- 1/25/18 Planning Board Agenda

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

Continued Public Hearing – Residential Cluster Special Permit – 56.074 acres between Hatherly and Tilden Roads, 13.33 acres east of Hatherly Rd. and 38,535 sq. ft. east of Oceanside Dr. – Seaside at Scituate

Applicant: Toll MA Land III Limited Partnership, c/o Toll Bros, Inc.

Owner: Suburban Realty Trust, Benjamin Goulston, Trustee

Document

- Email to Board from Karen Joseph dated 1/19/18 – DPW Letter
- Email to Board from Karen Joseph dated 1/23/18 - PDFs of plumbing fixtures dated 1/3/18, Robert Herson letter dated 1/18/18, PDF Second Review Engineering Dept. dated 1/23/18, Email from Jennifer Keefe regarding proposed pool dated 1/9/18, PDF Sewer Memo Draft dated 12/21/18, PDF Water Report Draft dated 12/01/17, letter of applications for private wells dated 1/19/18.
- Email to Board from Karen Joseph dated 1/24/18 – Letter from Water Division dated 1/10/18 and Revised Weston & Sampson Water Draft report dated 1/8/18.
- Potential Drainage improvements at Sixth Avenue by Stantec dated 1/18/18
- Final Water and Sewer Reports from Weston & Sampson dated 1/25/18
- Email from Cindy Amara dated 1/24/18
- Memo from Traffic Rules and Regulations Committee dated 1/25/18

Attendees: Attorney Ohrenberger, Dave Bauer, David Buckely, Scott Miccle, Kevin Klein (Stantec), Erin Furdette and Paul Mirabito for the applicant and Janet Bernardo of Horsley Witten as the Town's consulting engineer.

Mr. Ohrenberger noted that a revised set of plans have been provided and there is also a pending meeting with Conservation on 2/5.

Mr. Pritchard indicated there were some follow up items from the last meeting that he would like to address first:

1. The Board requested a written review of the residential proposal vs. the residential cluster bylaw purpose. Mr. Bauer said he did not take that as an action item. Mr. Bauer asked for clarification on what the Board was requesting. Mr. Pritchard indicated the Board requested a review of the purpose document of the residential cluster zoning requirements with written documentation to answer previous concerns and also encapsulate any extemporaneous conversation. The Board indicated they want to make sure they are addressing the purpose of the bylaw. Mr. Bauer said they will accommodate the Board.
2. Mr. Bornstein asked if there could be a narrative provided to compare this design with the previous conceptual design that had been presented in the last meeting. Mr. Bornstein cited peer review notes dated from 11/1/17 and summary peer review letter dated 12/14/17. Ms. Bernardo responded that the statements in the letters were to re-state the bylaw and she never heard if the Board was in agreement if the purpose of the bylaw was met. Mr. Bornstein indicated that there has been new information provided, particularly with the site work in terms of tree removal and clear cutting, number of truck trips with fill being brought in and wants to make sure with these updates the purpose of the bylaw is still satisfied.

Mr. Ohrenberger reiterated that the applicant will take the August 17th presentation and the power point and will meld them together with the current plans before the Board. Mr. Bauer said they will “true up” the current plan addressing the new information on tree clearing and fill import, etc. to the presentation that has already been presented. Mr. Ohrenberger said the plan has evolved based on peer review and Board recommendations. Mr. Pritchard asked how the new information compares to the conventional subdivision; that is the benchmark. Mr. Bauer said they will update the purpose document to the current plan, but the analysis is compared to a conventional subdivision plan.

3. Ms. Burbine asked about the creation of affordable housing as part of the purpose section as there is no affordable housing in this project. Mr. Bauer confirmed there are no affordable units in the project based on the State definition.

Mr. Pritchard asked the applicant to update their assessment against the purpose. The applicant agreed to update their presentation from August.

Sewer and Water Issues:

Mr. Ohrenberger indicated their understanding was water and sewer issues have been adequately addressed with the third party engineers. Ms. Joseph stated the two reports meet the scope requested and both letters state there is capacity for the development.

Ms. Joseph indicated the recommendations have been integrated into the project or addressed in the DPW memo as an agreement between the Town and Toll Brothers. Toll Brothers is in agreement with the sewer issues, with exception of one that Mr. Ohrenberger will discuss.

- Toll Brother agreed certain manholes will be flush and others raised.
- There is agreement between Toll Brothers and the Town to leave the sewer as designed at Ermine Street as opposed to the Weston & Sampson recommendation. Both the Town and Toll Brothers feel it is a better solution because of how the sewer is coming into the street from the school.

Ms. Joseph indicated the DPW memo has identified action points from the Horsley Witten memorandums which are cross referenced with the Weston & Sampson report.

Mr. Pritchard reviewed the Weston & Sampson memorandum with its four recommendations;

1. Light cleaning and CCTV review of existing sewer lines – this is agreed to by all parties.
2. Move the sewer line connection from Ermine Street - DPW does not agree with this recommendation. DPW feels the better solution is to leave as designed.
3. Move the proposed sewer into the existing road way on Hatherly Rd. It will be moved to the front yards of the Form A lots vs. the back yards. It will not be exactly in the right of way, but all parties agreed moving it up to the front is a good solution.
4. Provide water tight and raised manholes has been agreed to follow the DPW recommendation.

All changes will be made to the drawings as requested by the Board and the applicant has agreed.

Ms. Joseph said that there will be letter addressing hydrants, etc. coming from the Fire Dept.

Mr. Ohrenberger indicated everything from the Weston & Sampson reports stands with exception of the following deviations:

- After the camera view of the line if there are breaks in the line the Town will be responsible for repair not Toll Brothers. Ms. Joseph stated the DPW concurs.
- Mr. Ohrenberger noted the only open issue in the DPW memorandum is the adding of 350 feet of water line in Ermine Street in lieu of looping from Road F. Ms. Joseph responded that Road F is the only dead end section of water main and DPW did not take looping off the table. She said the proposed solution of looping was never approved by DPW. Mr. Miccle indicated that originally DPW wanted all dead end water lines looped. He said the applicant worked with Weston & Sampson and found there is no way to loop that section. With the current plan, the applicant it is actually helping Ermine St. by eliminating an 800' dead end with the connection from Road F and a hydrant at the end. Ms. Joseph stated that DPW opined that they were in agreement that looping the water line back on itself would not be beneficial, but the alternative would be to replace about 350' of the line in Ermine Street. The Board was in agreement they are not clear on how replacing 350 feet of line in Ermine Street solves the issue of looping and would like clarification from DPW. Mr. Bauer stated that from the peer review and other information, the looping back on itself does not solve the issue and the current proposal is best that can be done.
- Mr. Ohrenberger commented regarding HDPE pipe vs. reinforced concrete (RCP) that the Town will never have any responsibility for this development. Mr. Miccle indicated that HDPE is the industry standard and they have not used RCP for years. Ms. Bernardo opined she has been using HDPE pipe for years as they are easier to use, lighter, easier to install, and has not heard any complaints from other towns that HDPE is an issue. Mr. Ohrenberger confirmed that if there were any issue(s) about the pipe(s), the Homeowners Association would have to deal with fixing them and there would be no expense to the town. Ms. Joseph said the DPW Supervisor's recommendation is the RCP pipe.

- Ms. Joseph asked that gravel be added under the Belgian block curbing underneath the concrete.

Ms. Bernardo asked for clarification on some additional comments that were made in her recommendations letter. Ms. Bernardo suggested and the Board agreed that all changes would be noted on the final plan set, including items that could be conditions, i.e. erosion control plans, construction zone entrance, construction sequence, conservation requirements, etc. Ms. Bernardo further indicated the construction sequencing should be more specific and asked if the Board wants the applicant to come back before them prior to beginning Phase II.

Mr. Joseph also indicated that the Board may want more specificity around Phase I and Phase II. Mr. Pritchard asked if Phase I is able to stand on its own. Mr. Bauer said from construction /operational stand point it can stand on its own. He suggested they would have a bond for surety for Phase I and would not be authorized to start Phase II until they came before the Board and got approval to start that phase. Ms. Joseph said the provided construction sequence needs to incorporate Phase I and Phase II. Mr. Miccle commented the intent was the tasks may apply to both phases. Mr. Pritchard asked the applicant to show delineation for each phase. Mr. Miccle referenced the Phase lines as shown on the plans. Mr. Pritchard requested that the general sequencing be broken out by Phase I and Phase II and the Board would like the condition added to the phasing that the applicant come back to the Board prior to starting Phase II. Mr. Pritchard stated the permit will also be written as such.

Mr. Bauer requested that the conditions allow Toll Brothers to start Phase II while Phase I is still under construction and there be another bond for Phase II. Mr. Pritchard said the objective is to be clear on what is Phase I and Phase II. He asked what happens where the phase line stops with regards to grading and the drainage flow. Mr. Miccle said they will have to grade off at the Phase lines so all the grading and infra-structure is working properly and there may be some incidental work that needs to happen to make sure storm water, etc. is working properly. Mr. Bauer suggested there be a number set to accommodate limit of grading in the field. Ms. Bernardo opined 25' would be adequate. Mr. Ohrenberger recommended if on site adjustment is needed the applicant should go to the Town Planner and Conservation to assess the scope. The Board was agreeable with the 25' zone as suggested. Mr. Bauer stressed that when the phase line was designed it was placed so that stormwater and infrastructure work adequately and properly. Mr. Bauer said they have a vested interest in having the phasing correct and Phase I can unequivocally work on its own.

Haul Routes:

Ms. Burbine addressed concerns she had previously stated on the proposed haul routes. Ms. Burbine said she drove with Mr. DeLisi and Mr. Buckley and opined that the turning movement from Gannett to Hatherly will not work and that Beaver Dam to Tilden has enough room for trucks to turn. Ms. Joseph interjected that DPW prefers Beaver Dam to Jericho to Hatherly as DPW has indicated that the curb at Tilden Road could be run over by large trucks. Mr. Buckley's assessment with his trucking company is the intersection of Jericho to Beaver Dam does not provide enough room and their proposed way is Beaver Dam to Tilden as it has ample room to make the turns in and out and is the most conducive for a large truck. He said there would be construction entrances on both ends of the site. Ms. Joseph expressed on behalf of DPW the concern that it is harder to make the turn on Tilden with the new sidewalks. Mr. Pritchard agreed that turning at Jericho was difficult turn as well as additional traffic. Ms. Burbine stressed if Tilden is to be used the speed limit should

remain at 25mph to and from the site. Mr. Pritchard asked that DPW review this issue again. Mr. Bauer requested that DPW review the situation again. Ms. Joseph will arrange a drive through with all interested parties.

Public comments:

Mr. Jacobucci of 29 Norwell Ave. asked about opening up the access at Ermine Road. The Board said it is a limited, emergency access with rumble strips so that would discourage traffic. Mr. Jacobucci expressed concerned of increased traffic on Norwell Ave. The Board reiterated the access is to be an emergency access route only. Ms. Burbine suggested that a sign "Do Not Enter" also placed.

Laura Curtain of 58 Kenneth Road asked what the noise ordinance will be and if there are any parameters as the school is nearby. Mr. Pritchard stated there will be start and stop times for construction periods. He does not know the local ordinance for noise decibels, but said there are state limitations for noise and Ms. Joseph can get the state information. The applicant opined that the concrete crushing operation would be completed in approximately two months. Mr. Pritchard asked if the noise could be mitigated by temporary blocks; Mr. Miccle said he has never seen anyway to shield noise using the blocks. Mr. Bauer said they will look at the recommendation to do the crushing prior to cutting trees. Ms. Curtain asked if the crushing is part of the remediation. The Board said it was not. Mr. Pritchard further added there is a full draft remediation plan and remediation is proposed early in the process.

Christine Loeb of the Proving Grounds Group asked if homes are modular as trucking of the homes could be a problem. Mr. Bauer responded no, but there is a combination of stick build and some wall panels are preassembled and shipped to the site.

Additional items discussed:

Master Deed Documents - Town Counsel has commented on two points. Mr. Ohrenberger commented that there needs to be clarification on the term "phasing" and he is willing to speak with Town Counsel. He argued that under the law there needs to be an "as built plan" for the plan to be filed at the registry and phasing has nothing to do with construction. Mr. Pritchard paraphrased the Town Counsel concern as to when does the Home Owners Association take control and have responsibility of the development. Mr. Bauer said upon the first closing the association is created. He said Toll Brothers will be on the board of trustees, but from the beginning the Association takes control of the property. He said there would be a rolling election of residents to the Board of Trustees over time. Mr. Pritchard said to circle back with Town Counsel. Mr. Bauer said the final documents will be produced before the sale of the first home. Mr. Ohrenberger confirmed that Town Council will have the opportunity for review.

Mr. Limbacher indicated there were concerns addressed in a memo from the Traffic Rules and Regulations Committee (TRR):

- Regular Rapid Flash Beacons (RRFB)- new ruling they are prohibited by Federal Highway Administration and there are options for substitution, i.e. solar powered blinker signs, Amber LEDs. This ruling has just come out this week. Ms. Furdette, indicated that the RRFB's had an interim approval and it has since been rescinded, due to patent issues. Traffic Commission has suggested 2 alternatives:
 1. Pedestrian diamond yellow sign with small LED lights and border with push button.

2. Single head amber color flashing light, with push button.

Ms. Furdette opined she thought it was a matter of aesthetics. Ms. Bernardo will come back with a recommendation.

- Digital speed signs are requested by TRR. TRR has identified where they should be placed and requests they be noted on the plan.

Mr. Bauer recalled that in previous discussion the applicant said they would do crosswalks versus speed signs. The Board was in agreement.

Surety:

Mr. Miccile indicated that surety is in their phasing and recommends that it be put in place prior to obtaining a certificate of occupancy for the first home. He suggested a bond that the DPW or Engineer determine the amount of. Ms. Joseph indicated the Town does not agree with the philosophy of the applicant and the bond should be posted prior to construction and the Town would prefer a cash surety. Mr. Ohrenberger said the customary way to do this is with a covenant, the applicant is not amenable to putting a cash bond down. Ms. Joseph said there could be a covenant and when the covenant is released some type of cash surety. She said timing is a concern to because it is required prior to the construction. Mr. Pritchard said there is work to be done on this and the Board will review once a solution has been worked out.

Drainage at 6th Ave.:

Mr. Klein spoke to drainage at 6th Ave. and a meeting that took place with the applicant, DPW and Planning staff. He said a schematic plan was also reviewed with both Ms. Bernardo. The applicant proposes to add three catch basin on the southeast side of the property with an interceptor swale and pipe this across the street to a manhole in 6th Ave with a new pipe connection to the existing line. They would also install a catch basin at the existing pipe on the southeast side of the property that runs into the existing drainage system. The solution should alleviate the existing flooding in 6th Ave. He said they are still investigating adding a catch basin by lots 151 and 152. He said the idea is to try and build a new system off of Hatherly and keep anything from getting to Hatherly. Ms. Joseph said the Town is in favor of the proposed solution pending further analysis and there would need to be an amendment to the applicant's Notice of Intent. She said she reviewed the proposed solution with the Conservation Agent who was receptive to the idea as it would alleviate a major flooding issue.

Mr. Ohrenberger and Ms. Joseph will coordinate to begin working on draft conditions.

Motion:

Mr. Bornstein moved to accept the applicant's request to continue the public hearing for the Residential Cluster Special Permit for Seaside at Scituate by Toll MA Land III Limited Partnership, c/o Toll Brothers Inc. off of Hatherly and Tilden Roads until March 8, 2018 at 7:00 pm and continue the time for action to file a decision with the Town Clerk until March 29, 2018. Mr. Taylor seconded the motion which was unanimously approved.

Public Hearing – Accessory Dwelling Special Permit – 105 Hatherly Road

Assessor's Map/Block/Lot 29-6-17

Applicant/Owner: Welby Builders, LLC

Documents

- PDF Hatherly Road Recorded Deed to Welby 2017
- PDF Application for 105 Hatherly Rd ACDU dated 12/27/17
- Cover Transmittal letter for 105 Hatherly Rd dated 12/28/17
- PDF Plans-elevation for 105 Hatherly Rd
- William Branton Email dated 12/29/17
- PDF Filing Package

Attendees: Don Gillespie, Welby Builders, Paul Mirabito of Ross Engineering representing the applicant.

Mr. Gillespie said he is the present owner of the house under construction and indicated the proposal before the Board is for an in-law addition. He said the future owners will be living in the Accessory Dwelling and their daughter will be living in the primary dwelling and have provided written documentation to that arrangement.

Mr. Mirabito indicated the accessory dwelling will be 672 sq. ft. with an open deck on the west side and parking will be in the garage. He said the parking for the primary dwelling will be in the driveway.

Mr. Pritchard asked where the entry for the accessory dwelling will be. Mr. Mirabito said there is a breezeway adjacent to the garage. Mr. Gillespie added the residents will pass through the a mud room to get to the in-law suite and the 10'x10' deck with a sliding door to the accessory dwelling has access from the ground level. Ms. Joseph confirmed that there are two means of egress and the house will be on town water and town sewer.

Mr. Taylor inquired about the rear elevation and if the two windows on the ridge line have to moved? Mr. Gillespie said they do not have to be moved and also confirmed the shingles will be the same as the main house.

Ms. Joseph opined it meets the size requirements, there is plenty of parking, the owners have signed a notarized statement that they will occupy the accessory dwelling, town water and sewer are provided, there are two means of egress and, it meets the standards of the accessory dwelling bylaw.

Motion:

Mr. Bornstein moved to make the following Findings of Fact:

1. On December 27, 2018, Welby Builder, LLC applied for a special permit for an accessory dwelling within a single family house at 105 Hatherly Road.
2. According to the application, the existing dwelling currently under construction has a gross floor area of 3,200 sq. ft. and four bedrooms. Based on the application, the interior floor space of the proposed accessory dwelling will be 672 sq. ft. This is less than the maximum of 750 sq. ft. allowed by the Zoning Bylaw. The accessory dwelling meets the size requirements of Section 530.2F.
3. The Accessory Dwelling Plan for 105 Hatherly Road dated 12-20-17 shows a garage with two parking spaces for the accessory dwelling. A driveway shows parking for the primary dwelling and is amply sized to handle four vehicles. This appears adequate to provide two

parking spaces for the accessory dwelling and sufficient parking for the primary dwelling.

4. The future owners have submitted a signed, notarized statement that they will live on the property in the accessory dwelling.
5. The accessory dwelling is a separate housekeeping unit from the primary dwelling.
6. The accessory dwelling will be on Town sewer and water.
7. There are two means of egress, a slider door to the deck and a door to the inside hall of the primary dwelling.
8. The application meets the standards of the Scituate Zoning Bylaw for an Accessory Dwelling Special Permit.

Mr. Taylor seconded the motion. The vote was unanimously in favor.

Mr. Bornstein moved to approve the Special Permit for an accessory dwelling at 105 Hatherly Road with the following conditions in addition to the standard conditions for accessory dwellings approved by the Planning Board after a public hearing on 12/17/15:

1. Except for any changes necessary to meet these conditions, any construction shall conform to the plans entitled Accessory Dwelling Plan for 105 Hatherly Road, Scituate, MA by Ross Engineering, dated 12/20/17, and elevations and floor plans including Drawings A3 First Floor Plan dated May 26, 2017, A1 First Floor Plan Design I, A2 Exterior Elevations Design I and A3 Exterior Elevations – Design I dated 12/21/17.
2. The number of bedrooms in the accessory dwelling is limited to one in the location and size indicated on the floor plan submitted with the application. The number of bedrooms in the primary dwelling is limited to four.
3. The accessory dwelling shall conform to all applicable standards in the building, plumbing, electrical, mechanical, fire and health codes and bylaws.
4. Stormwater runoff must be contained onsite during construction and after construction is completed.
5. Construction work shall not begin prior to 7:00 am weekdays and 8:00 am on Saturdays and shall cease no later than 7:00 pm or sunset whichever is earlier. No construction shall take place on Sundays or legal/federal holidays. Construction includes idling of vehicles, delivery of materials to the site and all other construction activities.
6. The standard conditions for accessory dwellings approved by the Planning Board shall be conditions of this decision and shall be included for recording at the Registry of Deeds.

Mr. Taylor seconded the motion. The vote was unanimously in favor.

Assessor's Map/Block/Lot 31/1/39

Applicant/Owner: Nugent Management Trust, Martha Nugent TR

Documents

- PDF Filing Package for 568 First Parish Road dated 11/15/17
- PDF of FMA – stamped for 568 First Parish Road
- Cover – letter Transmittal dated 1/10/18
- Email from DPW dated 1/23/18

Attendee: Mr. Mirabito in attendance as representative.

Mr. Mirabito said that the applicant received a 50 foot frontage special permit from the ZBA which has been recorded in registry of deeds and plan reflects what was approved by the ZBA.

Ms. Joseph confirmed the lot has access and the 50' frontage special permit from the ZBA is final. Ms. Joseph indicated the Planning Board can endorse the plan. Mr. Pritchard asked if there are any special conditions. Ms. Joseph responded like any other 50' frontage lot it cannot be re-subdivided. The plan will have a deed restriction as the ZBA decision noted. Mr. Mirabito said they will record the plan and the deed at the time of the sale.

Mr. Bornstein reference the ZBA hearing that one abutter had a question of a triangular piece of land and ownership. Mr. Mirabito said the abutter does not own the land and the issue is resolved.

Motion:

Mr. Bornstein moved to endorse as approval under the Subdivision Control Law Not Required a Plan of Land in the Town of Scituate, MA located at 568 First Parish Road prepared by Ross Engineering Co., Inc. for applicant Martha Nugent, Trustee of the Nugent Management Trust dated September 12, 2017 as the division of the tract of land shown on the plan is not a subdivision because every lot shown on the plan has frontage on First Parish Road, a public way, of the distance as required under the Scituate Zoning Bylaw and Lot 2 has received a Special Permit from the Zoning Board of Appeals for a 50 foot frontage lot. Mr. Taylor seconded the motion and the vote was unanimously in favor.

Form A – 3 Driftway

Assessor's Map/Block/Lot 64-6-1

Applicant/Owner: Rober E.Griffin Jr., Tr., 3 Driftway Nominee Trust

Documents

- PDF 3 Driftway Application Package
- Photo image 3 Driftway – Driftway side
- PDF Assessor's card 3 Driftway dated 12/6/17
- PDF Assessor's Map 3 Driftway
- PDF People GIS view
- PDF Plan – 3 Driftway
- Cover letter Transmittal dated 1/18/18
- Email from DPW dated 1/23/18
- Email from Karen Joseph dated 1/23/18 - Photo Collier Side

Attendee: Mike Sacchitelli, attorney representing Robert Griffin, trustee of the property.

Mr. Sacchitelli is before the Board requesting the lot line be reconfigured to create an approximately 238 sq. ft. not buildable parcel. He said the applicant owns the property and has been trying to sell it and it is currently a non-conforming lot. He said there are concerns over the structural viability of the existing dwelling and feel that a new owner may want to tear it down and re-build. He said they are trying to mitigate some potential obstacles regarding setbacks if a new owner does try to re-build and they are hoping to make the property more marketable as it has significant value based on its location. He opined it does not present any additional burdens on the community, the environment, or the nature of the land and it is the view of the current owner that the lot line change will make the property more marketable.

Ms. Larnard, the realtor for the property, addressed the Board to help clarify why the owner is asking for the change. She indicated that by making the property line of Driftway a sideline, it would provide a different setback than the current setback would be. She said the current foundation is significantly disturbed.

Mr. Pritchard surmised this as an effort to have a non-conforming lot be less non-conforming in order to get a variance or special permit. Mr. Taylor indicated that if it was left a corner lot, it would have to have 30' front yard setback so this would provide an 8' side set back on each side and 20' set back from the rear. Ms. Burbine commented that there are cobbles and gravel in the Driftway right of way and it is being used as a private driveway when in fact a public way. Mr. Sacchitelli said that is the condition the lot was in when current owner bought it.

Ms. Joseph gave background that the Driftway is a public way and they are using public property as private property. She said she has meet with Building Inspectors on this and the property still maintains access and frontage so legally the Board should endorse the plan although they opined that it may make it more non-conforming.

Motion:

Mr. Bornstein moved to endorse as approval under the Subdivision Control Law Not Required a Plan of Land in Scituate, MA located at 3 Driftway prepared by New England Land Survey, Inc. for applicant Robert E Griffin Jr., Trustee of the 3 Driftway Nominee Trust dated January 8, 2018 as the division of the tract of land shown on the plan is not a subdivision as it shows a proposed conveyance or change in lot line which does not alter the existing frontage as required under the Scituate Zoning Bylaw as there is adequate frontage and access from Collier Road. Parcel A is labeled as a non-buildable parcel. The Board will add the stamp that "Planning Board endorsement of this plan is not a determination as to conformance with zoning regulations." Mr. Taylor seconded the motion; vote was unanimously in favor.

Accounting

Documents

- PO # 1807171 (\$6,452.47), PO # 1807193 (\$489.00), PO # 1807238 (\$160.00), PO # 1807235 (\$141.23)

Mr. Bornstein moved to approve the requisition of \$6,452.27 to Horsley Witten Group for engineering peer review for Seaside at Scituate – Toll Brothers, for \$489.00 to Chessia Consulting

Services, LLC for construction inspections for 50 Country Way, for \$160.00 to The Association of State Floodplain Managers for renewal of membership for Nancy Durfee, for \$141.23 to J&R Graphics for office supplies.

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

Minutes

Documents

- Meeting minutes from 1/11/18
- Meeting minutes from 8/10/17

Mr. Bornstein moved to approve the meeting minutes of 1/11/18 and 8/10/17. Ms. Burbine seconded the motion. Motion was unanimously approved with Mr. Pritchard abstaining from the vote for meeting minutes for 1/11/18 as he was not present.

Liaison Reports

EDC:

- EDC has gone to Board of Selectmen regarding Drew Company.
 - Selectmen were receptive to the Drew Company future plans.
 - There was discussion on the regional movement on the water and sewer. The Drew Company understands the status of the sewer and water and there will be a large scale study. The Drew Company has been approached about providing funding for the study.
 - A letter of support has been sent to the Drew Company which enables them to extend their purchase and sales agreement with the MBTA.

CPC:

- CPC voted to approve \$8,500.00 to do appraisal on the McDonald/Doherty property.
- Property is for sale and would be worth the Town buying as open space pending an appraisal.

TRR:

- TRR is looking at parking down at the brewery - topic to be discussed at next meeting.
 - Coordinate with Planning to understand other demands that are coming to the area.
 - Potential solution is for one way traffic flow, but concerns about left and right turns off the triangle piece of land.
- Discussion about 7-9 Humarock, but no decision and will be addressed at next meeting.
 - TRR has same concerns as Planning Board with parking and pedestrian safety.

Capital Plan meeting for Planning Board is February 28th.

Planning/Development Report

- February 22nd - zoning public hearing

- Town report will go in as written; 50 Country Way was continued with the Selectman. 50 Country Way construction has slowed down, sewer and water not connected and nothing on affordable units has been submitted yet.
- 10 New Driftway has a notice of intent in for additional parking spots. Letter has been sent notifying them they need to apply for site plan review.
- Meeting with Jeff DeLisi for 90 Ann Vinal to review Finding of Facts and Conditions, Conservation has not heard the project yet so there may be a delay.

Old/New Business

Documents

- Email from Shari Young with agenda for 1/25/18 meeting

These items were distributed to the Board electronically.

Mr. Limbacher moved to adjourn the meeting at 10:02 p.m. Ms. Burbine seconded the motion. Motion was unanimously approved.

Respectfully submitted,

Shari Moak-Young
Planning Board Administrative Assistant

Benjamin S. Bornstein, Clerk

Date Approved 2/8/18