

SCITUATE PLANNING BOARD MINUTES October 25, 2018

Members Present: Ann Burbine, Chairman; Stephen Pritchard, Vice Chairman; Patricia Lambert, Clerk, William Limbacher, Benjamin Bornstein and alternate member, Rebecca Lewis.

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

Documents

- 10/25/18 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.

Public Hearing – Special Permit Accessory Dwelling – 16 First Avenue

Assessor's Map/Block/Lot 34-10-5

Applicant/Owner: William & Julie Luethe

Document

- PDF Application dated 9.11.18
- PDF of Site Plan dated 9.18.18
- PDF of Floor Plans dated 8.20.18
- Doc of approved standard conditions for Accessory Dwelling dated 12.17.15
- Doc of transmittal letter
- Photo of existing house

Attendees: Greg Morse, Morse Engineering; William Luethe, Property Owner of 16 First Ave.

Mr. Morse reviewed the plan for the proposed accessory dwelling.

- Adding attached 750 sq. ft., 1 story dwelling for in-laws
- Proposed accessory dwelling complies with front, rear and side yard setbacks
- Reconfiguration of parking - 2 spaces in the existing driveway, 2 spaces in the front
- Existing house is pre-existing non-conforming
 - ZBA granted approval for the addition

Ms. Joseph indicated that the accessory dwelling is sized at 750 sq. ft. and meets the size and zonings setbacks and ZBA has voted on special permit approval.

Mr. Pritchard asked if there were any conditions from the ZBA decision. Mr. Morse indicated the only condition was that the addition cannot be occupied without the approval of a special permit from the Planning Board.

Mr. Pritchard wanted to know how the addition relates to the existing dwelling; looking to see how it melds together. Mr. Morse discussed the architectural plans and provided a photo of the existing home.

- Addition goes in front of the garage in the picture
- Existing garage to be used for storage
- Flat roof on the addition, roof deck on a portion of the roof

Mr. Pritchard noted Section 2 E which addresses the appearance and design of the dwelling. He opined that the addition is adding a completely different design element to the existing house. He said part of the intent is to make sure the accessory dwelling does not modify or change the appearance as a single family home, but looks like it is still part of the same house. He opined that maybe a peaked roof and the siding all being the same would help.

Ms. Burbine, Mr. Limbacher and Ms. Lambert agreed with Mr. Pritchard's concerns that the proposed addition did not fit in with the existing house or the neighborhood. The Board members had issues with the flat roof.

Mr. Limbacher wants to know what the ZBA will be writing their decision. He opined that the proposal does not seem to be integrated into the neighborhood.

The Board indicated they are not opposed to accessory dwellings, but that part of the objective is to make sure that the accessory dwelling melds together with the existing house.

Ms. Lambert opined she is in agreement with both Mr. Pritchard and Mr. Limbacher and is hesitant to accept the current design as an accessory dwelling.

Ms. Burbine concurred with Ms. Lambert.

Ms. Lambert also indicated she wondered if the dwelling could be placed differently on the lot so that they don't lose so much of their side yard. Mr. Luethe said there was nowhere else to put it on the lot.

The Board does not feel that the new dwelling has the same architectural look and feel with the balance of the existing house; they do not feel it has been well integrated into what already exists.

Ms. Julie Luethe owner of 16 First Ave indicated that their intention was to have one floor living and not block water views from the neighbors behind them. She said the addition will not make an L-shape that it is wider than the renderings make it look and the siding will match with the existing house and new addition; she opined it will be blend in with the neighborhood.

The Board indicated the flat roof makes it stand out.

Mr. Paul Connell, father in-law and future occupant indicated their original plans had a pitched roof, but they decided to go with a flat roof so not to take away the view from the neighbors. He said those plans could be provided to the Board. The Board opined the objective is to make the accessory dwelling look like a single family home, to integrate it into the neighborhood; the Board needs to see something that looks at the integrated piece.

Motion:

Ms. Lambert moved to accept the applicant's request to continue the public hearing for the accessory dwelling special permit at 16 First Ave. until November 8, 2018 at 8:00 pm.

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

**Public Hearing – Special Permit Mixed Use Building – 6 MacDonald Terrace
Assessor's Map/Block/Lot 53-5-21 & 53-2.27
Applicant/Owner: RJB Development**

Document

- PDF Application dated 8.6.18
- PDF Architecturals 3.20.18
- PDF Narrative 6 MacDonald Terrace
- PDF Drainage Calculations dated 7.26.18
- PDF Recorded ANR 6 MacDonald Terrace
- PDF Site Plans 6 MacDonald Terrace
- Doc Transmittal letter dated 8.30.18
- PDF comments from Sewer Department dated 10.1.18
- PDF comments from Water Department dated 9.10.18
- Email comments from Conservation Commission dated 10.16.18
- Doc comments from Design Review Committee meeting 10.22.18
- PDF Planting Plan dated 7.24.18
- PDF MacDonald Terrace Revised architectural plans dated 10.25.18
- PDF 6 MacDonald Terrace Photometric Lighting Plan
- Jpeg James Hardie siding Cobblestone2 – proposed building color
- Email from Mr. John Sullivan to Mr. Burwick dated 10.25.18

Attendees: Greg Morse, Morse Engineering; Bob Burwick, Property Owner; Kelly Ennis, Architect

Mr. Morse reviewed the plan:

- Raze existing dwelling and construct new mixed use building
- Located in General Business District and Village Business Overlay District (VBOD)
- Frontage on MacDonald Terrace
 - Private Way, but paved with utilities
- Topography of the lot slopes in southerly direction
 - 4" of grade difference from one side to the to the other
- New building 90' in length, 28' deep
 - Porch across the front
 - 5 residential and 1 commercial space
 - One - 1 bedroom
 - Four - 2 bedrooms
 - 1 Office space, 314 sq. ft.
 - Each unit has back entrance and front entrance
- Parking in the back of the parking lot with 20' wide driveway
 - Providing 10 parking spaces, zoning requires only 8.1 spaces

- Dumpster is at the back of the property
- Connecting to public water supply and sewer
- Landscaping plan submitted today addresses comments from the Design Review Committee (DRC)
- Drainage report provided
 - Sub surface recharge system, tree box filter, and infiltration chambers under the parking lot
 - Soil tests, very well drained soil

Ms. Ennis reviewed the architectural plans:

- Break up façade of the building makes feel residential
 - Wrap around hip roof porch
- DRC comments have been addressed
 - Beefier trim on gable side of the roof with returns; more stately look
 - Added chimney to break up roof line
 - Added railing to the porch
- Initial lighting plan – low level LED lighting
 - Onion light at each entry, LED light
 - Back balconies will have down lighting, barn light
 - Parking lot - down barn lights
- Color proposing cobble stone with white trim

Ms. Joseph indicated the applicant did meet with DRC, the project has been peer reviewed and the applicant is working to address comments; comments from the Fire Department have also been received. Ms. Joseph said the Board needs to determine if level of detail on architectural plans is sufficient.

Mr. Pritchard indicated there was a comment made from the DRC asking for a scaled drawing of the elevation showing neighboring single family homes. At this time the applicant has not completed any drawings to satisfy the request. Mr. Burwick did not feel they had agreed to the request and did not feel that is was going to be beneficial since they are compliant with all the zoning; the building will be bigger than the single family homes in the neighborhood, but he opined the project is in keeping with what the future will look like for the area. Ms. Burbine read an excerpt from the meeting minutes of the DRC. The applicant agreed to provide the Board with a rendering of the building elevations and surrounding neighborhood single family homes.

Mr. Bornstein asked what the intention of the mixed use building is. The applicant indicated he intends to run his real estate development business out of the office space.

The applicant indicated the plan for the building is to be condominiums at market rate, with no affordable units.

Public comments:

Mr. Jim Cook resident at 18 Ford Place said the plan looks to be conforming to what he had reviewed and it also seems to be conforming to what is happening in the neighborhood.

Ms. Taryn Consilvio resident at 22 Ford Place asked if there would be access from the parking lot to the Driftway. Mr. Burwick confirmed there will be no access to the Driftway. Ms. Consilvio

indicated there are traffic and parking issues on MacDonald Terrace and showed pictures to the Board. She is concerned about the increase in traffic flow. Ms. Burbine suggested that Ms. Consilvio could file complaint with Traffic Rules and Regulations or contact the Community Outreach Officer or Northern Oakes regarding the parking issues on MacDonald Terrace. The parking for this project is all on the property, the Board does not have prevue over parking on the street.

Ms. Kathy Chiasson resident of 10 Ford Place also indicated that parking is an issue on Ford Place. She said she is an interested party and anticipates doing something with her properties in the future.

Mr. Morse provided an email from attorney John Sullivan the abutter directly across the street stating he is in support of the project.

Mr. Pritchard asked some additional questions regarding the infrastructure, i.e. heating/air conditioning, is there noise mitigation? Mr. Burwick indicated there will be HVAC units.

- Condensers will be on the parking lot side of the building
 - Residential units
 - Board would like the applicant to look into the potential of noise
- Landscaped shrubs around each unit
- Nearest resident about 100' away across the parking lot and through the evergreen barrier
- Water and Sewer from town systems – emails from both Water and Sewer indicating capacity in the pipe and the system
- Lighting – incandescent, but have LED component, must be down light
- Head in parking – does not shine into any property, evergreen screen
- Trash – enclosed dumpster with fence
- Fire department – Deputy Elliot was satisfied
 - Will have 20' access to the rear parking lot
 - Roadway in front of the building is 23' wide
 - No issue with hammer head turn around
 - Can access the building from three sides – no concerns with access to the back
 - Building will have sprinkler system
- 18' long parking spaces with 24' wide aisle
- Handicapped accessibility not required with residential
 - Office at grade and curb cuts provided

The applicant will be coming back with requests from the Board regarding noise from air conditioners, elevation schematics with the neighborhood, locating air conditioning units on the plan, applicant will be going before Conservation, open space providing 38% of the lot.

Mr. Morse reviewed the drainage for the property. He indicated it is the same design as 50 Country Way and the microbrewery. Proposal is for a tree box filter; a tree that goes into a concrete box filter all water from parking lot goes into the tree box then directed to subsurface leaching chambers then recharges into the ground. Mr. Morse will provide documentation of TSS removal provided by this type of system. He indicated there will be annual maintenance for parking lot sweeping and cleaning out of sediment from the tree box filter. Mr. Morse made some additional comments.

- Adequate area to stockpile snow around the parking lot, or may have to remove it from the site if too much.
- Pedestrian traffic
 - Pathway from front of porch to MacDonald Terrace
 - End of porch pathway to the side driveway and pathway to the back of the building
 - Access for walking in the area via Ford Place

Mr. Cook, Ms. Chiasson and Ms. Consilvio expressed concerns with the placement of the dumpster. Mr. Morse indicated it would be fenced in and opined this was easy area for truck access for pick up; the applicant committed to pick up of once per week. The applicant will need to provide time for pick up. Ms. Burbine asked the applicant to take these comments under advisement regarding the dumpster.

- Existing trees will be cut for development and replaced with landscaping.
- Trees in the tree box – not yet specified need; applicant will provide
- Condominium Association – the Board will need to see the Condominium Documents

Motion:

Ms. Lambert moved to accept the applicant's request to continue the public hearing for the Mixed Use Special Permit in the Village Business Overlay District at 6 MacDonald Terrace until November 29, 2018 at 7:00 pm.

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

Form A – ANR – 44 Captain Peirce

Assessor's Map/Block/Lot 27-3-16

Applicant: Bethany Versoy, Power of Attorney

Owner: Irving R. Versoy & Mary Jane Bouve Versoy

Document

- PDF Application dated 10.18.18
- PDF ANR Plan dated 10.17.18
- Doc Transmittal letter dated 10.18.18

Attendees: Greg Morse, Morse Engineering

Mr. Morse reviewed the plans:

- There is an existing house and barn on the property
- Proposing to divide into three lots
 - Lot 1 – 50' frontage, twice the lot area
 - Applied to ZBA for 50' Frontage Permit
 - Labeled as "Not a buildable lot without special permit from ZBA"
 - Lot 2 - conforming lot with frontage and lot area
 - Lot 3 – conforming lot with frontage and lot area
- Concrete boundary markers to be installed
- Note on plan - Wetlands need to be accepted by Conservation Commission

Motion:

Ms. Lambert moved to endorse as Approval Not Required a Plan of Land in the Town of Scituate, MA 44 Captain Peirce Road prepared by Morse Engineering Co., Inc. for applicant Bethany Versoy, Power of Attorney and owners Irving R. Versoy & Mary Jane Bouve Versoy dated 10-17-18 as the division of land shown on the accompanying plan is not a subdivision because it shows every lot on the plan has frontage of at least the distance presently required under the Scituate Zoning Bylaw on the public way of Captain Peirce Road.

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

Form A – ANR – 44 Ocean Ave
Assessor's Map/Block/Lot 8-7-24
Applicant/Owner: Donald F. & Joan M. Gillespie

Document

- PDF Application dated 10.18.18
- PDF ANR Plan dated 10.17.18
- Doc transmittal letter dated 10.18.18

Attendees: Greg Morse, Morse Engineering

Mr. Morse reviewed the plan:

- Previously endorsed a plan - lot was 10,000 sq. ft.
- Increasing lot size to 12,000 sq. ft.
 - Layout of proposed home has changed
- Both lots fully compliant
- Current septic system will be abandoned prior to any conveyance

Motion:

Ms. Lambert moved to endorse as Approval Not Required a Plan of Land in the Town of Scituate, MA 44 Ocean Avenue prepared by Morse Engineering Co., Inc. for applicant/owner Donald F. & Joan M. Gillespie dated 10-17-18 as the division of land shown on the accompanying plan is not a subdivision because it shows every lot on the plan has frontage of at least the distance presently required under the Scituate Zoning Bylaw on the public way of Ocean Avenue.

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

Accounting
Documents

PO #1903902 (\$2,320.00), PO #1904144 (\$2,415.22), PO #1904154 (\$14.08), PO #1904155(\$300.00), PO #1904215 (\$77.00), PO #1904268(\$4,114.82)

Ms. Lambert moved to approve the requisition of \$2,320.00 to Merrill Corporation for Stormwater Regulation revision and working session, for \$2,415.22 to Horsley Witten for Seaside at Scituate site inspections, for \$14.08 to WB Mason for office supplies, for \$300.00 to Chessia Consulting LLC for site inspections at 50 Country Way, for \$77.00 to Plymouth County Registry of Deeds, for \$4,114.82

to Toll Bros. Inc. for refund of unexpended funds from Planning Board Guarantee account for Design work peer reviews. Mr. Pritchard seconded the motion; the vote was unanimously in favor.

Minutes

Documents

- Meeting minutes 10.11.18

Ms. Lambert moved to approve the meeting minutes for October 11, 2018.

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

Discussion:

Design Review Vacancy:

- Mr. Roman not seeking re-appointment

Liaison Reports:

CPC- reported by Ms. Burbine:

- Accepting applications for spring town meeting

ZBA – reported by Mr. Bornstein:

- Herring Brook Meadow has passed in new iteration

**Old Business, New Business, Correspondence, Administrative Items, Update
Planning/Development Report – Ms. Joseph**

- Continued work on Stormwater Regulations
- Seaside at Scituate - site contractor selected
 - Release Notification filed with MassDEP on 10/12/18 per conditions
 - Soil pre-characterization has been ongoing
 - Monitoring wells did not find anything above reporting standards
 - Remediation – contractor will be selected in the near future
- Refile signatures with Registry of Deeds to include new alternate member

Documents

- Email to the Board from Karen Joseph dated 10.19.18 with agenda for 10.25.18 and materials for 44 Captain Peirce and 44 Ocean Ave.
- Email to the Board from Karen Joseph dated 10.19.18 with meeting materials for 16 First Ave.
- Email to the Board from Karen Joseph dated 10.22.18 with meeting materials for 6 MacDonald Terrace.
- Email to the Board from Karen Joseph dated 10.22.18 with meeting materials for 6 MacDonald Terrace
- Email to the Board from Shari Young with meeting minutes from 10.11.18.
- Email to the Board from Shari Young dated 10.23.18 with AMENDED agenda 10.25.18.
- Email to the Board from Karen Joseph dated 10.23.18 with meeting materials for 6 MacDonald Terrace.

These items were distributed to the Board electronically. Mr. Limbacher moved to adjourn the meeting at 8:27 p.m. Ms. Lambert seconded the motion; the vote was unanimously in favor.

Respectfully submitted,

Shari Young
Planning Board Administrative Assistant

Patricia A. Lambert, Clerk

Date Approved: November 8, 2018

