

SCITUATE PLANNING BOARD MINUTES October 8, 2015

Members Present: Stephen Pritchard, Chairman; William Limbacher, Vice Chairman; Richard Taylor, Clerk and Robert Greene.

Members Absent: Robert Vogel, Ann Burbine, Alternate member.

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, 600 C J Cushing Highway.

Chairman Pritchard called the meeting to order at 7:30 P.M. The meeting was being recorded for airing on local cable television.

Documents

- 10/8/15 Planning Board Agenda

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

Public Hearing – Accessory Dwelling Special Permit – 11 Elm Park

Assessor's Map/Block/Lot 54-1-25

Applicant/Owner: Lund A. Jensen TR

Documents

- Email from Laura Harbottle to Board dated 10/2/15 with application, deed and Existing Conditions Plan for 11 Elm Park, Scituate, MA 02066 dated 8/27/15 by Cavanaro Consulting; approved application for disposal system construction permit dated 8/24/15; comment from water department dated 9/4/15

Attorney Mike Hayes was present with his client Lund Jensen. Attorney Hayes said that they are seeking an accessory dwelling special permit for an existing cottage on the property that has been rented out for years. He said the house is 2,500 sq. ft. and the cottage is less than 750 sq. ft. and will not be changed in appearance. He said the cottage is subordinate to the house and there is ample parking for the house and cottage. Attorney Hayes indicated that a septic repair permit has been received from the Board of Health and construction will start next week.

Ms. Harbottle said that the application is straightforward. She indicated the cottage is under 750 sq. ft., the owner intends to live on the property, septic will be adequate so it will be good to legitimize the unit as an accessory dwelling. The Board confirmed with the applicant that the utilities for the cottage all exist and this is a legitimization of an existing use.

Mr. Taylor moved to make the following Findings of Fact concerning the accessory dwelling at 11 Elm Park:

1. According to Town of Scituate Assessor's records, the property at 11 Elm Park is owned by Lund A. and Barbara R Jensen, TRS. The property is located in the Residential R-2 zoning district on a lot of 1.71 acres.

2. On August 31, 2015, Lund A. Jensen, TR applied for a special permit for an accessory dwelling within a detached existing guest house on the property at 11 Elm Park.
 3. According to the application, the floor area of the primary dwelling is 2,250 sq. ft. and has 3 bedrooms. The proposed accessory dwelling will be a one bedroom unit located in a detached 734 sq. ft. existing guest house. Based on a plan submitted by the applicant, the interior floor space of the proposed accessory dwelling will be approximately 515 sq. ft. The floor area of the accessory dwelling is less than the 750 sq. ft. allowed in the bylaw. It meets the size requirements of 530.2F of the zoning bylaw for accessory dwellings.
 4. The accessory dwelling is less than 750 sq. ft. and has one bedroom. It is a detached unit to the rear of the primary dwelling and is subordinate to the primary dwelling.
 5. The plan shows the dwelling to have a crushed stone existing driveway and there will be two separate parking spaces for the accessory dwelling and two parking spaces for the primary dwelling.
 6. The applicants have submitted a signed, notarized statement that they will live on the property. The special permit will be recorded. Any future new owner will need to file an affidavit with the Planning Board that he/she occupies the property.
 7. The property has been approved for a repair for a septic system.
 8. One accessory dwelling unit is contained on the lot in a separate housekeeping unit.
 9. There are no new exterior stairs.
 10. The application meets the standards of Scituate Zoning Bylaw for an Accessory Dwelling Special Permit. Mr. Limbacher seconded the motion. Motion was unanimously approved.
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Mr. Taylor moved to approve the Special Permit for an accessory dwelling at 11 Elm Park with the following conditions:

1. The applicant shall meet all requirements of the Building Department, Board of Health, Department of Public Works, Fire Department, Water Department, Board of Selectmen and other town agencies.
2. Except for any changes necessary to meet these conditions, any construction shall conform to the plan entitled Existing Conditions Plan 11 Elm Park Scituate, MA 02066 by Cavanaro Consulting dated 8/27/2015 Sheet EC.
3. The property at 11 Elm Park shall contain a maximum of two dwelling units, the primary dwelling and the accessory dwelling as proposed. The footprint, number of bedrooms and/or square footage of the accessory dwelling shall not be increased without prior approval of the Planning Board. 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 and attached to this decision.

4. The owner of the property shall reside on the property as long as it contains an accessory dwelling unit. An Accessory Dwelling Special Permit Certification of Ownership and Occupancy from any new owner shall be completed at the closing of the sale of the house and a copy provided to the Planning Board within seven days.
5. The Planning Board will require an on-site inspection for conformance to the approved plans and these conditions prior to a Certificate of Occupancy being issued for the accessory dwelling.
6. No on-street parking shall be permitted at any time.
7. This Special Permit shall be void if it is not recorded at the Registry of Deeds within 90 days of the date of filing with the Town Clerk. The owner shall provide proof of this recording to the Planning Board.
8. This Special Permit shall lapse within two years from date of its issuance unless substantial use or construction has commenced prior to that time in accordance with MGL Chapter 40A, Section 9.
9. The Planning Board reserves the right to review compliance with this special permit at any time. At the request of the Planning Board, an affidavit shall be provided that either the primary or accessory unit is owner occupied.
10. At each transfer of ownership of the property, a new affidavit that the owner resides on the property shall be provided to the Planning Board within seven days of the closing of the sale of the house.
11. This Special permit shall terminate if the use is not in accordance with this decision and its conditions.
12. The Planning Board reserves the right to review compliance with this special permit at any time. At the request of the Planning Board, an affidavit shall be provided that either the primary or accessory unit is owner occupied.
13. At each transfer of ownership of the property, a new affidavit that the owner resides on the property shall be provided to the Planning Board within seven days of the closing of the sale of the house.
14. This Special permit shall terminate if the use is not in accordance with this decision and its conditions.

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

35 Dreamwold Common Driveway

Documents

- Easement Extinguishment Agreement and Revised Declaration of Common Driveway Access and Utility Easements

Mr. Limbacher recused himself and left the room. Maureen Hurley, co-trustee of the Susan A. Phippen Trust, said that they had signed and recorded the Common Driveway Easement, but the conveyance attorney wanted a change in the document to be a Declaration of the Common Driveway. She said the document gives an easement to the Planning Board and the Town. Ms. Harbottle indicated that Town Counsel likes the Planning Board to sign these documents as it gives the Town rights to do repairs and access for the Town if the owners don't do maintenance. Ms. Hurley indicated that the document does say what the homeowners need to do for maintenance of the common driveway. Ms. Harbottle said there are three lots and the original document was written as if there were three owners, but there is only one owner at this time.

Mr. Taylor moved to sign the Declaration of Common Driveway Access and Utility Easement Lot 2, Lot 3 & Lot 4 35 Dreamwold Road, Scituate, MA and to sign an Easement and Extinguishment Agreement as the Common Driveway Agreement Lot 2, 3 & 4 recorded at the Plymouth County Registry of Deeds Book 46073, Page 18 for 35 Dreamwold Road as the original document was determined to be improper by the conveyance attorney. Mr. Greene seconded the motion. Motion was unanimously approved.

61 Border Street – Compliance with Stormwater Permit

Documents

- Email from Laura Harbottle to the Board dated 10/5 /15 with photos of the berm and closed off wall
- Email from Karen Joseph to Board with site inspection report from Amory dated 10/7/15 and drainage as-built by Grady Consulting
- Drainage Certification by Grady Consulting dated 10/7/15

Kristen Lilly Kenny, Michael Kenny and Kevin Grady were present for the applicant. Mr. Grady indicated that the stormwater system was installed, an as-built was prepared and he provided a certification letter that the system was inspected by Grady Consulting and constructed in compliance with the Certificate of Action dated July 15, 2013 with any changes to the design plans reflected on the as-built. He indicated he met on the site on October 7, 2015 with Ms. Harbottle and the Board's consulting engineer, Pat Brennan of Amory Associates and the site is stabilized and functioning as designed.

Ms. Harbottle indicated that the stone wall has been rebuilt, the berm along the driveway is in and the swale is constructed as designed except it is not as wide. Mr. Taylor asked about the berm. Ms. Harbottle said it is at the edge of the pavement to direct water to the drain. Mr. Limbacher and Mr. Green had no questions.

Michelle Bonomi of 53 Border Street said she has a picture of the swale taken last week and it is not two feet wide and one foot deep per the plan and it stops short of where it is supposed to go. She said she has not seen the gravel in the swale and maintained that the drainage is not done according to the plan. Mr. Grady went to see the pictures and indicated that the swale is meant to direct water away from the structure which it does. He said a wall was put in to flatten the top and steepen the slope, but water will follow the contours and drain away. Ms. Bonomi said that water will drain and flow into her garage. Mr. Grady said there was no evidence of wash out. He said the slope is a wildflower mix that requires mowing one to two times per year. He said there was stone under the swale. Ms. Bonomi disagreed. Ms. Harbottle said that the swale was not modelled into the drainage

calculations and doesn't need to be there per Amory's site reports. Mr. Grady said that the water flowing off the site is less than or equal to pre-development conditions.

Chairman Pritchard asked if there was a point source discharge. Mr. Grady said no, but he had not been there in the rain. Ms. Bonomi says the swale stops because of a tree and there hasn't been a big rainstorm. The Board disagreed as there was a large storm the previous week. Ms. Harbottle asked what the water was like before the house was built. Ms. Bonomi said there was a spring that went from #60 across the street and was piped below her driveway. Mr. Grady explained that the front of the site/driveway flows to subsurface infiltration chambers and the remainder of the site flows to the basins and discharge pipes. He said minimal water flows to the swale as water is redirected away. He indicated small storms will be fully infiltrated and there are emergency overflows. He indicated there is no evidence of ponding in the basins.

Chairman Pritchard asked if there was a point source discharge to the other house and is it functioning with an inordinate impact. Mr. Grady said not a lot of water reaches the swale and he has certified that the drainage works as designed. He said a lot of analysis was done for a single family home. He indicated Ms. Harbottle has seen that the swale is there and he has provided a certification for the design. Chairman Pritchard said if the water is flowing to one spot then there could be a problem. Mr. Taylor indicated that the Town's consulting engineer said it worked. Mr. Limbacher said the slope of the hill was changed. Ms. Bonomi said the house was moved back on the lot. Ms. Lilly said that they reduced the size of the house by 1,000 sq. ft. Mr. Grady said there was no outwash at the discharge point and it is fully stabilized and green. Ms. Harbottle said that before the grass was stabilized there was runoff. Ms. Bonomi said that she wants to know if she can come back to the Board in the future if there is a problem as they agreed to do something that hasn't been done. Mr. Grady said the wildflower mix will slow the runoff more than grass. He said it takes one to two years to have the wildflowers bloom. Mr. Grady reiterated that he has submitted a certification on the work.

Mr. Taylor moved that the Planning Board approve the Certificate of Completion for the Stormwater Permit for 61 Border Street and if there is a problem with the swale causing a point source discharge, the applicants will come back and repair or redesign based on the inspection reports of 7/30/15 and 10/7/15 by Pat Brennan of Amory Engineers. Mr. Greene seconded the motion. Motion was unanimously approved.

White Ash Farm Lane – Discuss interpretation of Flexible Open Space Development Special Permit Condition 14 f. and Limit of Work

Documents

- Email from Laura Harbottle to the Board dated 10/5 /15 with before and after pictures of buffer and the Board decisions for the subdivision and open space special permit dated 5/14/14

Attorney Bill Ohrenberger, Doug Sheerin and Greg Morse were present for the applicant. Mr. Morse said they were before the Board due to clearing Mr. Sheerin has done along the eastern boundary stone wall. He indicated the area was prepared for planting 50 arborvitae to provide a screen to the properties. He indicated that Mr. Sheerin cleared scrub and brush and kept all trees. He said a question arose if Mr. Sheerin was allowed to clear the scrub. He said on the other side of the arborvitae is an existing stone wall to remain.

Attorney Ohrenberger said the issue is one of clarification. He said the plans showed a silt fence adjacent to the wall and scrub needed to be removed to install the silt fence and plantings. He said the arborvitaes are planted touching each other to form a very dense hedge. He indicated Mr. Sheerin will continue to clear along the wall for the next two houses by removing briars and brush.

Ms. Harbottle said there was a seven foot non-disturb area on the plan, but the silt fence was on the far side of the area. She said the plan was contradictory. She indicated she met with the LeClairs, Mr. Sheerin and Mr. Morse and asked that work be stopped until the matter was resolved. She said the Board should resolve what it will allow. She indicated the thick hedge is valuable as it is nicer than what was envisioned. She said each of the abutting homeowners were to receive six arborvitaes. She said that adding them now may seem like overkill. She said the Board should determine what would best serve everyone. She said abutters' receiving six arborvitaes each gives the abutter the choice of where to put them. Mr. Taylor clarified that they just removed scrub. Attorney Ohrenberger said there is a mature screen there now. He said it was not a non-disturb buffer, but the tree line. He said silt fence was shown on the far side and that can't be installed without scrub removal. He said the stormwater system is engineered so that everything can be cleared based on the Chessia report. He said that there can't be a condition to put items on an adjacent property if the owner won't allow it. He said there are many arborvitaes that have been planted to provide a screen.

Bruce and Deborah LeClair, abutters at 289 Country Way, indicated they were present at the May 2014 hearing. She said she understood there was to be seven feet of no disturbance and showed the Board pictures of what was previously there and what is there now. She said arborvitaes are not on the landscape plan in this location and they are ruining the property and habitat of deer and turkeys. She said it was a nice boundary before and said the Town did not approve the clearing and removal of trees. She said she would like arborvitaes on her property. Mr. LeClair said that the natural buffer was wiped out. Mrs. LeClair said this meeting was postponed three times and indicated that she doesn't want the seven foot buffer gone and wants the arborvitaes that Mike Hayes (former applicant attorney) promised. She said that if the boundary had been left undisturbed she would not be able to see the port-a-potty and trucks and indicated Ms. Harbottle measured the seven feet when she was at the site. Attorney Ohrenberger said they will provide the LeClairs with the six arborvitaes for their property. He said the arborvitaes provide an evergreen screen and that no trees were cut. Mr. Sheerin confirmed he did not cut trees, but cleared brush to plant arborvitae to provide a buffer. Mr. Morse reviewed pictures with the Board. He said the seven foot area is the tree line and not a restricted area. He indicated the design provided for 100% of each lot to be lawn and a screen of more than six arborvitaes has been provided.

Attorney Ohrenberger and Mr. Sheerin both confirmed that six arborvitaes would be provided to the LeClairs. They said they have been reticent to contact them due to the police coming to the site. Attorney Ohrenberger indicated that the arborvitae screen is beyond expectations as the tree line was deciduous. Chairman Pritchard indicated there is still an issue with the limit of work. Attorney Ohrenberger said healthy trees have been left and more screening provided than on the landscape plan. Ms. Harbottle indicated that another abutter, Bill Krusell, stopped by the office and said he likes the arborvitaes. Chairman Pritchard asked if the arborvitaes were planted in the limit of work as he thought the tree line was the limit and that the neighbor was to be given six arborvitaes. Mr. Morse said the plan shows the silt fence beyond the limit of work. He said the trees adjacent to the properties are preserved as only brush and scrub was removed. Attorney Ohrenberger said the trees would not have been identified if it were a no touch zone. Ms. Harbottle said that the site was rural before it was developed with some lawn and natural areas. She said abutters were concerned about a natural buffer. Attorney Ohrenberger said the existing wall is not visible from the applicant's

property as there is a hedge of eight to ten foot arborvitae which grows about a foot or more a year. Mrs. LeClair said that the port-a-potty is still visible and wouldn't be if the trees weren't removed. Mr. Sheerin said he did not remove trees. Mr. Morse showed pictures of before and after the work. Mr. Limbacher commented that he envisioned the no disturbance area somewhere between the two pictures. Mr. Morse and Mr. Sheerin reiterated it was the tree line and it was seven feet next to the LeClair property. Attorney Ohrenberger said it was to provide screening and the fifty evergreens placed provide screening. Mr. Limbacher said the abutters want no trees cut and six arborvitae. Mr. LeClair said that Mr. Sheerin intends to clear all the way up to Country Way and put more arborvitae wiping out all the brush. He asked that the seven feet tree line be respected. Mr. Pritchard said that the Board needs a solution that will work with the bounds not clearly identified. He indicated the next homeowner could clear to the wall as a buffer to the wall in perpetuity is not what is shown. Mr. LeClair said he would like the seven feet. Attorney Ohrenberger said that no trees have been removed, six arborvitae will be given to the LeClairs, the landscape plan represents a minimum of what is to be planted and Mr. Sheerin will remove brush as it is irrelevant what deciduous brush looks like. Chairman Pritchard asked who is evaluating the size of the trees cut. Mr. Sheerin reiterated no trees are being cut. Mr. Morse said Mr. Sheerin is monitoring the cutting and generally less than 3" in size is a sapling. Attorney Ohrenberger said Mr. Sheerin agrees to that sizing for future removal. Mrs. LeClair asked who would police that. Ms. Harbottle said she can flag the trees if the Board wants. Chairman Pritchard said that Ms. Harbottle would flag the trees to remain with Mr. Sheerin and the LeClairs can see them before any clearing is done. Mr. Sheerin said he has no plans in the near future for planting arborvitae and will provide the six to the abutters. He said he is putting arborvitae on his property. It was agreed that when the work is done in the future, this procedure will be followed.

Discussion and vote to proceed – Zoning Article for Special Town Meeting - Microbrewery

Documents

- Email from Laura Harbottle to the Board dated 10/ 2/15 with petitioned article and an overview of the microbrewery project dated 9/22/15

Ross Elder was present. He said he lives in Scituate and his son lives in and works in Seattle as a microbrewer and wants to come home to open a microbrewery. He said he has identified an area in Greenbush that is a good location and likes the potential developer, Chick Fagan. He said minor zoning changes are needed for a microbrewery in Scituate.

Mr. Elder said he proposed three changes to the bylaw. The first is a definition of microbrewery which he took from the Microbrewery Association. The second is to add that a microbrewery could be located as a commercial use by special permit in the business and commercial districts of Town. The third is to add microbrewery to the list of places to allow outdoor seating. He said they would like to have an outdoor patio for the proposed 5,000 sq. ft. building which includes 4,000 sq. ft. of brew house and 1,000 sq. ft. of tap room. Mr. Elder said the zoning change is requested through citizen petition as they haven't done a lot of advertising and they don't want a lot of competition. He said the EDC supports the project and it will be a tourist attraction and integral part of the community.

Chairman Pritchard said he supports economic development and asked about the 15,000 barrel per year limit. Mr. Elder said that 700 to 800 barrels per year initially is his goal. He said 15,000 is the industry standard and is for a very sizeable operation that far exceeds his plans. Chairman Pritchard

asked about traffic and materials delivery. Mr. Elder said the tap room will have limited hours (maybe 4-8 pm Thursday –Saturday) and deliveries of grain, hops, yeast etc. will be in the day.

Ms. Harbottle said the ad for the public hearing on October 22, 2015 was in the Mariner today and she said the only downside she sees is odors and asked about the proposed containment method. Mr. Elder indicated the odor will be similar to a bakery with nothing discernable except for a baking smell. He said the brew house will be vented with steam going into the air. Ms. Harbottle said she would get in touch with Plymouth to see what they do, but a special permit can regulate odor. Mr. Taylor asked if Hingham Beer Works was a microbrewery. Mr. Elder said it was a brew pub as it has a restaurant. He said they will seek a farmer brew permit which allows for brewing and selling beer.

Chairman Pritchard asked about water and sewer usage. Mr. Elder said wastewater will go to the sewer and gas is available for cooking. He said water usage is about 120,000 gallons a year for 700 to 800 barrel production which is similar to a four person household. Chairman Pritchard asked if someone wanted a 15,000 barrel microbrewery, would Scituate need to worry about water usage. The Board agreed the special permit could limit the size. Mr. Elder said a large microbrewery would more likely locate in a city area. Mr. Greene commented that a lot of water contributes to the beer product. Mr. Elder said 4 gallons of water are used for 1 gallon of beer with most of it used for cleanup of the equipment. He said spent grain is given to cattle for feed. Mr. Greene asked if there was any pretreatment as there is a high BOD – biological oxygen demand as the biological content of the waste is high so it needs bacterial treatment. Ms. Harbottle suggested that Mr. Elder may want to talk to the treatment plant prior to Town Meeting. Chairman Pritchard said the Town will have standards for maximum BOD so pretreatment may be required on site. Mr. Elder said he would look into the issue and the timing is important as once a location is established, there is a lengthy permitting process to obtain the microbrewery license. Nolan Kelly of the EDC said they have been working with Mr. Elder and the operation is a significant investment for him and the community and the EDC supports the bylaw change.

Colonel Mansfield Estates Modification – Covenant Release and vote to accept As-Builts

Documents

- Email from Laura Harbottle to the Board dated 10/ 5/15 with request for covenant release, recorded Covenant dated 6/26/14, recorded Certificate of Action dated 5/29/14, Roadway As-Built Plan for 53 (Lot 2) Col. Mansfield Drive in Scituate, MA dated 9/18/15, draft lot release dated 10/8/15 and photos of completed work

Paul Mirabito was present for the applicant. He said they are looking to have the covenant released and the as built accepted. He said the monuments were set today and he has provided pictures of them. Ms. Harbottle said she had a site visit to review the work which has been completed. She said the house is complete, the driveway pavement area is larger and the swale on the east side is not completed, but the driveway is pitched to stone on the opposite side so a swale is not needed. Mr. Mirabito said they left the existing driveway in place which flows to the hammerhead and then to the weir in the woods. He said it provides a little more room for emergency equipment to turn around.

Mr. Taylor moved that the Planning Board approve the changes in the grading of the cul-de-sac from that shown on the plan entitled Amended Subdivision Plan for Colonel Mansfield Estates in Scituate, Massachusetts by Ross Engineering approved 5/30/2014 so the cul-de-sac will be slightly pitched towards the woods on the west and the swale to the east will be eliminated, and that the Planning

Board release Lot 2 from the associated covenant dated 6/26/14 recorded 6/27/14 in the Plymouth County Registry of Deeds in Book 44469 Page 305 as the work has been completed on the ground and an as-built has been completed in accordance with the Certificate of Action. Mr. Limbacher seconded the motion. Motion was unanimously approved.

Tilden Estates/Evangeline Drive – vote recommendation for street acceptance and final release of surety

Documents

- Email from Laura Harbottle to the Board dated 10/5 /15 with request for final surety reduction, vote of the Street Acceptance Committee dated 9/30/15, 6/10/11 Certificate of Action for Tilden Estates and Mass Laws for Street Acceptance

Steve Bjorklund was present to ask for the Planning Board's support in making Evangeline Drive a public way and to return the remainder of the surety the Board is holding. He indicated the Street Acceptance Committee voted to recommend Evangeline Drive for acceptance as well as the Board of Selectmen. He said the Advisory Committee has not voted yet. Mr. Limbacher, the Board's representative to the Street Acceptance Committee, confirmed they had voted to send it to Town Meeting. Mr. Bjorklund indicated there would be no required improvements. Mr. Taylor asked about the width with snowplows. Mr. Bjorklund said the width was a waiver from the Board. He said the drainage all goes to the Water Resource Protection District, but the site is not in it. He said the reduced pavement width of 20 feet reduces the runoff from the project. He said that the Town will have a new street commissioner soon who will tell if a road will be accepted at the design stage. He indicated that wider roads with granite curbs will change the character of Scituate. He said two Selectmen did not support the road for acceptance as they thought that there was less pavement than was originally specified. He said it was done in two lifts and three are required, but it is the same thickness. Mr. Bjorklund indicated that the DPW did not plow the road to its full width the first storm last winter and so they never caught up.

Ms. Harbottle said there have been changes in snowfall amounts and attitudes toward the Flexible Open Space Development since it was passed. She said it was previously considered beneficial to the Town to obtain open space; now, there is concern about taking land off the tax rolls. She said the narrower road width seemed like the right idea at the time; but, with climate change the future is unpredictable. She said DPW said they cannot maneuver a large plow on a 20 foot road. She said DPW would like to do a site visit at 8 am some weekday to show the Board. Mr. Bjorklund said he would like to be invited.

Ms. Harbottle said the subdivision regulations give standards. Mr. Pritchard and Mr. Taylor both said that a tradeoff was made to protect a tributary. They asked if street acceptance types of decisions should be made in the permitting process. Mr. Taylor moved that the Planning Board recommend to Board of Selectmen and 2015 Special Town Meeting that the street of Evangeline Drive be laid out in accordance with MGL Chapter 82, Section 21 – 24 and be accepted by Town Meeting to become a public way in accordance with layout plans dated November 17, 2014. Mr. Limbacher seconded the motion. Motion was unanimously approved. Mr. Taylor moved Move to accept Tilden Woods, LLC's request to reduce the amount of surety being held by the Planning Board for completion of the Tilden Estates Subdivision from \$1,750.00 to \$0.00 as all remaining work has been completed and to return the balance of \$558.67 from the Planning Board Guarantee Account as all peer review is complete. Mr. Limbacher seconded the motion. Motion was unanimously approved.

Accounting

Documents

- PO # 1602376 (\$260.00), PO # 1602380 (\$558.67), PO # 1602402 (\$1,970.07), PO # 1602503 (\$241.22), PO # 1602504 (\$1,040.00)

Mr. Taylor moved to approve the requisition of \$260.00 to Merrill Corporation for construction inspection services for Inly School, \$558.67 to Tilden Woods LLC for return of funds from the guarantee account as construction is complete, for \$1,970.07 to Tilden Woods LLC for return of all surety for Tilden Estates, for \$241.22 to Gatehouse Media MA for legal advertising in the Scituate Mariner for 46 Tilden and 435 First Parish Road and for \$1,040.00 to Merrill Corporation for engineering peer review for 35 Dreamwold Lot 1 Stormwater Permit. Mr. Greene seconded the motion. Motion was unanimously approved.

Minutes

Mr. Taylor moved to approve the meeting minutes of 9/10/15 and 9/24/15. Mr. Greene seconded the motion. Motion was unanimously approved.

Town Planner Report

Ms. Harbottle indicated that John Roman's term for the Design Review Committee has technically expired. Mr. Limbacher suggested that the Board reappoint him. Chairman Pritchard agreed as he has only been on the committee one year. Ms. Harbottle suggested that the Board should ask for applications to be transparent in the public process and be fair. Mr. Taylor asked about the term lengths. Ms. Joseph said that since all of the previous terms had expired, appointments were made for 1, 2 and 3 year terms to get back on an appointment cycle of 3 years.

Ms. Harbottle said she is still receiving email on Benjamin Studley Farm and suggests adding them to an agenda. She indicated that there have been criticisms of the Stormwater Bylaw and the 100 year storm needing to be contained on a single family lot. She said that she and Pat Gallivan have talked to Steve Bjorklund and Mark Winchester about items that they are looking to see changed. She indicated she is meeting with Greg Morse and the consulting engineers to review some of the issues on Thursday October 15. Mr. Limbacher asked to sit in on the meeting. Ms. Harbottle said that MAPC developed the bylaw for Cohasset, Marshfield and Scituate. She said Marshfield did not adopt the bylaw.

Mr. Taylor asked if there was anything on the MBTA parcel. Ms. Harbottle said a new bid process will need to be done.

Old Business and New Business

Documents

- Email to Board dated 10/2/15 from Karen Joseph with Site Plan Administrative Review Decisions for the Public Safety Complex and the Middle School
- Email to Board dated 10-2-15 from Laura Harbottle with 10-6-15 DRT update and draft agenda

These items were distributed to the Board electronically.

Mr. Vogel moved to adjourn the meeting at 10:15 p.m. Mr. Limbacher seconded the motion. Motion was unanimously approved.

Respectfully submitted,

Karen Joseph
Planning Board Secretary

Richard Taylor, Clerk
10-22-2015
Date Approved