

SCITUATE PLANNING BOARD MINUTES January 14, 2021

Members Present: Ann Burbine, Chairman; Benjamin Bornstein, Vice Chairman; Patricia Lambert, Clerk; Stephen Pritchard and Rebecca Lewis, and alternate Bob MacLean

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

Members absent:

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 conducted in compliance with the Governor's executive order modifying the Open Meeting Law regulations for remote participation during the COVID-19 health pandemic. The meeting was being recorded for airing on local cable television.

Documents

- 1/14/21 Planning Board Agenda

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

Roll Call to call the meeting to order:

A roll call vote was taken to open the meeting.

Ms. Burbine - yes
Mr. Pritchard – yes
Ms. Lambert – yes
Mr. Bornstein - yes
Ms. Lewis – yes
Mr. MacLean - yes

**Public Meeting – Site Plan Waiver – 327 First Parish Road – Food Pantry
Assessor's Map/Block/Lot 38-12-0
Applicant: Scituate Food Pantry, Inc.
Owner: Town of Scituate**

Documents

- PDF SFP_Traffic (2)
- PDF SitePlanWaiver pkg
- Email from James Boudreau dated 12.14.20
- DRAFT Motion
- PDF Delivery Ramp+Vehicles

Attendees: James Hunt, Food Pantry Treasurer and Member, Resident of Scituate Mann Lot Road;
James Boudreau, Town Administrator

Mr. Hunt presented to the proposal to the Board for the Scituate Food Pantry (SFP).

- Create a drive through service for clients
 - 10-14 volunteers work in the building and would assemble drive up orders
- Food Pantry has been in Masonic Lodge for about 12 years
- Masonic Lodge can no longer support the needs of the Food Pantry
 - Storage critically low
 - Currently running 8 freezers and 2 commercial refrigerators
 - Space is less than 1,300 sq. ft.
- Town Administrator offered 2 spaces
 - Existing Senior Center on Brook Street
 - In need of repairs and too costly
 - Storage still an issue located on 2nd floor up a difficult stairway
 - Old Gates Cafeteria
 - Surveyed the property over 3 days
 - Discussed with Kevin Kelly, Director of Facilities
 - Mapped out how the SFP would use the space
 - Over 6,000 sq. ft. of space
 - Commercial kitchen
 - No appliances, but offers space to assemble food, prep-package orders that are received
 - Walk-in freezer
 - Walk-in refrigeration space
 - 2 classrooms
 - Small office
 - 2 restrooms – the Masonic Lodge does not have a decent working restroom
- Town Administrator and Kevin Kelly working on a proforma lease
 - Lease for 2-3 years
 - Hope to build a facility solely for the SFP
- Asking for a waiver – proposal involves of minimal changes
 - No changes to the site
 - No changes to the exterior of the building
 - Will place a sign
 - Changes inside are minimal
 - 12-14 volunteers working in 6,000 sq. ft.
 - Expect clients to arrive 4-5 cars at a time over a 2-hr. period twice a week
 - Tuesday and Thursday
 - Cars will queue up outside and orders will be passed through a window
 - 3 Pantry volunteers will be outside
 - 1 will supervise the queuing of the cars
 - 2 will handle distribution of the food
 - Hours of operation
 - 2 hours on Tuesday and Thursdays
 - Closed Sunday and Monday
 - Other times will be volunteer staff only to prepare for client orders
 - Saturdays will have small delivery

- Traffic
 - Entering property at entrance off Cudworth Road by Historical Society
 - Proposed this only to ease concerns from abutters adjacent to the property and over using the entrance on First Parish
 - There has been no traffic study done and no way to know how much traffic there will be once the Senior Center is in full operation
 - Staff personnel will not park on site, but will park at the Unitarian Church on First Parish Road
 - When required have the ability to shuttle staff over
 - No parking on property except for cars queuing up in line
 - Estimate a car is in the queue for no more than 20 minutes
 - Car leaves the queue every 10 minutes
 - Propose cars leaving would circle up around the new parking lot and exit the property down the driveway to Cudworth where they came in
 - Not proposing to use the Senior Center exit to First Parish Road
- No changes proposed to the site
- Proposing a sign
- Client numbers are changing daily
 - Currently not requiring identification or registration, name only required

Mr. Hunt said the Food Pantry will do whatever it takes to remain safe and provide this essential service. The Managing Director and a Senior Staff member are both registered nurses and have been working with the Board of Health; regular inspections and all protocols are being observed. This is a critical need in Scituate right now.

Mr. Hunt acknowledge that there are traffic concerns regarding Cudworth Road; he said he met with the abutters on First Parish Road and has been in contact with the three families adjacent to the campus property and has been assured that the Food Pantries proposal is not their major concern. He opines the proposal is minimal. He hopes that when the Senior Center is up and running all parties can work together to come up with a reasonable plan to make this campus work as a true campus, Senior Center, Recreation, Historical, Veterans, etc.

Ms. Burbine indicated the Board received a letter from the Historical Society, Robert Chessia, expressing concerns over traffic. She said this so necessary and opined if everyone communicates and works together, drives carefully through the area it can all work out. Ms. Burbine said she fully supports this; if there are traffic issues the Food Pantry will come back and it is temporary use of 3 years.

Ms. Lambert agreed it absolutely needs to go there; we can sacrifice 4 hours a week.

Ms. Lewis agreed with Ms. Lambert.

Mr. Bornstein said he is happy to see something using the Gates School and this a really good use for it. He is in support of a waiver; if there are issues with traffic the Board will hear about it and address at that time.

Mr. MacLean agreed with the others and wants to let the traffic play out and see what happens.

Mr. Pritchard was also in support of the Pantry and called this a “stop gap measure”; he said the Board does not have an overall site plan as there is only a site plan for the Senior Center. One of the conditions of approval was a broader plan for the use of the site. He opined this is an emergency use of the site. He opined the traffic plan proposed seems more difficult; looping around the islands through the parking lot is not a compelling option. He estimated there would be 75 cars/hour during the 2-hour period the Pantry is open and opined there should be consideration for clients leaving out the main entrance onto First Parish Road instead of looping around.

Mr. Hunt indicated there are 300 clients registered, but they do not see near that number on any given day. He said currently at the Masonic Lodge there are not more than 4-5 cars at a time at maximum in line and during the holidays there have been 20 cars. Mr. Hunt said there is significantly more queue space available at the proposed Gates location and opined traffic will not be obstructed.

Mr. Hunt provided the client hours, Tuesday 10:00 am - 12:15pm, Thursday 3:30 pm – 5:15 pm . The Food Pantry also provides emergency services and some home delivery.

Mr. Pritchard opined with the number of cars they should just proceed straight out to First Parish and not loop around back down to Cudworth. Mr. Hunt said he is happy to do that and the suggestion to use Cudworth was a response to work with the abutters. He indicated the Pantry will do whatever is suggested.

Ms. Burbine opined people will use whatever exit is best for them; the Board will deal with any traffic issues that arise. A traffic study can not be done until COVID is over; but this is a necessary use of the building.

Mr. Hunt said there are no proposed changes to the building, except for the basic infrastructure. The Town Administrator (TA) and the Facilities Director are working on a plan to secure the space from the rest of the building and to apportion the heating, electrical, etc., costs of the building to the Food Pantry. Mr. Hunt indicated the building is minimally maintained; there is a part-time custodian he makes sure the building is secure, etc. He said the TA has committed to providing all the basic infrastructure, i.e. heat, light, handicapped accessibility and restroom space.

Mr. Pritchard proposed the traffic pattern should be changed.

Ms. Burbine asked when the Food Pantry is proposed to open. The Pantry’s lease runs out at the end of February, but the Masonic Lodge has agreed to allow them to continue in the space on a month to month basis, however the rent is 340% more than a year ago and the Pantry cannot continue to pay that price.

Ms. Burbine proposed the traffic flow should stay as proposed entering/exiting via Cudworth until the Senior Center is up and running. She said she understands Mr. Pritchard’s concerns, but opined they could be dealt with at a later date.

Mr. Boudreau commented the Pantry should be in the space before the current lease expires.

Public Comment:

Mr. Bob Chessia, representative for the Historical Society, commented they were just made aware of the traffic pattern then other day and hoped the Pantry would use the main entrance on First Parish. He opined the Historical Society may actually own the road in front of its building where the proposed access is. Ms. Burbine said that this may be inconvenient, but until the Senior Center opens we all need to work together; we have to do this.

Mr. Chessia said he agrees and they support the food pantry, but has seen the traffic at the new Gates school. He asked if the road would be updated because it is not in great condition. Ms. Burbine said it is not known at this time. She said she understands the fears and concerns, but opined this should play out and if the Historical Society feels it is not working they can come back to the Board.

Mr. Chessia said this is the first the Historical Society has had a voice and they just want to let the Board know their concerns; they are for the Food Pantry and will see how it plays out.

Ms. Susannah Green, resident at 337 First Parish Road, said they have been speaking with Mr. Boudreau about concerns during the winter hours when the cars are queued up in the back and headlights might shine into the bedrooms of some of the rear abutters. She indicated there is a section of fencing that was not extended to protect the furthest abutters in the back, Elaine Kiklis, and she is not sure how the people the behind her feel because nothing has been active yet on the site. She said the top of the fence is see through and shining of the headlights is a concern. Ms. Burbine said she understands the concern, but the two hours on Tuesday and Thursday are not at night except for a very short period, December-January. She said people can be asked to turn their lights off while in line.

Ms. Mary Potter, Trustee of the Historical Society, expressed concerns over safety and said the space in front of the Historical Society is a parking lot, there is approximately 30 feet between the spaces on either side of the parking lot. If this is now going to be a two-lane roadway people coming out of the Historical Society will have to walk into a traffic lane. She opined that the road is probably a legal width, but as one would turn the corner there is a lane of parallel parking and from the end of that to the edge of the road there is only 18 feet and a lane of road is typically 12 feet. She said it is not necessarily the traffic from the Food Pantry, coming in and out, but if the seniors are also going to be using that as egress she opined it will be a big issue. She said there are several things going on and not just the people using the Food Pantry, there is soccer, baseball, tennis, school buses, funerals, she opined without appropriate signage, lanes being drawn, without the space being widened there is going to be a real traffic issue and potential liability for the Town. She also indicated there is nothing saying "entrance or exit" and there is no guidance to any driver.

Ms. Burbine said the Board will take her comments under advisement and people will have to exercise caution.

Mr. Boudreau commented that the amount of the cars at the Senior Center is not going to change any of the safety parameters now; the recreation center has been there all along, there are a couple times in the summer when tennis is playing and there are a lot of cars in/out, but that will not be active when the Senior Center is and for the most part the Food Pantry is not going to be active during peak

times when the Recreation Center is. He said anytime the Town does something there is liability, but it is not something he is worried about.

Ms. Lambert said there is no one at recreation or the senior center right now “we need to throw caution to the wind a little” and hopefully “our” better senses will prevail.

Mr. Pritchard opined he does not think anyone on this call is not in favor of the Food Pantry; it is just about getting the best traffic flow and it will need to be looked at when a traffic study is done. He said the proposal that is here, having people leave the queue and doing a 180-degree loop and going back out the same way is not the ideal.

Ms. Burbine said let the Food Pantry move in and go from there.

Mr. Pritchard opined since they are discussing the traffic pattern it should be amended from the current proposal so that people are not doing the 180-degree loop and are exiting out onto First Parish Road.

Ms. Joseph commented that with the conditions in the waiver Mr. Pritchard’s concern could be addressed. The option can be given for people to exit onto First Parish.

Motion:

Ms. Burbine moved that the Planning Board finds improvements to the old cafeteria at the Old Gates Middle School in the B-wing basement at 327 First Parish Road for the Scituate Food Pantry, Inc. to include the proposed inside building work of painting, adding a sink and cosmetic improvements. No outside changes to the exterior of the building will be made. If, however, the existing window in the cafeteria basement is inoperable as a serving window, it will be replaced. No other site work is proposed other than a sign at the southwest corner of the existing “A wing” along with an outside closed box for food drop offs; all of which is minor in nature of effect. No changes to the parking lot are proposed at this time.

Move to grant the site plan waiver for the Scituate Food Pantry, Inc. for improvements to old cafeteria at the Old Gates Middle School in the B-wing basement at 327 First Parish Road with the following conditions:

1. Construction shall comply with the improvements described in a letter dated December 3, 2020 from the Scituate Food Pantry, Inc. to the Scituate Planning Board and Town Planner submitted with the application and attached to this approval.
2. Approval is contingent upon all local approvals being obtained from the Town of Scituate.
3. Traffic patterns shall be as described in the above letter. Any changes to traffic patterns shall require notification of the Planning Board who shall determine if any additional review is required.

Comment: Language changed...except that the exit on First Parish Road may be used under this waiver.

4. No parking for food pantry staffers is anticipated on site. Staff parking is being provided at the First Parish Unitarian church on the north side of First Parish Road. Staff will either be ferried to the food pantry or will use the existing sidewalks and crosswalks at the intersection

of First Parish, Beaver Dam and Cudworth Roads. Should food pantry workers need to park on site, further Planning Board review may be required.

5. Hours of operation of the food pantry are generally limited to: Tuesday: Staff 8:30 am -12:45 pm, Client hours 10:00 am to 12:15 pm; Wednesday: Staff 3:30 pm to 5:00 pm (high School Community Service Program); Thursday: Staff 1:30 pm to 5:30 pm, Client hours 3:30 pm to 5:30 pm; Friday: Staff 9:30am to 2:30 pm; Saturday: Staff 10:00 am to 11:00 am.
6. Coordination with programming of the Recreation Center must be done prior to occupancy.
7. Coordination with the Historical Society must be done prior to occupancy.
8. A refund of \$100 for the application fee for the non-profit organization who benefits the community will be processed.

Ms. Lambert seconded the motion; a roll call vote was taken; the vote was unanimous in favor.

Ms. Burbine - yes

Mr. Pritchard – yes

Ms. Lambert – yes

Mr. Bornstein - yes

Ms. Lewis – yes

Continued - Public Hearing – Stormwater and Site Plan Administrative Review Common Driveway - 16, 18-20 Mann Hill Road

Assessor's Map/Block/Lot 27-7-9

Applicant/Owner: Estate of Patsy Jo Terrell

Documents

- Doc DRAFT Motion
- Email dated 1.9.21 from Paul Mirabito with request for continuance
- Email dated 1.14.21 from Jeff De Lisi with request to withdraw

Motion:

Ms. Burbine moved to accept the applicant's request to withdraw the pending Stormwater Permit and Common Driveway Site Plan Administrative Review for 16, 18 and 20 Mann Hill Road.

Ms. Lewis seconded the motion; a roll call vote was taken; the vote was unanimous in favor.

Ms. Burbine - yes

Mr. Pritchard – yes

Ms. Lambert – yes

Mr. Bornstein - yes

Ms. Lewis – yes

Discussion – Signage – Senior Center – 333 First Parish Road

Documents

- PDF Scituate Senior Center Exterior Entrance Signage_2020_1221

▪ DRAFT Motion

Attendees: Rachel Young, Architect BH+A

Ms. Young gave a presentation of the proposed signage.

- Street number 333 located on the northwest corner
 - Location determined in conjunction with Fire Department
- Aluminum standoff lettering, light silver color, located at the pediment
 - Most prominent location on First Parish
- Sign at eye level by front door
 - Black metal sign between windows
 - Black metal cut out – white of building would show through the cutout lettering

Ms. Joseph recommended the Board approve the sign package as a minor change not requiring a public hearing; signage was shown on the original plans and the proposal is just to move the signage so it is more visible to more people and putting numbers on the building requested by the Fire Department.

Ms. Lambert asked if the raised lettering is the same as on the Scituate Public Safety Building and commented that it is almost impossible to read. Ms. Young to review; she indicated the lettering is standard for a project like this.

The Board did not have any other comments.

Motion:

Ms. Burbine moved to approve the building signs as shown in the Scituate Senior Center sign package dated 12-21-20 as a minor change not requiring a public hearing.

Ms. Lewis seconded the motion; a roll call vote was taken; the vote was unanimous in favor.

Ms. Burbine - yes
Mr. Pritchard – yes
Ms. Lambert – yes
Mr. Bornstein - yes
Ms. Lewis – yes

Form A – ANR Plan – 141 Driftway
Assessor's Map/Block/Lot 64-10-12
Applicant/Owner: John Tedeschi

Documents

- PDF Application Package
- PDF Assessors Card
- PDF GIS Map
- PDF STAMPS ANR revised 12-18-20

- Doc comment from Sewer Division dated 1.11.21
- Email from the Water Department with comments dated 1.11.21
- Jpeg images of property, 141 Driftway

Attendees: Greg Morse, Morse Engineering

Mr. Morse gave an overview of the plan.

- Driftway is public road on record at Town Clerk's office
- 3 lots all comply with frontage and land area for R-2 District
- Property located in R-2
- Plan is entitled endorsement under subdivision regulations

Ms. Burbine said that she has issue with one of the lots; it is not shown on the plan, but one of the lots, 4A, has a 5- foot drop to get to it. She asked how the applicant proposes to get to it?

Mr. Morse indicated there will be a driveway off Driftway to access the lot, there will be a 12-foot wide paved driveway. The applicant will bring in fill to accommodate the drive.

The Board is not making any determinations on development; this is just a division of land.

Ms. Burbine indicated there are comments from the Sewer and Water Divisions. Mr. Morse indicated he is aware of the comments and will make application when the time comes for development.

Motion:

Ms. Burbine moved to endorse as Approval Not Required a Plan of Land in Scituate MA Showing Division of 141 Driftway (Assessor's Parcel: 64-10-12) stamped by Douglas L. Aaberg, P.L.S. for applicant/owner John Tedeschi dated 12/16/20 as the division of the tract of land shown on the accompanying plan is not a subdivision because every lot shown on the plan has frontage of at least the distance presently required by the Scituate Zoning Bylaw on the public way of Driftway. Planning Board endorsement of this plan is not a determination as to the conformance with zoning regulations.

Ms. Lewis seconded the motion; a roll call vote was taken; the vote was unanimous in favor.

Ms. Burbine - yes

Mr. Pritchard – yes

Ms. Lambert – yes

Mr. Bornstein - yes

Ms. Lewis – yes

Form A – ANR Plan – 71 Clapp Road

Assessor's Map/Block/Lot 24-2-15

Applicant/Owner: Lawrence K. & Leslie Stenbeck

Documents

- PDF ANR 12.7.20 stamped
- PDF ANR Application & Deed
- Jpeg IMG-0119
- Doc DRAFT Motion
- PDF Transmittal 71 Clapp Road
- Jpeg of property, 71 Clapp Road

Attendees: Greg Morse, Morse Engineering

Mr. Morse gave an overview of the plan.

- Division of the property into 2 lots
- Clapp Road is a public road on record with the Town Clerks office
- Both lots comply with frontage and lot area requirements for R-1
- Property is located in R-1
- Plan is entitled to endorsement

Ms. Joseph indicated while the plan maybe entitled to endorsement, the applicant may be required to file for a Scenic Road approval further down line if a driveway is to go in the existing stonewall opening and it is not wide enough.

Mr. Morse indicated it is noted on the plan it is on a scenic roadway and is aware of the requirement.

Motion:

Ms. Burbine moved to endorse as approval under the Subdivision Control Law Not Required a Plan of Land in Scituate, MA showing a Division of Parcel 24-2-15 71 Clapp Road by Douglas L. Aaberg, Professional Land Surveyor of Morse Engineering Co., Inc. for applicant Lawrence K. & Leslie Stenbeck dated December 7, 2020 as the division of land is not a subdivision because every lot shown on the plan has frontage of at least the distance presently required by the Scituate Zoning Bylaw on the public way of Thomas Clapp Road (a Scenic Road).

Ms. Lewis seconded the motion; a roll call vote was taken; the vote was unanimously in favor.

Ms. Burbine - yes
Mr. Pritchard – yes
Ms. Lambert – yes
Mr. Bornstein - yes
Ms. Lewis – yes

Minutes

Documents

- Meeting minutes 12.10.20

Ms. Lambert moved to approve the meeting minutes for December 10, 2020

Ms. Lewis seconded the motion; a roll call vote was taken and was unanimously in favor.

Ms. Burbine - yes
Mr. Pritchard – yes
Ms. Lambert – yes
Mr. Bornstein – yes
Ms. Lewis - yes

Accounting
Documents

PO #2105715 (\$149.52, PO #2105516 (\$1,342.50), PO #2105419 (\$152.06), PO #2105463 (\$450.00), PO #2105787 (\$1,392.00), PO #2105777 (\$35.06)

Ms. Lambert moved to approve the requisition of \$149.52 to Gatehouse Media for legal ad for 6 MacDonald Terrace, for \$1,342.50 to Chessia Consulting for peer review of 48-52 New Driftway Gas Backwards, for \$152.06 to Karen Joseph for mileage reimbursement, for \$450.00 to Merrill Corporation for peer review of 92 Neal Gate Street, for \$35.06 to WB Mason for office supplies, for \$1,392.00 to Horsley Witten for peer review services for Phase 2 at Seaside at Scituate.

Ms. Lewis seconded the motion; a roll call vote was taken and was unanimously in favor.

Ms. Burbine - yes
Mr. Pritchard – yes
Ms. Lambert – yes
Mr. Bornstein – yes
Ms. Lewis - yes

Liaison Reports:

Traffic Rules and Regulations – reported by Ms. Burbine:

- Discussion on 7 New Driftway and street lights
 - Chris Scanzillo representative from Jacob Hatch building feels it is too dark along the Driftway
 - Being referred to DPW
- Discussion about sidewalks and access around the Recreation, Tennis Courts, Senior Center, Cudworth, etc. being referred to Select Board

Community Preservation Committee- reported by Ms. Burbine:

- Pulled 143 Border Street – no discussion
- Discussion regarding purchase of Chief Justice Cushing Hwy on hold until February
 - Town in process of having land appraised
- CPC has about \$1M , because of money from the State(\$500K)
- Approved \$100K to Affordable Housing Trust for Rental Assistance Program

Charter Review Committee- reported by Ms. Lewis:

- Still a work in progress

Master Plan- reported by Mr. Bornstein:

- Board should have received link to latest version of the DRAFT
- Comments due Tuesday 1/19/21
- Scheduling an Advisory Committee meeting
- Lot of work still to be done to be ready for Town Meeting

- Ms. Burbine commented on a section about people wanting to build bigger houses
 - Ms. Joseph said that section has been taken out and changed

There was discussion about the ZBA and number of Section 6 hearings there are for razing and reconstructing houses. Some members of the Board expressed their frustration with how the ZBA appears to just approve everything. The Board discussed a letter they had sent to the ZBA regarding a project; after review of the ZBA meeting some members felt the ZBA, with the exception of the Chair, did not pay any mind to the concerns expressed by the Planning Board.

Unless the zoning/criteria is changed for raze and reconstruction, the ZBA appears to be doing what they are charged to do.

Ms. Burbine gave an example of a project that was on Otis; it was a very small house that was a raze and reconstruct to be 80% larger. She said the ZBA needs to be cognizant of the impact on the neighborhood. She opined that is an issue; no one wants to talk about how the neighborhood is affected. She discussed Section 950.3 of zoning bylaw. She said it is just a concern of hers.

Mr. Bornstein said he agrees with Ms. Burbine; it is highly subjective to decide one way or another about how something might adversely affect people. He did not comment on how he thinks the ZBA is doing, but his understanding is the Planning Board could appeal a ZBA decision if they felt strongly enough. He opined he would rather not do that, but work together and get on the same page. He echoes Ms. Burbine's concerns with how the built out of the town has been going over the last few years.

Ms. Joseph opined the way to address this is floor area ratio/lot coverage restrictions.

Mr. Pritchard opined that is the only way to institute it so as not be subjective; it would require a zoning change.

Ms. Burbine suggested maybe there should be a joint meeting with the Planning Board and the ZBA to discuss the issue. Mr. Pritchard opined the Board should have a proposal of what kind of tools would be needed to address the issue, i.e. floor area ratios, lot area ratios, etc.

Ms. Joseph said the tools that would be needed would be floor area ratio and lot coverage; there will have to be careful thought as to how the tools related to lot area are used in different districts. This might be part of bylaw the Board should start working on after this Annual Town meeting. The Board should also start thinking about making changes to address "rattails". Ms. Joseph indicated a lot shape factor would be necessary. There are many towns that restrict strips that can't be less than a certain width, or certain percentage of the perimeter, or a circle in a square. Ms. Joseph said she has reached out to a consultant for assistance. Mr. Pritchard found some information from the Town of Shrewsbury that he will forward to Ms. Joseph.

Planning and Development – reported by Ms. Joseph:

- Ms. Joseph indicated she sent the historic policy back to the Historic Commission for a progress update
- Propose to revise fee schedule; fees have not been revised since 2003
 - Application fees
- Housing Production Plan approved by the State

- 7 new units on the Subsidized Housing inventory – Walden Woods Units
- Zoning Public Hearing set for February 11, 2021
 - Articles will be under 3 separate hearings
 - All hearings will be on the same night
- Next meeting
 - Zoning workshop for Sign Bylaw and Fair Housing Zoning
 - 48-52 New Driftway
 - DRAFT decision sent to the Board waiting for comments
- Seaside at Scituate very busy
 - 60 units given occupancy permits
 - Additional fencing was added in the Phase 2 area and the property border on Tilden Road and Rainbow Court
 - White PVC fencing looks nice
 - Planting buffers in those areas
- Drew Company expected to start construction this spring
 - Building Permit plans are in and will be reviewed
- Curtis Estates
 - Ongoing construction
 - Signed 2 building permits, others on hold due to back taxes payment needed
 - Issue with one lot not doing pervious pavement
 - Under the square footage allowed for that lot – so signed off on it
 - Hope Developer is marketing these properties that no more impervious area allowed on the lots
 - No pools allowed
 - Lots are at their maximum
 - Ms. Joseph constantly reminds Building Department no pools, etc.
 - Board is still waiting for revised Homeowners Documents that says “no pools”
 - Fined for working on New Year’s Day
 - Doing best to enforce all conditions
- Last year Board issued \$4,200 - \$4, 500 in fines to Toll Brothers

Public Hearing – Special Permit Accessory Dwelling – 418 Country Way

Assessor’s Map/Block/Lot

Applicant/Owner: Phil and Suzanne Oliver

Documents

- PDF 20-209-Existing Conditions Stamped
- PDF 4502_Slab_US
- PDF Application
- PDF Assessor Card and GIS Map
- Doc Transmittal letter 418 Country Way
- PDF Oliver Garage 1st
- PDF Oliver Garage
- PDF OliverShire 1st Floor
- PDF OliverShire 2nd floor bedroom mod
- PDF Temporary Elevations

- Doc DRAFT Motion
- PDF Title 5
- Email comments from Board of Health dated 1.8.21
- PDF

Attendees: Phil Oliver, Homeowner; Mike Farwell, Builder; Steve Bjorklund, Builder
Ms. Burbine read the public notice.

Mr. Bjorklund gave an overview of the plan.

- Currently there is a dilapidated garage on the property
- Property is in an R-2 district
 - 20,000 sq. ft. of land required, property is over 40,000 sq. ft.
 - All uplands
- Site plan shows existing conditions plan
 - Maintain left hand side of garage – setback at 72’
 - Maintain front of the garage
 - Cutting approximately 3.5’ from the back of the garage and adding it to the right-hand side
 - Interior staircase on the right-hand side
- Will raze the garage, build a new garage with a 2nd floor for the accessory dwelling
- Parking – garage spaces will be used by the Oliver’s with spaces outside the garage
 - Additional parking pad will be for the accessory dwelling
 - Pad is already constructed and on-site, shown on plans
- Septic system tested and passed Title 5
- Will remove one bedroom from inside the primary house
 - Will remove a closet and become a home office
 - Will have a deed restriction from the Board of Health
- Couple would like to stay in the dwelling and stay in Scituate
 - Accessory dwelling will provide some income to help with taxes
- Stormwater – minimal change, small expansion on the driveway and building
 - Building will be 180 sq. ft. larger than what exists today

Ms. Burbine asked about a stairway shown on the left and rear elevations from a door; where does the stairway come from, the dining area, the great room. Mr. Bjorklund indicated it will be coming out of the great room.

Ms. Joseph indicated she has written a draft decision and the accessory dwelling meets all the criteria and recommends approving it with the findings of fact and conditions that are standardly used.

Mr. Pritchard asked if there was any abutter adjacent to the property in the back that would be affected by this. Mr. Bjorklund indicated there are some neighbors to the east side of the property and should have been notified of this public hearing.

Mr. Pritchard asked about lighting on the garage. Mr. Bjorklund said there would be nothing more than garage exterior lights and door lights; a lamp light outside the door, down lighting, there would not be any flood lights.

Public Comments:

Ms. Allison Short, resident at 129 Branch Street, indicated that she lives behind the property and asked if there would be a new foundation going in or if everything would be on the existing slab. Mr. Bjorklund indicated it would be a new foundation. Ms. Short commented that they would be digging into the ground and dispersing more water. Mr. Bjorklund said there is no basement there now, they are adding 180 sq. ft. of area for slab. He said what should be there now is 2 feet of frost walls on the building capped slab and this will basically be the same thing.

Ms. Short said her concern is that she has a pretty wet backyard already and it got wetter when a house was built two lots over, her property has become wetter. Her concern is that her backyard will become wetter again. Mr. Bjorklund said the applicant is not going to be directing or grading anything towards her site; the water should stay the same. He said this building will be right at the grade.

Motion:

Ms. Burbine moved to make the following Findings of Fact:

1. On November 20, 2020 Philip and Suzanne Oliver applied for a special permit for a detached accessory dwelling on the property at 418 Country Way.
2. According to the Town of Scituate Assessor's records and the deed, the property at 418 Country Way is owned by Philip and Suzanne Oliver.
3. Based on a floor plan submitted by the applicant, the floor area of the proposed accessory dwelling will be approximately 660 gross sq. ft. and 624 net sq. ft. The application indicates this is 25% of the total square footage of the primary dwelling which is 2,472 sq. ft. according to the Applicant. The Assessor's card indicates the net square footage of the home to be 2,643 sq. ft. This meets the size requirements of 530.2F of the zoning bylaw for accessory dwellings as the bylaw allows 750 sq. ft. or 40% of the total square footage of the primary dwelling, whichever is greater. The accessory dwelling is subordinate to the existing single-family home.
4. The Accessory dwelling unit will be a complete separate housekeeping unit and there will be only one accessory dwelling on the lot.
5. The property is in the Residential R-2. The proposed detached accessory dwelling structure meets all the required setbacks, building height and yard requirements for a primary dwelling.
6. The proposed accessory dwelling is proposed to be located on the second floor to be added to an existing detached garage. Access will be via an internal staircase inside the two-car garage. There is a secondary access via a back door and stairway from the accessory dwelling unit. This is located at the rear of the building.

Comment: language changed that the existing detached garage will be razed and rebuilt

7. The appearance of the accessory dwelling will be in keeping with the appearance of the primary dwelling.
8. The Existing Conditions Plan 418 Country Way, Scituate, MA dated 6/20 by Morse Engineering Company, Inc. shows a bituminous concrete driveway for the existing dwelling and a 2-car garage along with a gravel and brick parking area/turnaround. This appears adequate to provide two parking spaces for the primary dwelling and two spaces for the accessory dwelling. Ample parking appears to be provided.
9. The owners have submitted a signed, notarized statement that they will be occupying one of the units at 418 Country Way.
10. The accessory dwelling will be serviced by Town water and an on-site septic system. DPW requirements for water connections will be met. Board of Health (BOH) requirements for the septic system will be met when a bedroom in the house is decommissioned and a deed restriction is given for a 4-bedroom septic system to the BOH.
11. The application meets the standards of the Scituate Zoning Bylaw for an Accessory Dwelling Special Permit.

Ms. Lambert seconded the motion as amended; the vote was unanimously in favor.

Ms. Burbine - yes

Mr. Pritchard – yes

Ms. Lambert – yes

Mr. Bornstein - yes

Ms. Lewis – yes

Ms. Burbine moved to approve the Special Permit for an accessory dwelling at 418 Country Way 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 substantially conform to Plan NO-4502 by Weinmaster Home Design, consisting of a cover sheet, Foundation 1 of 4, Main Floor 2 of 4, Cross Sections 3 of 4, Elevations 4 of 4 with Sheet 4 of 4 to include outside stairs shown on elevations received 12/16/20; Existing Conditions Plan #418 Country Way, (Assessor's Parcel: 32-8-9) Scituate, MA dated June 1, 2020 prepared by Morse Engineering Co., Inc. and Proposed Accessory Dwelling Plan by Morse Engineering Co., Inc. dated 1/14/21.
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.
3. No further expansion of the accessory dwelling floor area is allowed without further review by the Planning Board.
4. Upon occupancy of the accessory dwelling, the applicant shall provide a notarized affidavit that he/she is living in one of the dwelling units. A yearly certification that the owner occupies one of the dwelling units must be provided by March 1 yearly.
5. All requirements of the Board of Health, Building Department, Zoning Board of Appeals, Department of Public Works, Fire Department and other Town agencies must be met prior to

occupancy of the accessory dwelling including eliminating one bedroom from the primary dwelling and converting it to an office with no closet.

6. The accessory dwelling shall conform to all applicable standards in the building, plumbing, electrical, mechanical, fire and health codes and bylaws.
7. Water connection must meet all requirements of the DPW Water Division for the accessory dwelling.
8. Any lighting installed shall be down lighting to not shed light on abutting properties.
9. 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.
10. Runoff from the proposed accessory dwelling shall not be increased from the property.
11. Erosion and sedimentation control devices shall be installed to prevent any erosion or sedimentation from leaving the site during construction. Silt sock shall be used as necessary.

Ms. Lewis seconded the motion; a roll call vote was taken; the vote was unanimously in favor.

Ms. Burbine - yes
Mr. Pritchard – yes
Ms. Lambert – yes
Mr. Bornstein - yes
Ms. Lewis – yes

Zoning Public Workshop – North Scituate

Documents

- PDF Scituate North Scituate Zoning_Draft_12.22.20

Attendees: Chris Kuschel, MAPC

Ms. Joseph provided a recap to the Board.

- Had been working on North Scituate as a new Village Center and Neighborhood District (VCN) up until last January
 - Had a zoning workshop in January 2020
 - Several meetings were held prior to workshop
 - North Scituate put on hold due to COVID and departure of the Planning & Development Director
- Since mid-summer have been working on bylaw with Sue DiPesa from Economic Development Commission and Mr. Kucshel, MAPC to get ready for Town meeting.

Please see ATTACHMENT A for Presentation

Comments on presentation:

There was discussion about the boundaries of the subdistricts. Mr. Kuschel indicated they were determined based on what exists there today, where there is more urban/business feel and where it transitions to being less dense followed the underlying Business district. There is no encroachment on any of the residential. The former Planning & Development Director also provided guidance. Ms. Joseph added that some parts were corrected where parcels were split between two different districts; most are now in the new Village Center Business district. Mr. Pritchard questioned the line drawn near the post office through the parking lot. Ms. Joseph indicated it was drawn to try and keep the most downtown business district in the North Scituate Village proper to encourage mixed use and commercial business; the outer part becomes a little more residential.

Ms. Burbine discussed the area and opined it makes a lot of sense.

Public Comment:

Mr. Aaron Cutler, 58 Mordecai Lincoln, property owner of 400 Gannett Road, said it looks great. His question is the parking; if there is ability to do a 3-story building with commercial on 2 stories and residential on one he does not know how the parking needs of tenants would be accommodated and/or other residents in the area.

Mr. Kuschel indicated the parking was not really changed from what was part of the original VCN. He opined the parking is fairly progressive in allowing for shared uses, etc. Ms. Joseph indicated the numbers for parking are revised for the VCN so it is less parking required and there is opportunity for the shared parking. Parking is basically one space/unit in the residential and the square footage for retail has been increased so it is one space/400 sq. ft.; it is less than the traditional parking required. There is a public parking lot and there is street parking; some basic parking will be required with every development.

Mr. Cutler asked if there would be sidewalk that runs from the light down Mordecai Lincoln.

Ms. Burbine said she has been trying for the last 15yrs. to get the sidewalk extended from the T-Station to the Cohasset line, but there were some question dealing with Cohasset. She opined there is opportunity with development that some money could be put toward creating the sidewalk. There could be development mitigation.

The Board would like to have this in place before North Scituate is sewerred; and reminded everyone to go to town meeting to vote.

Ms. Staci & Bill Carey, residents at 708 Country Way, property owner of 761 Country Way, commented that everyone did a great job and it looks fantastic. She indicated her plan for the building is to retain the aesthetic of the antique building they bought and are looking forward to seeing the neighborhood change. She thanked everyone for their efforts.

Mr. Joe Murphy, resident at 26 Surfside Road, representing property owner Bob Mullin, asked a procedural question; will the sewer be voted at the same time as this bylaw change at Town Meeting. Ms. Burbine said no, there will not be a vote on sewer as the town is still working on that aspect. She said she is very hopefully, that there will be sewer in North Scituate in the next 3 to 5 years.

Mr. Pritchard also noted that water will need to be addressed for any significant development.

Ms. Burbine said the next step is a public hearing on February 11th; participation was encouraged.

Documents

- Email to the Board from Karen Joseph dated 1.7.21 with meeting materials for North Scituate Zoning, Scituate Food Pantry, Senior Center Signage and 16, 18-20 Mann Hill Road.
- Email to the Board from Karen Joseph dated 1.8.21 with meeting materials for 418 Country Way, 141 Driftway, 71 Clapp Road and 143 Border Street Lot 17.
- Email to the Board from Shari Young dated 1.8.21 with meeting agenda 1.14.20, draft meeting minutes 12.10.20 and meeting schedule 2021.
- Email to the Board from Shari Young dated 1.8.21 with AMENDED agenda 1.14.21
- Email to the Board from Karen Joseph dated 1.11.21 with meeting materials for 141 Driftway and 16, 18 & 20 Mann Hill Road
- Email to the Board from Karen Joseph dated 1.12.21 with meeting materials for Food Pantry

These items were distributed to the Board electronically.

Mr. Pritchard moved to adjourn the meeting at 8:55 p.m. Ms. Lewis seconded the motion; the vote was unanimously in favor.

Ms. Burbine - yes

Mr. Pritchard – yes

Ms. Lambert – yes

Mr. Bornstein – yes

Ms. Lewis -yes

Respectfully submitted,

Shari Young

Planning Board Administrative Assistant

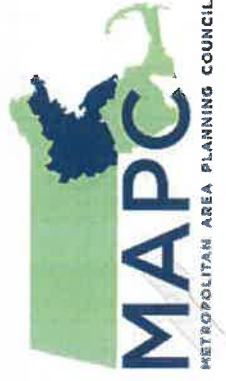
Ann Burbine, Chair

Date Approved: January 28, 2021

ATTACHMENT A

North Scituate Village Center Zoning

January 14, 2021



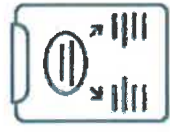
Introduction

- Project overview**
- Process**
- Background**

Project Overview

- Rezone North Scituate Village
 - Part of VCN zoning in advance of sewer
 - Ensure development “fits” with New England village
 - Expand development options for landowners
- Fixing VCN issues
- Fixing other bylaw issues

Project Process



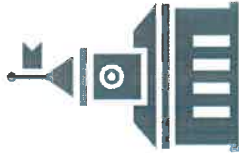
Review North Scituate Vision Plan (2016)



Draft zoning



Public feedback



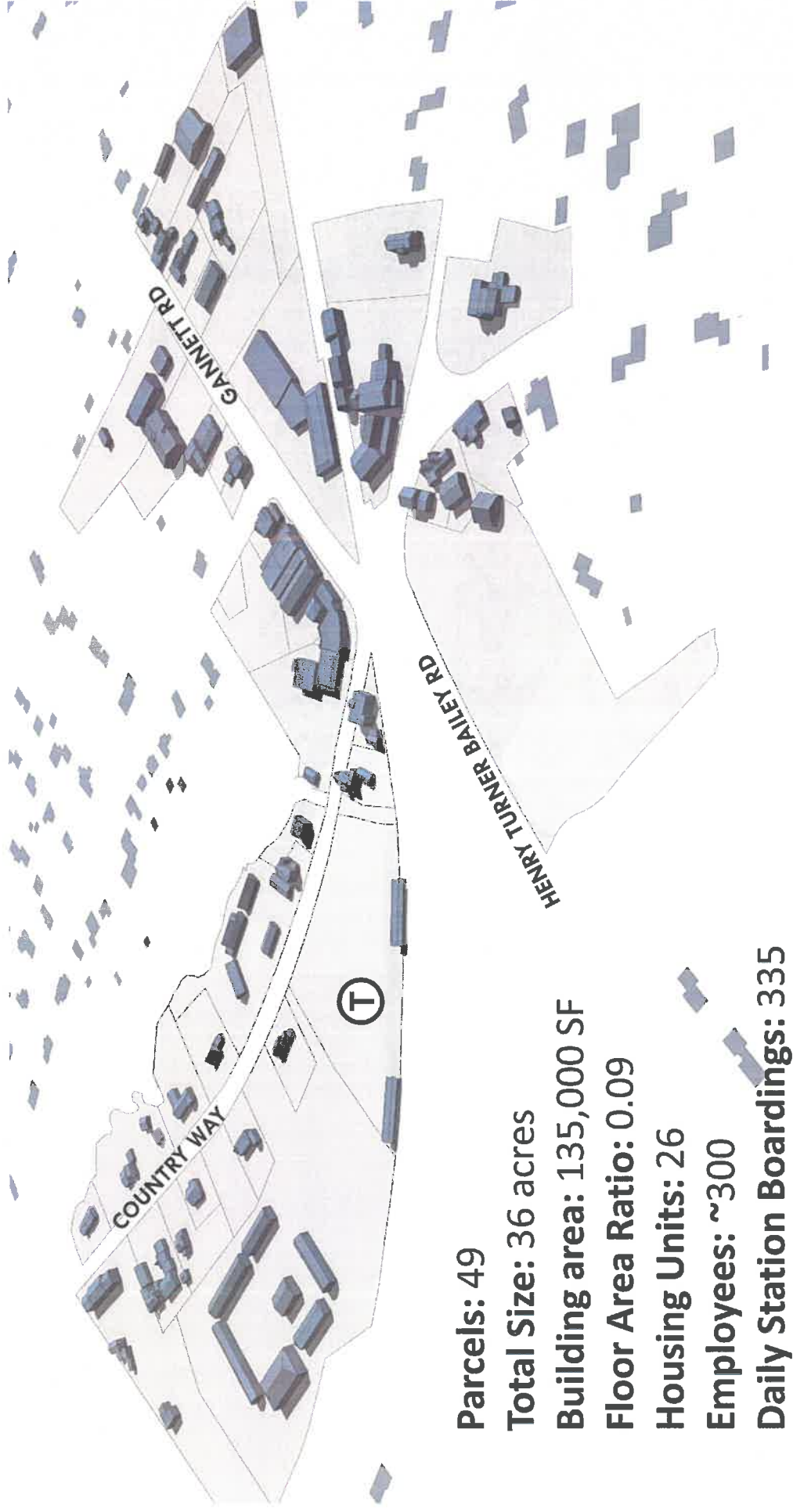
Town Meeting

- Kick-off forum (April 24, 2019)
- Committee meeting (June 22, 2019)
- Committee meeting (October 2, 2019)
- Second forum (November 20, 2019)
- Planning Board Meeting (January 6, 2020)
- ...hiatus...
- Committee meeting (November 30, 2020)
- Stakeholder meeting (January 6, 2021)
- Planning Board workshop (January 14, 2021)
- Public Hearing (February 11, 2021)
- Spring Town Meeting (TBD)

Study Area



Study Area

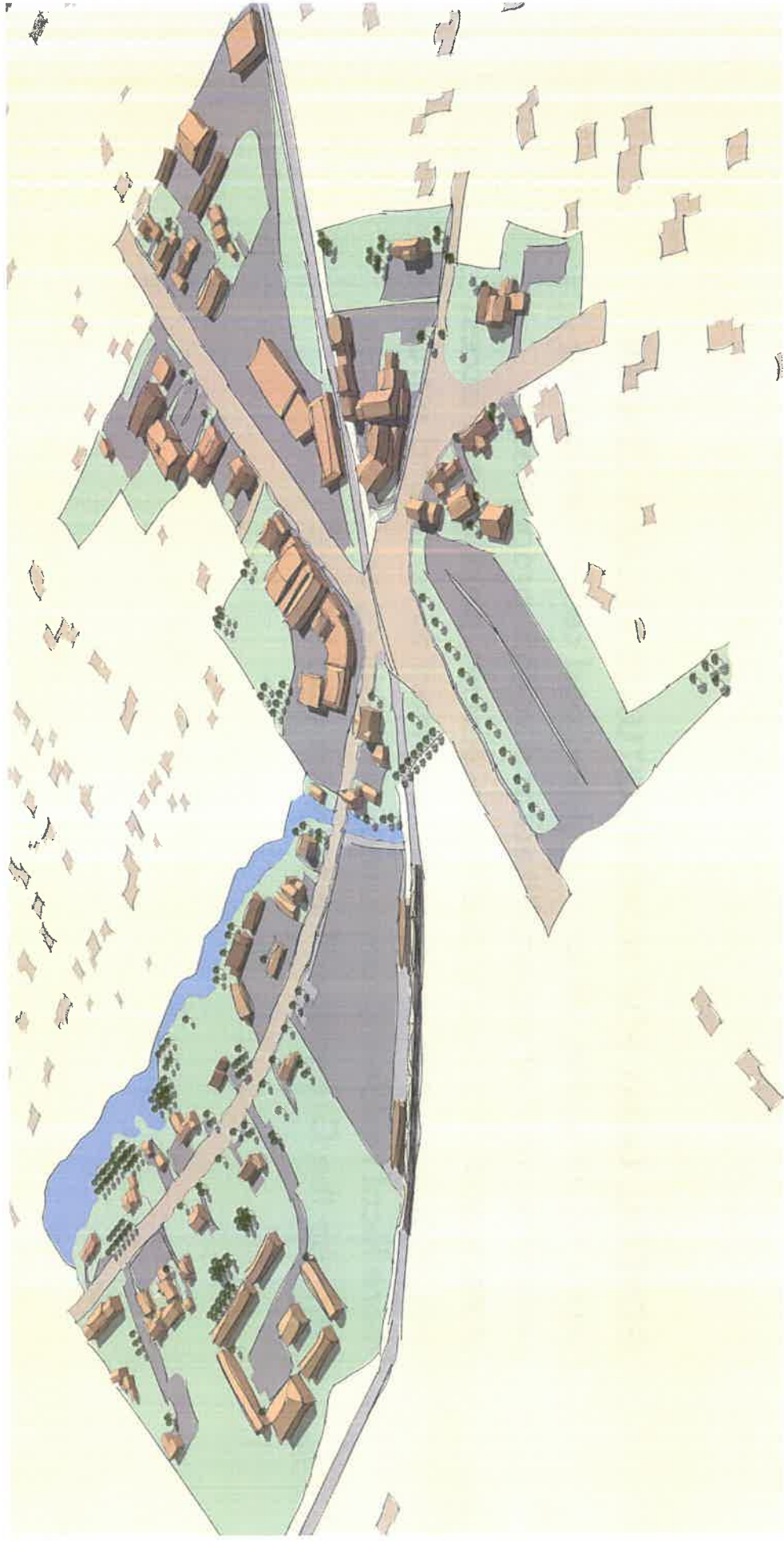


North Scituate Village Vision

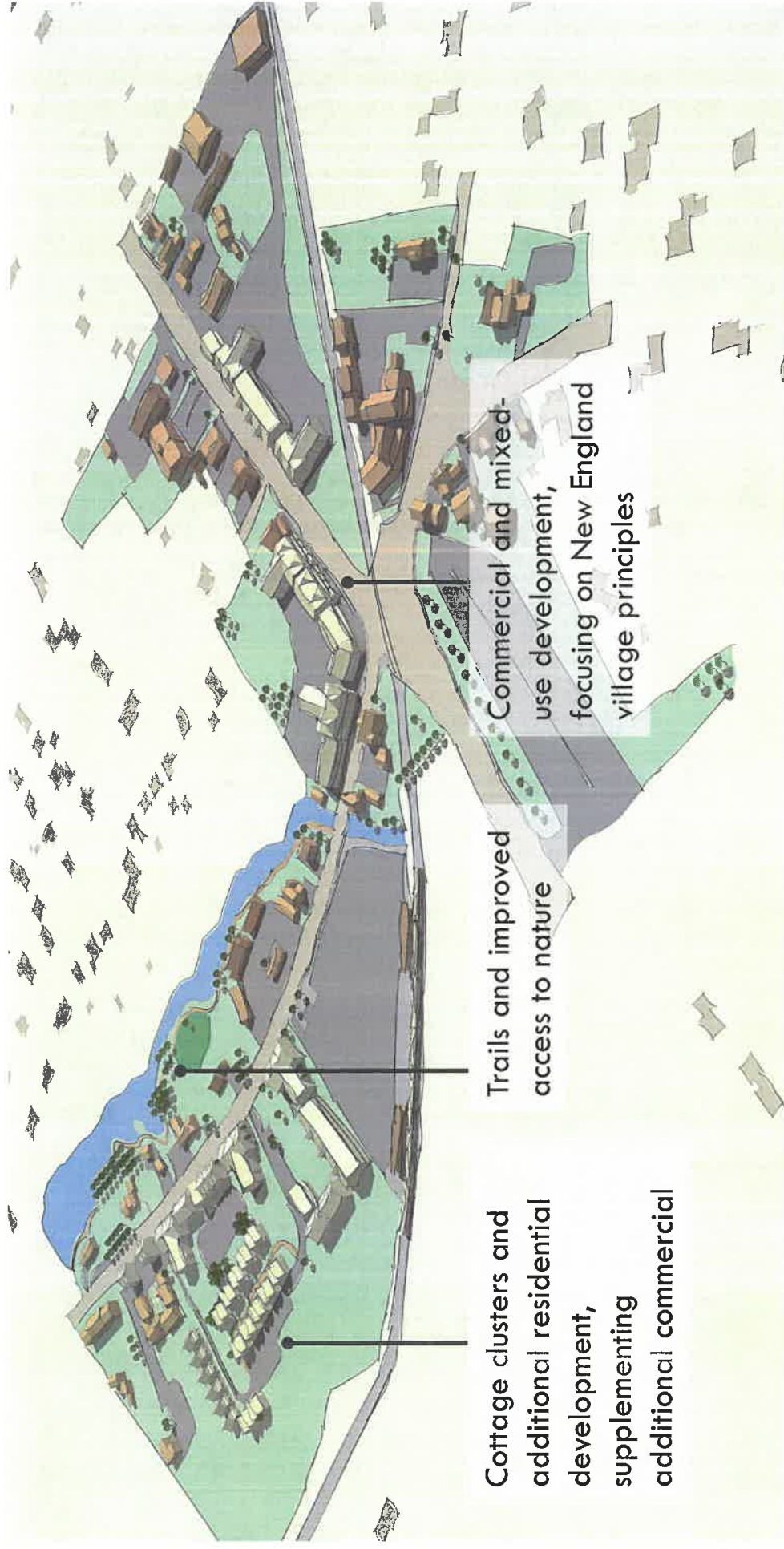
GENERAL GOAL FOR NORTH SCITUATE VILLAGE CENTER

Grow as an active, vibrant neighborhood center through the redevelopment of underutilized and vacant properties, streetscape and civic space improvements, parking and access enhancements, and business development to serve and attract more local residents, commuters, and visitors, especially those who use the Greenbush line for work and leisure.

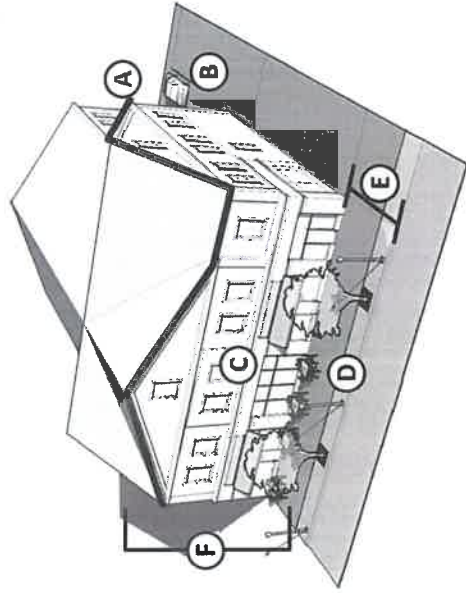
Example of future vision



Example of future vision



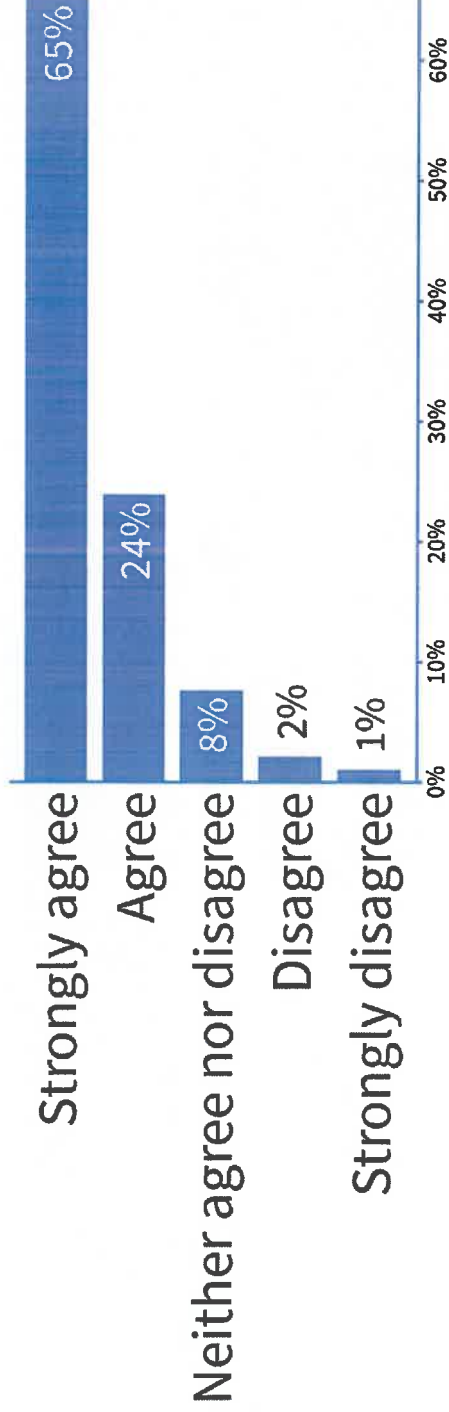
Recap from Public Input

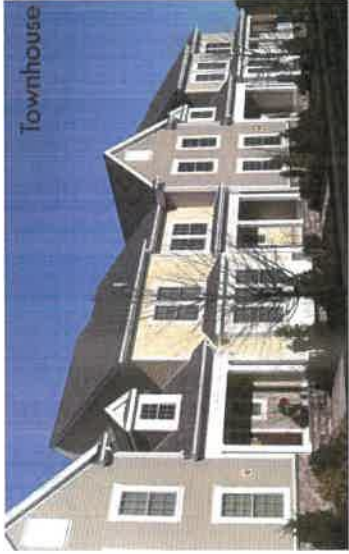


- (A)** Traditional roof lines
- (B)** Parking located in rear or side
- (C)** Façade oriented to street
- (D)** Attractive streetscape
- (E)** Minimal setbacks
- (F)** Height, massing, articulation appropriate for location

Priorities: All new buildings in North Scituate should follow traditional New England village patterns, not just mixed-use development

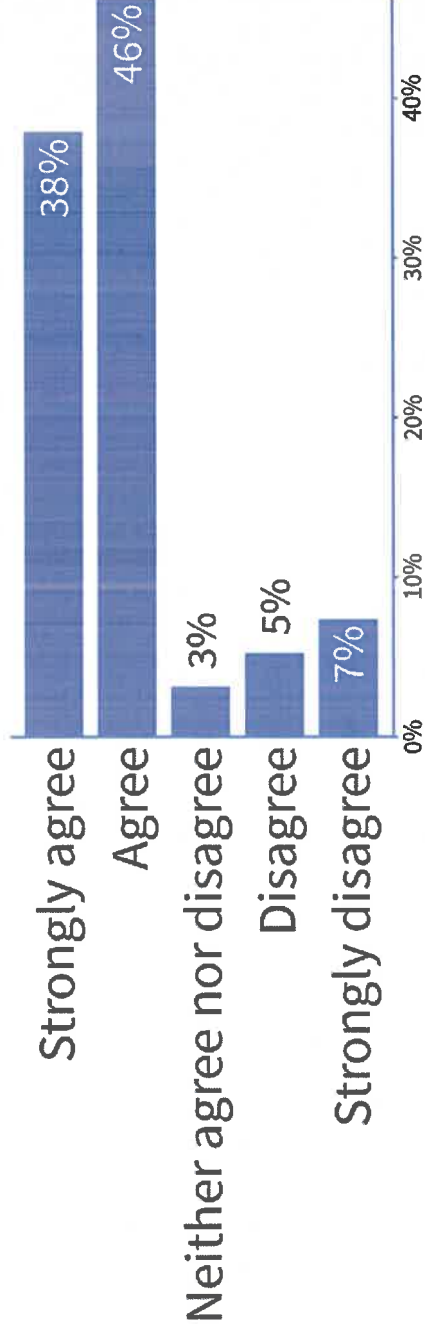
When poll is active, respond at [Pollev.com/mapcmtg](https://pollev.com/mapcmtg) or Text **MAPCMTG** to **22333** once to join





Priorities: North Scituate Village should diversify its housing stock (mixed-use, multi-family, townhouses, cottage clusters)

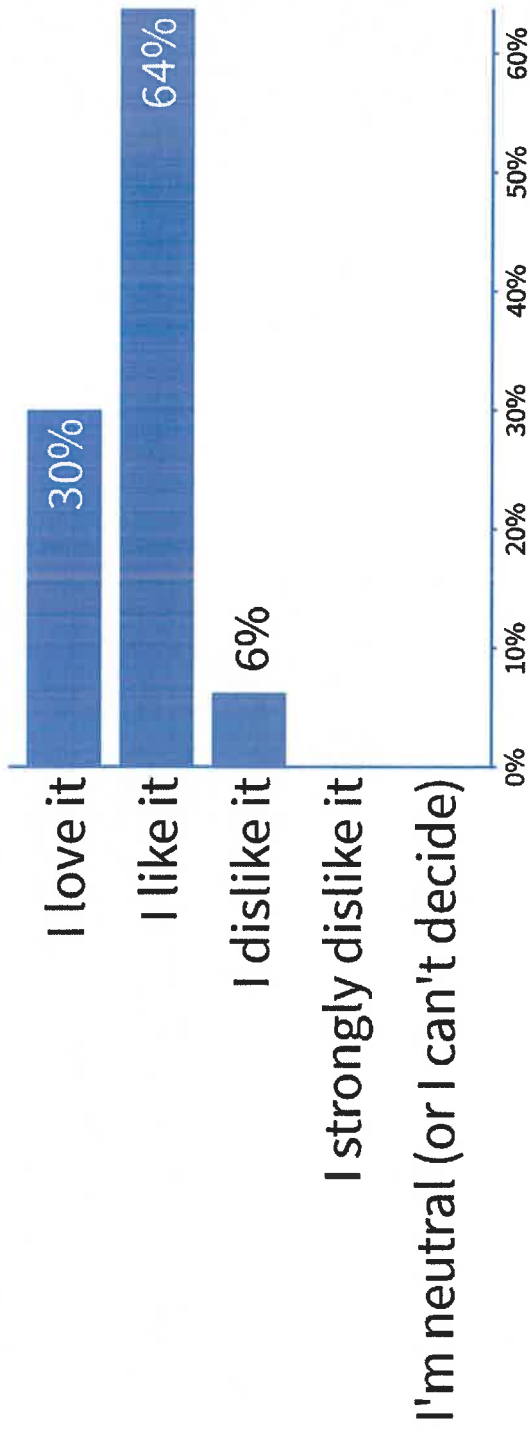
When poll is active, respond at Pollev.com/mapcmtg Text **MAPCMTG** to **22333** once to join





Built environment: 1) Would this type of development fit in North Scituate?

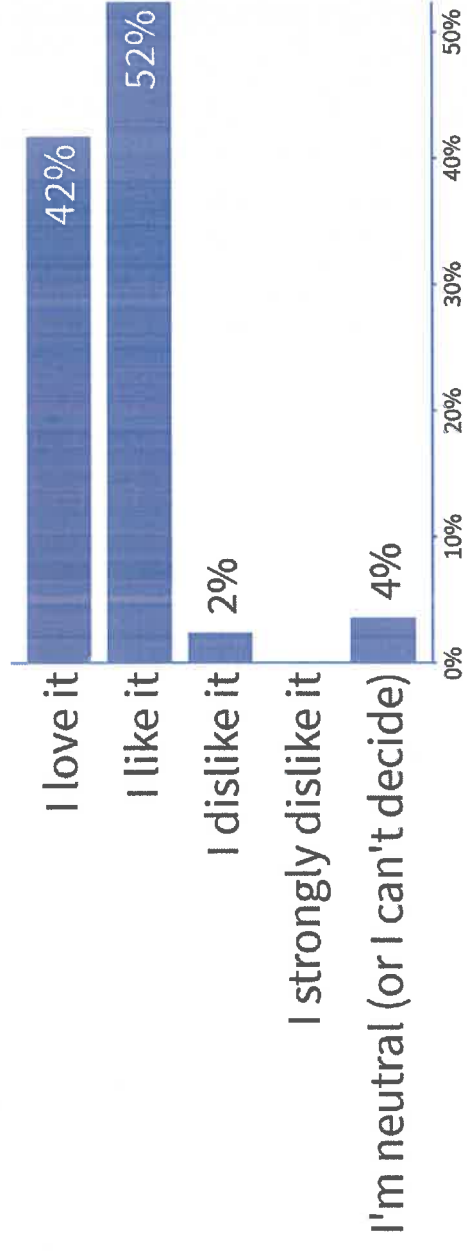
 When poll is active, respond at Pollev.com/mapcmtg  Text **MAPCMTG** to **22333** once to join





Built environment: 4) Would this type of development fit in North Scituate?

When poll is active, respond at Pollev.com/mapcmtdg or Text **MAPCMTG** to **22333** once to join



Proposed North Scituate Zoning

①

North Scituate Zoning

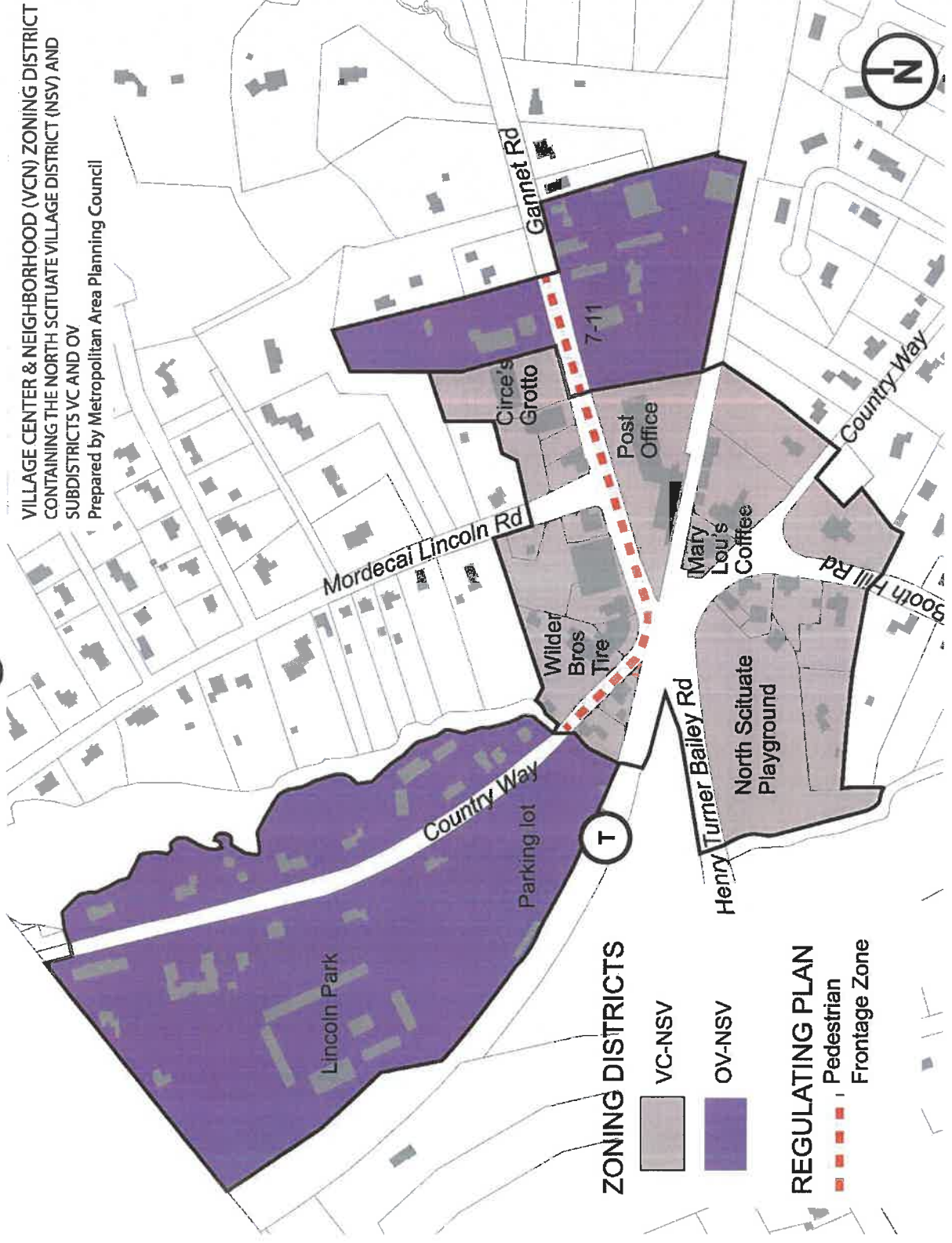
Village Center & Neighborhood Districts

North Scituate Village will be part of the Town's VCN

- VCN provides a framework for the Town's villages
- Adopted in spring 2019 Town Meeting (incl. Greenbush)
- Promotes context-sensitive development that reflects scale, design, and uses appropriate for each village
- Standards provide for:
 - Allowable building types
 - Design standards
 - Open space requirements
 - Roadway standards (if applicable for new streets)
 - Affordable housing requirements (if applicable)
 - Parking requirements

North Scituate Village Subdistricts

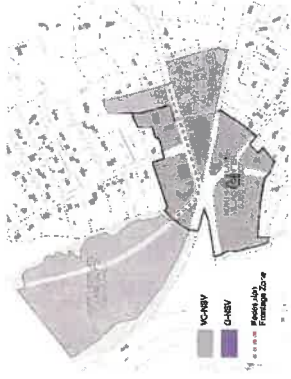
VILLAGE CENTER & NEIGHBORHOOD (VCN) ZONING DISTRICT
CONTAINING THE NORTH SCITUATE VILLAGE DISTRICT (NSV) AND
SUBDISTRICTS VC AND OV
Prepared by Metropolitan Area Planning Council



North Scituate Village Uses

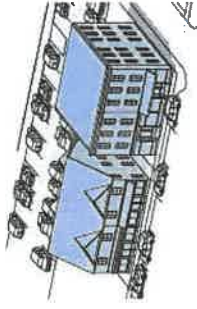
- Intended to be flexible to allow a wide array of uses compatible with a walkable, mixed-use district
- Center district has more restrictions to ensure residential uses do not displace commercial
- All existing uses are grandfathered in under new zoning
- In VCN, properties must comply with both uses and *form* of building

North Scituate Village Center Subdistrict



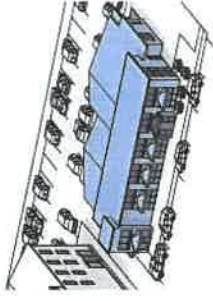
The “commercial core” of North Scituate Village. Intended to promote commercial activities, especially small businesses, allow mixed-use development, and encourage active forms of getting around.

Allowable building types



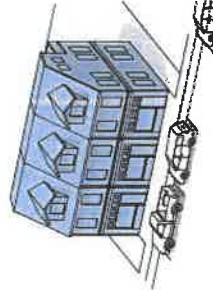
Mixed-Use

Ground-floor commercial with residential or office above



Commercial

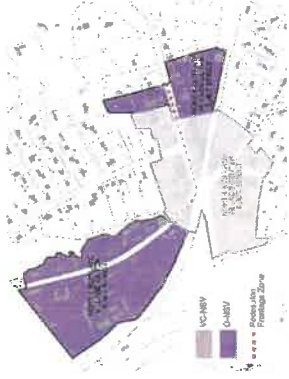
Businesses on all floors; may be multiple businesses



Live-Work

A ground-floor business with the owner living above

North Scituate Village Outer Subdistrict



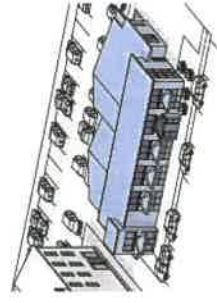
Similar to the Village Center district but provides additional building types to promote housing, which can add vitality to the district and directly support Village businesses.

Allowable building types



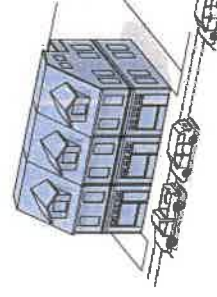
Cottage Cluster

Small homes sited close together, typically around shared open space



Single Family Attached

Townhomes and rowhouses



Multi-Family

Multiple residences in a building. Requires a special permit



Gas Backwards

A gas station with a site design more appropriate for a village, with pumps behind the building

Density

TABLE 2 - VCN RESIDENTIAL DENSITY BY BUILDING TYPE & DISTRICT

RESIDENTIAL/MIXED USE BUILDINGS		D.U.s PER ACRE (BY RIGHT/BY SPECIAL PERMIT)						North Scituate Village	
		Greenbush-Driftway Gateway							
		GW/B	NRN	GVC	DBP/NRCR/DCR	NDTV	VC	OV	
		Y/SP	Y/SP	Y/SP	Y/SP	Y/SP	Y/SP	Y/SP	
1.	Single-Family Detached Dwelling Units	NA	NA	4/8 ⁴	NA	NA	NA	NA	
2.	Single-Family Attached Dwelling Units ¹	8/16	8/16	8/16	NA	12/20	NA	12/20	
3.	Two-Family Dwelling and Cottage Courts ²	NA	8/16	8/16 ⁴	NA	NA	NA	12/20	
4.	Multi-Family and <u>Mixed Use</u> Buildings	12/24	12/24 ³	12/24	NA	16/36	12/24	12/24	

Design standards modifications for North Scituate

Where there is a conflict between this Section 580.9 and Sections 580.3 or 750.6, the standards below shall apply.

1. Minimum outdoor amenity space coverage is 15% for all building types. The Planning Board may allow a further reduction in required outdoor amenity space in exchange for payments toward public benefits improvements.
2. Front yard minimum build-to-zone is 0 feet for all building types.
3. Minimum side setbacks for all building types except Gas Backwards is 0 feet if a common wall with adjacent building.
4. Minimum street frontage for Multi-Family Building is 40 feet
5. Minimum street facing wall width for Multi-Family, Live-Work, Mixed-Use, and Commercial Buildings is 40 feet.
6. Maximum building footprint for all building types except Gas Backwards is not applicable.

Additional Zoning Modifications

Changes to VCN

- Clarified design standards vs guidelines
- Fixed issues with parking requirements
- Changed references from “ordinances” to “bylaws”

Changes to Other Parts of Bylaw

- Removed references to districts no longer in town
- Changed references to “Select Board”
- Fixed references to VCN

Questions + Comments

CONTACTS:

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Town Planner, Scituate
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781 545-8837

