

SCITUATE PLANNING BOARD MINUTES April 23, 2015

Members Present: William Limbacher, Chairman; Stephen Pritchard, Vice Chairman; Richard Taylor, Clerk; Robert Vogel, Robert Greene and Ann Burbine, Alternate member.

Members Absent: None.

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 Limbacher called the meeting to order at 7:30 P.M.

Documents

- 4/23/15 Planning Board Agenda

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

Public Hearing – Site Plan Administrative Review – 46 Watch Hill Drive – Inly School Assessor's Map/Block/Lot 52-2-3A Applicant/Owner: Inly School

Documents

- Application, Stormwater report by Oak Consulting Group, LLC and plan for New Classroom Addition for Inly School at Scituate MA, Site Plan Review dated 3/31/15 by Peterman Architects, Inc.
- Transmittal to departments dated March 31, 2015
- Design Review Committee Meeting Minutes dated 4/8/15
- Report from Merrill Engineer dated 4/9/15
- Email from John Clarkeson dated 4/10/15
- 2 Emails to Board dated 4/17/15 with revised plans, Stormwater Permit application and revised architectural plans
- Email from Merrill Engineers dated 4/17/15
- Email to Board dated 4/17/15 with photos of Stormwater Breakout at Inly field by Ron Simons
- Email from Laura Harbottle to Board dated 4/17/15 with staff comments
- Email from Laura Harbottle to Design Review Committee with revised drawings
- 2 emails from Laura Harbottle to Board dated 4/22/15 with information on soil test pits
- Email dated 4/23/15 from Laura Harbottle to Board on test pits and field drainage

Paul Worthington-Berry from Peterman Architects was present representing the project team. Chairman Limbacher asked for a presentation from the Architect and indicated that the engineering review is not finalized so the Board will be looking for an extension to May 12 to vote the conditions.

Mr. Worthington-Berry provided a brief overview of the site. He said that the Middle School is located by the street, and the elementary school and Art Barn with a gym and modular classrooms which aren't ideal due to size and structural issues make up the school. He indicated they would like

to remove the modular classrooms and replace them with the proposed classroom building which will connect interiorly to the Art Barn to deal with elevation changes inside the building. He said they will be removing 4500 sq. ft. of space and replacing it with the new Shaker style round classroom building which will blend in with the existing white cedar art barn. He said the upper level of the classroom addition will have a library, storage space, meeting space and classrooms. He indicated the lower level would have a robotics area and digital spaces. He said the spaces will be flexible to allow flexibility in the curriculum and class sizes.

Mr. Worthington-Berry said that recently soil test pits were completed and changes to the drainage design will be necessary as a result of the difference between the soil conditions that were found and those expected. He indicated the drainage pond will be expanded to accommodate the drainage. He said that 5 parking spaces will be removed to accommodate the drainage basin, but there will be a net increase of 7 spaces. He said that the existing septic system passes Title V and the existing utilities are appropriately sized. He said that the existing transformer will be screened. He said the project will be an improvement to the school and surrounding community.

Ms. Harbottle concurred with the Architect that the site is challenging with a large grade change across the site and high groundwater so that erosion issues need to be taken into account. She indicated the site is in the residential district so it needs to blend in with surrounding development and in the Water Resources Protection District so that total suspended solids limits must be met. She said that there will be a new parking lot which provides a minimally sized back up lane. Ms. Harbottle said that traffic on Watch Hill Drive is a function of the number of students so the Board may want to condition that if the student population increases traffic and the septic system will need to be re-evaluated. She suggested that the applicant may want to meet with the Commission on Disabilities as handicap accessibility should be equivalent to regular accessibility.

Ms. Harbottle said that the applicants met with the Design Review Committee (DRC) whose concerns seem to be addressed in revised plans. She said the DRC asked that any new signage conform to the existing sign standards. She indicated more detail on landscaping may be required and there have been erosion and drainage issues with the previously approved field. She said an abutter downslope appears to be receiving erosion from the site and that the field will need to be watched to make sure the slope is stabilized and water issues dealt with.

Mr. Worthington-Berry said that when the field is done it can be evaluated, but the jute mesh has been installed so there should be no further problems. Ms. Harbottle said there was another break out from the slope after the mesh was installed. Chairman Limbacher said there are two different elements, but all the issues need to be resolved.

Josh Bows from Merrill Engineering, consultant to the Planning Board, said that he provided an initial report, but a final report has not been issued due to anticipated changes in the plans because the test pits conducted on 4/20 did not yield the expected results. He said the site is difficult due to topography and groundwater. He said the report is based on the current population of the school remaining the same, as that is what was indicated. He indicated that the building is setback at the exact dimension to the property line and suggests it be slightly altered with verification by a registered land surveyor so that there are no potential zoning violations in the future. Mr. Bows said that the construction sequence and erosion control are very important and need to be well thought out. He said soil stockpiles should not be located in existing treed areas. He said there is a drainage issue that is not part of this project and would like the 2 projects separated and no proposed drainage

to go into the system that is with the field construction. He believes that there should be a review of the engineering methods of handling erosion until the field slope is stabilized.

John Roman of the DRC said all of the committee's points have been covered including the low stone wall at the front, shrubs by the transformer, renderings consistent with plans, additional bollard lights, new signage consistent with existing signage and handicap access to the porch. Mr. Worthington-Berry said the porch level has been lowered so it can't be accessed from the inside anymore and won't be an official entrance/exit to the building but an accessory exit.

Mr. Taylor asked if school would be in session during construction. Mr. Worthington-Berry said that they would like the shell done by fall and the fit up will be during the school year. He said there would be temporary modular classrooms while the work is occurring. He said there are approximately 275 students now and they have the capacity for 300. Mr. Taylor said the corner of the field is critical for drainage. Rob DeMarco, Member of the Board of Inly, said that there are gates at either end of the field to provide access to the slope.

Mr. Pritchard and Ms. Burbine inquired about egress for the round barn. Mr. Worthington-Berry said that there are exits in the front (existing front entry handicap accessible) and back (Art Barn) into the existing portions of the school. He said there are the proper number of exits by code and the staff will be educated where the exit doors are. He said there is no access from the building to the porch and the owner is aware that the round barn looks like it is the main entry, but it is not. The Board said that it may be legal, but it is not logical. The architect confirmed that the building is sprinklered and that fire walls are located per code. Mr. Taylor asked if a ramp could be provided on the outside to reach the porch. Mr. Worthington-Berry said there could not be a ramp as with a height difference of 42" 2 landings would be required which would take away all the grass area. Ms. Burbine thought the traffic flow through the parking should be one way. Mr. Worthington-Berry said they are one way.

Mr. Vogel asked about parking for the site and for the construction work. Mr. Worthington-Berry said there are 56 spaces for staff, aides and visitors and the maximum population for students is 300. He indicated that zoning requires 200 spaces, but they are adding a few more to help alleviate parking during special events. Mr. Worthington-Berry said they are working closely with CE Floyd, their construction manager, to manage the school, students and site strategies. He indicated CE Floyd will be the construction manager and the subs will be competitively bid. Mr. Berry said he did not know where the construction workers would park; but their parking is shown on a plan that is not available this evening. Mr. DeMarco said that construction vehicles won't be in school parking spaces. He said construction parking may have to be off-site. Mr. Worthington-Berry said the construction will be slab on grade and piping to the detention basin will be under the slab.

Mr. Worthington-Berry said there will be downlights on the porch and 3 new bollard lights are proposed along the walk. He said the lights in the parking lot will remain as they are now. He said the library will have a clear story which will allow light into the building. He said they will satisfy the neighbors with respect to lighting.

Beverly Westerveld who runs Tree Berry Farm asked if the water is going to be pumped back uphill. Mr. Worthington-Berry said that the roof water will go into a piped system and then into the drainage basin. He said they are not allowed to introduce more runoff than currently exists. Sue Campbell of 100 Watch Hill Drive said that Inly has summer programs. She asked if there would be issues this summer with construction. She said the neighborhood is concerned with safety issues and

more traffic. Mr. Worthington-Berry said that there will be standard operational hours for construction and the contractors will be there doing work. Brendan Cavanaugh of 92 Watch Hill Drive asked about the failing patches in the road that were placed approximately 1.5 years ago and if there would be repairs to the road after construction. He said that he wants to make sure that the existing vegetative screen is not removed. Mr. Worthington-Berry said that they are not expecting any damage to the road to occur during construction. Mr. DeMarco said the school would fix the patch. Mr. Taylor asked who maintains the road now and is it private. Ms. Harbottle said that she believes the road is private and will verify that. Mr. D'Ambrosia of 96 Watch Hill Drive said he thinks the addition is good, but doesn't like the parking by the Art Barn. He said that safety, traffic congestion, views and aesthetics are concerns. He indicated that in 2001 the Art Barn was supposed to be screened and there were supposed to be shuttle busses. He said he is trying to reconcile what was previously approved to now. He said that the school has more curb cuts within the residential neighborhood. He indicated the proposed additional parking is nominal and several times a year residents are stuck in their homes and can't get out of their driveways. He said the screening makes it impossible for egress. He indicated there were 25 cars parked there yesterday at 10 a.m. He said he wants the Board to look out for the neighborhood too so that public safety officials can be able to get up the hill. He expressed concern about property values and quality of life issues. Mr. Worthington-Berry said that there will be clear visibility and there will be a berm with trees. Mr. Cavanaugh said that he purchased his house in 1995 and since then the school has expanded and he would like to see it kept below the curve in the road.

Chairman Limbacher said he would like to talk about the athletic field drainage. He said that Scott Henderson of McKenzie Engineering Group is the engineer of record for the soccer field. Mr. Henderson said that 2 to 3 weeks ago he was notified that there was a breakout of the field slope and that the contractor had failed to install some erosion control. He said that the existing silt fence and haybales did contain the breakout and now the jute mesh has been installed on the slope. He said that hydroseeding would occur on Saturday (4/25/15). He indicated that the erosion should be taken care of once the seed is established. He said there was no additional runoff from the field expansion and water was not redirected. Ron Simons, the downslope abutter, said he is having water issues and not sediment issues. He said there was a new break out of 4/20/15 with the 1/2" of rain from the thunderstorms. Mr. Henderson submitted photos taken yesterday, 4/22/15.

Chairman Limbacher said that Mr. Simons, Mr. Henderson and the Inly School need to sit and come to an agreement and he would like to see it addressed by the May 14 meeting. Mr. Henderson said it is the first time he is seeing the pictures. He says it shows ponding uphill of the silt fence and the silt fence should detain water before it goes through. He said that Mr. Simons has a new retaining wall. He indicated seasonal high groundwater is 2 to 3 feet below the surface so water will come through the wall to alleviate the pressure. He said there is an issue when the wall was cut in. Mr. Simons said that all the water flows into a pipe and creates pressure and then blows up. He said the situation is not going to improve as water is building up with no place to exit. Mr. DeMarco asked if the Chair was requesting the school, engineer and abutter meet to come up with a solution. Chairman Limbacher confirmed that. Ms. Harbottle said that Merrill Engineers recommended that a plan be developed and reviewed to address erosion and water until the slope is stabilized. Mr. DeMarco said the school would commit to that.

Jesse Napoli of 77 Watch Hill Drive said that he lives directly across from the Art Barn and wants the neighborhood considered. He said cars line and fill the street and feels that the added parking won't help and that parking should be off Route 123. He said it used to be a cute small campus, but now there are changing property attributes and values.

Mr. Taylor moved to accept the applicant's request to continue the public hearings for the Site Plan Administrative Review for the Inly School Classroom Addition at 46 Watch Hill Drive until May 14, 2015 at 9:00 pm. Mr. Pritchard seconded the motion. Motion was unanimously approved.

56 New Driftway – Sign

Documents

- Email from Laura Harbottle to Board dated 4/16/15 with proposed sign package from Atlantic Management Co and staff comments

Steve Wyman of Atlantic Management said that they would like to erect a new sign at 56 New Driftway to help tenants and patients be better able find their location. He said the sign will be 5' wide by 8' tall and will use the 2 existing granite columns. He indicated that aluminum and plexi glass will be used to create blue waves at the top and there would be interchangeable panels below for the tenants. He said the sign would be lit from the ground with LED lighting and the sign would be similar to that used at the Stetson Medical Center in Weymouth.

Mr. Taylor said he likes the existing wood sign and would like the new sign to be wood with wood panels to slide in just like the other signs in the area. Mr. Pritchard said he thinks the sign looks too contemporary and like a strip mall sign. He said if the Town is trying to build a gateway, he thinks the signage should be reflective of that and the Design Review Committee (DRC) ought to be involved. Mr. Taylor said maybe it could be similar to that of the proposed Jacob Hatch Building. Mr. Vogel concurred that having the DRC review the sign is good idea; but suggested that if the goal is to densify the area then all hand carved signs could make it look a little "Disney" like. Mr. Pritchard said there can be a happy medium and thinks it is a good opportunity to have some continuity and vision for the area. Mr. Green thought that having all the tenants listed on the main sign would not be good. Ms. Burbine said she thinks the proposed sign does look like a strip mall sign and thinks a directory of tenants belongs at the front door. She suggested that the landscaping around the sign be redone and thinks that a referral to the DRC is good and said the Economic Development Commission is also looking at signage. She suggested perhaps raising the existing sign and then putting some tenant names would work. Chairman Limbacher agreed to send it to the DRC, but said Herring Brook Mall also has the tenant names on the sign. Ms. Harbottle said the DRC will meet in a few weeks and this will be added to their agenda.

61 Border Street – Compliance with Stormwater Permit

Documents

- Plans dated 5/28/13, revised 6/28/13 and 1/2/14 by Grady Consulting, LLC
- Jan 2, 2014 letter with changes identified on plans from Grady Consulting, LLC
- Certificate of Action dated 7-15-13
- Email forwarded from Michelle Bonomi dated 4/9/15
- Email to the Board dated 4/16/15 with 2 emails from Michelle Bonomi, 1 from Michael Kenney and Amory Inspection report dated 4/14/15
- Email from Laura Harbottle to Board dated 4/21/15 forwarding email from Amory Engineers
- Email from Laura Harbottle dated 4/22/15 with answers to abutter questions

The applicants were not present for the discussion despite asking for it to be moved from April 9 to April 23. Ms. Harbottle said she has been dealing with a neighbor with an erosion and siltation control problem since last fall after the house at 61 Border Street was constructed. She said that the applicants were supposed to install a swale last fall, but it has not been completed and the follow up with the applicants has not been productive. She indicated there were many problems during the winter with icing on the neighbor's driveway. Ms. Harbottle said that Pat Brennan of Amory Associates went to the site this week with herself, the applicants and their engineer. He indicated that the swales should be constructed, the pipes cut to be flush and the wall was not completed; but is not necessary for stormwater purposes. Ms. Harbottle said the applicant wants the wall waived. Chairman Limbacher said the control would be the Occupancy Permit. Ms. Burbine said the applicants are living there and the house is for sale. Chairman Limbacher said the wall was supposed to help level off the back yard and is aesthetic in nature. Ms. Burbine offered that she is sure a lot of work went into the conditions and thinks that granting a waiver of a condition is bad in this case as the applicants appear to have done whatever they wanted to with disregard for the neighbors. Ms. Harbottle said that in this case a waiver may be practical as a lot of staff time has and will be spent on the issue. Ms. Burbine was concerned about precedent and people following the rules. Chairman Limbacher said that if the trade-off is the wall to solve the problem, then he would be amenable and indicated it would have been better to do as a field change. Mr. Pritchard confirmed that the wall doesn't change the analysis of the drainage, but was concerned about 2 openings in the wall on a scenic road when only 1 was approved as well as the swale not being built. Ms. Harbottle said that the Board could ask them to do another Scenic Road hearing. Mr. Pritchard said that they knew a Scenic Road hearing was required as they had one for the first opening and they just did a second one without any discussion of the Board. The Board inquired about enforcement mechanisms. Ms. Harbottle said that a fine could be levied for the scenic road violation and the wall restored. She said there are no fines for the Stormwater Bylaw.

Chairman Limbacher said that the swale issue is still unresolved. Mr. Pritchard said the swales are required as part of the design so they must be installed. Mr. Greene said that abutters are impacted and they have only met part of the approved conditions with the drainage and curb cut. He said the Occupancy Permit will affect the owners if they are selling the property. Mr. Vogel asked about the conversations with the owners. Ms. Harbottle said that they agreed to put in the swales and since both engineers said the wall is not needed they don't want to build it and they will agree to extend a pipe that is in a different location. Mr. Pritchard asked about the second wall opening. Ms. Harbottle said that there is no increase in impervious area as they made the area permeable. Mr. Pritchard was bothered by the disregard for the Scenic Road Permit. Mr. Vogel said scenic roads affect the Town's aesthetics. Ms. Harbottle suggested sending a letter to the applicants from the Board asking why they put in a second opening to the wall for a circular drive. The Board agreed that they don't want to give the applicant anything and that a Certificate of Occupancy should not be issued until a Certificate of Completion is done for the Stormwater Permit.

The Board asked that a letter be written to indicate that after field review, the project was not constructed as approved. They indicated the following items should be mentioned:

- An additional curb cut was built for a circular driveway. Only one opening in the stonewall was approved under the Scenic Road permit;
- The wall at the rear of the property was not constructed;
- Swales at the rear and side of the property were not constructed;
- Exposed pipes at the drainage basin shall be cut flush and
- Shut off valves need to be installed per the plan.

They asked that they letter say that until the above issues are resolved, the Board is requesting the Building Department not issue a Certificate of Occupancy and the Board is aware there are issues with other departments too. They asked that the letter indicated that if the applicant feels the need to change or modify the conditions imposed, then they need to schedule a time to come in before the Board. They would like the applicant informed that the Board has the ability to level fines for a scenic road.

Mr. Taylor moved that the above noted letter be sent. Mr. Pritchard seconded the motion. Motion was unanimously approved.

Accounting

Documents

- PO # 1506694(\$50.99)

Mr. Taylor moved to approve the requisition of \$ 50.99 to WB Mason for office supplies. Mr. Pritchard seconded the motion. Motion was unanimously approved.

Meeting Minutes

Mr. Taylor moved to approve the meeting minutes of 4/9/15. Mr. Pritchard seconded the motion. Motion was unanimously approved.

Reorganization of the Planning Board

Mr. Pritchard nominated Mr. Limbacher for Chairman. Mr. Vogel seconded the motion. Mr. Limbacher said he thinks it is time that someone else is chair. Mr. Greene nominated Mr. Pritchard. Mr. Vogel seconded the motion. Mr. Pritchard said he would do the job if that is what Mr. Limbacher desires. The motion was unanimously approved. Mr. Vogel nominated Mr. Limbacher for vice chairman. Mr. Taylor seconded the motion. Motion was unanimously approved. Mr. Limbacher nominated Mr. Taylor for Clerk. Mr. Pritchard seconded the motion. Motion was unanimously approved. The Board decided to leave the liaisons as they are now.

Mr. Taylor asked about Town Meeting. The Board indicated that the Building Height article passed with an amendment to limit height to 50 feet. They indicated the accessory dwelling article was defeated and the citizen petition for the Scituate Country Club was defeated.

Old Business and New Business

Documents

These items were distributed to the Board electronically.

Mr. Vogel moved to adjourn the meeting 9:50 at p.m. Mr. Pritchard seconded the motion. Motion was unanimously approved.

Respectfully submitted,

Karen Joseph
Planning Board Secretary

Richard Taylor, Clerk
5-14-15
Date Approved