

SCITUATE PLANNING BOARD MINUTES April 11, 2019

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

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 7:00 P.M. The meeting was being recorded for airing on local cable television.

Documents

- 4/11/19 Planning Board Agenda

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

Continued Public Meeting – Site Plan Administrative Review – Municipal Water Treatment Plant Well 17A - 90 & 96 Tack Factory Pond Drive

Assessor's Map/Block/Lot: 42-4-8

Applicant/Owner: Town of Scituate - Water Division

Document

- Email to the Planning Board requesting continuance dated 4.5.19

Motion:

Ms. Lambert moved to accept the applicant's request to continue the public meeting for the Site Plan Administrative Review for the Municipal Water Treatment Plant Well 17A 90 & 96 Tack Factory Pond Drive until May 9, 2019 at 9:30 pm. and to continue the time for action for filing with the Town Clerk until May 26, 2019.

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

Old Business, New Business, Correspondence, Administrative Items, Update

Minutes

Documents

- Meeting minutes 3.14.19
- Meeting minutes 3.28.19

Ms. Lambert moved to approve the meeting minutes for March 14, 2019 and March 28, 2019. Mr. Pritchard seconded the motion; the vote was unanimously in favor.

Accounting
Documents

PO #1909582 (\$375.00), PO #1909431(\$10.92), PO #1909419 (\$15.00), PO #1909373 (\$34.00), PO # (\$14.50), PO #1909635 (\$124.62), PO #1909670 (\$5,530.60)

Ms. Lambert moved to approve the requisition of \$375.00 to Chessia Consulting Services LLC for peer review of 36 Barker Road Stormwater Permit, for \$10.92 to WB Mason for office supplies, for \$15.00 to Rockland Trust Company Visa for purchase of ticket for South Shore Climate Change Symposium for Brad Washburn, for \$34.00 to Kyle Boyd for parking reimbursement for Climate Adaptation Forum, for \$14.50 train ticket reimbursement for Brad Washburn's attendance MA Sustainable Communities & Campuses Conference, for \$124.62 to Gatehouse Media for legal ad for 60 Country Way, for \$5,530.60 to Horsley Witten for peer review inspections of Seaside at Scituate.

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

Liaison Reports:

There was discussion about who on the Planning Board is the liaison for the Advisory Committee. A liaison will be added to the list after the town election.

Planning & Development - reported by Karen Joseph:

- Drew Company will have immediate continuance to May 9th
 - Applicant has been working with Design Review Committee (DRC) regarding massing and proportion
 - Will have letter from DRC prior to the meeting on May 9th
- Couple of accessory dwellings coming to the Board
- Toll Brothers – Seaside at Scituate
 - Enhancing planting in pool/club house area
 - Gaining 4 parking spots
 - Revision will be reviewed by Horsley Witten for stormwater
 - Entrances have been scaled down – changes will be insignificant in nature
 - Possibly attending May 9th meeting for discussion on Phase II
 - Toll Brothers to provide timeline and schedule
 - Order of Conditions – drainage must be shown to be functioning correctly
 - Areas of binder down
 - Basins will be permanently seeded soon
 - Testing utilities
 - Week of April 15th hope to finish final connections into the road
 - Units 86-100 and model units issued building permits
 - All water stored on site and slowly released into the system
 - Turtle sweep will be in May/June
 - Water truck on site for dust control
 - Agreed not to use Cudworth Road after numerous complaints from residents
 - Complaints about trucks and speeding - Police on top of it
 - Expediting installation of pedestrian activated lights on Hatherly
 - No parking signs up along Hatherly Road
- 4 preliminary plans received, anticipated hearing them on May 23rd
- Senior Center applicant is having informal meeting with Town Hall Staff
 - Applicant would like to go to DRC prior to filing
 - Informal discussion on April 25th with the Board

- Bylaws will be submitted to Attorney General (AG) by Town Clerk tomorrow, AG has 90 days to respond.

Ms. Burbine indicated that Blanchard Farm was accepted as a public way at town meeting; for the future the Board has been asked to make sure any new subdivision has handicapped access, i.e. crosswalks, sidewalks, etc. Ms. Joseph said those issues couldn't be addressed at that time for Blanchard Farm without major work on Curtis Street, but can be added to all future projects.

Continued - Public Hearing – Stormwater Permit – 568 First Parish Road – Lot 2

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

Applicant: Andrew DeGaravilla

Owner: Martha Nugent, Trustee of Nugent Management Trust

Document

- PDF New England Erosion Control Restoration Seed Mix
- PDF Stormwater Plan Rev 2019 04 04
- PDF Stormwater Plan Rev 2019 04 10
- Email to Karen Joseph from CEI dated 4.10.19

Attendees: Greg Morse, Morse Engineering

Mr. Morse reviewed the plan and addressed some of the outstanding items from the last meeting.

- Addition spot grades added at the end driveway by the road
- Calculations comply with bylaws, rates and volumes of runoff are reduced from the existing conditions
- Grass depression at end of driveway will have pea stone bottom instead of mulch
- Added erosion control, silt fence
- Top stormwater basin increased to 10" deep from 5" deep
- Limit of work is along the stonewall
- Grades on the driveway have more slope

Ms. Joseph indicated that most of the changes have been made and the consulting engineer CEI agrees with the revisions.

The Board opined the changes were good, but were disappointed there were no plantings in the lower pea stone area.

Mr. Bornstein indicated that the seed mix proposed, New England Restoration Mix, is not meant to be mowed; it will turn into a grass land meadow and will only need an annual mowing. Mr. Morse indicated it is not meant to be turf grass lawn. Mr. Bornstein suggested there be guidance on how to manage the seed mix.

Public Comments:

Mr. Dave Wessman resident of 584 First Parish said he measured groundwater 4" below the surface at the lower depression; he opined it will not take a 100 year storm to fill up the lower depression and it is good that the water will be contained but it will not be for 72 hours. Mr. Morse indicated there is high ground water, but the test pits were consistent with other test pits on the site. He said 4 test pits were done previously and 4 test pits had been done by Ross Engineering.

Motion:

Ms. Lambert moved the Stormwater Permit Plan dated 3/15/19 with revisions through 4/10/19 and Stormwater Permit Application and Report dated 2/14/19 with revisions through 4/4/19 are approved with the conditions noted below:

1. Construction shall comply with the Stormwater Permit Plan dated 3/15/19 with revisions through 4/10/19 and Stormwater Permit Application dated 2/14/19 with revisions through 4/4/19 by Jeffrey M. Hassett, P.E. and Gregory J. Morse, of Morse Engineering Co., Inc. except as they may be modified to conform to the conditions below. Any or all owners of the property or site contractors for grading, site work, and installation of utilities, foundations, and/or driveways shall be advised of this approval and these conditions. A copy of the approved plan shall be kept on the site at all times during construction.
2. Any or all owners of the property or site contractors for grading, installation of utilities, installation of the foundations, driveways or site work shall be advised of this approval and these conditions.

Comment: condition #2 is repetitive and should be deleted.

3. Any plan changes or changes from the proposed materials shall be submitted to the Planning Office to determine if the changes are insignificant or require a permit modification approved by the Town Planner or Planning Board. The stormwater management system including grass depressions, grading, dwelling and site amenity locations shall not be changed or expanded without the prior written approval of the issuing authority. Expansion includes additional pavement areas. Failure to obtain written approval is a violation of the Town of Scituate General Bylaw and subject to fines.
4. Copies of this approval and the approved Stormwater Permit plan shall be provided to subsequent owners who shall be advised of the need for periodic maintenance of the stormwater system and the need to retain the grading of the lot as approved. Prior to the transfer of the property, the owner shall provide to the subsequent owner and the Planning Office an inspection report certified by a Professional Engineer showing compliance with the Operation and Maintenance Plan. **The Planning Office must receive written notification within 48 hours of any change in the ownership of the property occurring during construction.**

Comment: change language to "at least 48 hours"

5. Where this Stormwater Permit requires approval, permitting or licensing from any local, state or federal agency, such permitting or licensing is deemed a condition of this Stormwater Permit. All necessary permits and approvals must be received prior to commencement of construction.
6. The NPDES Permit shall be provided to the Planning Office 48 hours prior to any site work. Stormwater Pollution Prevention Plan (SWPPP) inspection reports shall be provided to the Planning Office after every half inch rain event. Failure to comply with the NPDES

Permit is a violation of this Stormwater Permit.

7. The subsurface infiltration systems shall be installed to have the bottom elevation a minimum of three feet above seasonal high groundwater elevations. Stormwater during construction as well as after construction is not allowed to increase in rate or volume to adjacent properties. A certification shall be provided by the design engineer to the Building Commissioner and Town Planner that the artificial recharge system will not result in degradation of water quality.
8. No clearing beyond the limit of work/limit of clearing as shown on the plan is allowed. The limit of clearing shall be staked in the field prior to construction commencing and shall be maintained throughout the construction phase.
9. Construction work shall not begin prior to 7:00 AM on weekdays and 8:00 AM on Saturdays and shall cease no later than 7:00 PM. No construction shall take place on Sundays or legal/federal holidays. Construction work includes any operation of machinery and idling of vehicles. No truck idling on the site or on adjacent streets is allowed.
10. No temporary or permanent slope shall exceed 25%. Verification of the driveway cross pitch of 2% is required prior to paving the driveway. This verification shall be done in cooperation with the design engineer who shall provide written documentation to the Town Planner.

Comments: add language to end of first sentence "except stockpiles with proper erosion control"

11. Grass depressions or swales must be retained and maintained as designed as they are components of the stormwater management system. New England Erosion Control/Restoration Mix for Dry Sites is the specified seed mix for the grass depressions and shall not be modified unless approved by the Town Planner.

Comment: add language in second sentence "large grass depression" and add sentence "Maintenance must be per the approved Operation & Maintenance Plan."

12. **A Stabilized construction entrance shall be installed prior to any work on the site and shall be maintained throughout construction.**
13. Prior to any land disturbance, erosion control shall be installed and inspected by the Town Planner or approved agent. At this time the site shall also be staked to show the house and drainage improvements. All stockpiles shall be surrounded by an erosion control barrier. Additional erosion control, such as silt fence, silt sock and/or haybales placed **prior** to a precipitation event, may be needed to prevent sediment from reaching the road or adjacent properties during construction. **All erosion control shall be installed per the plan and shall be maintained in good working condition throughout construction.**
Additional silt fence shall be provided along the frontage of the

property on either side of the stabilized construction entrance.

14. **The Town Planner shall be notified when installation of the construction entrance and erosion control are complete. If any permit inspection is being requested this notification shall occur 48 hours in advance of an inspection.**
15. No on-street parking or loading or unloading of construction equipment or vehicles shall be permitted during construction unless a police detail is provided if warranted as determined by the Police Department. Noise mitigation and proper dust controls shall be used.
16. A pre-construction conference will be required on site to verify the contractor is aware of the Stormwater Permit conditions and required inspections. Recording of the permit must occur prior to the pre-construction conference with proof of recording furnished to the Planning Office.
17. Construction inspections will be provided as follows:
 - a. All inspections for the Town shall be performed by the **Town Planner or a designated representative of the Planning Department or Planning Board.** All inspections shall be documented with written reports that describe compliance with the approved plan(s) and supporting application documents and construction specifications. Any variations shall be noted.
 - b. The Town Planner must be notified 48 hours prior to:
 - i. Installation of construction entrance and erosion control, and staking of corners of the dwelling, limit of work, driveway and the drainage improvements;
 - ii. Excavation of infiltration area prior to filling;
 - iii. Installation of stone below infiltration chambers,
 - iv. Installation of infiltration chambers and connection of downspouts to chambers,
 - v. Rough grading of site including swales and driveway to verify grades are as designed including cross pitch of the driveway;
 - vi. Finish grading of all infiltration area including grassed depressions,
 - vii. Inspection of site amenities including driveway, walk and patio and loamed & seeded areas,
 - viii. Inspection of final completion of site work including cleanup to determine compliance with the conditions prior to issuing a Certificate of Completion (COC).

Work shall be subject to removal if necessary inspections are not requested. If the property is sold prior to completion of the work, the Planning Board reserves the right to inform the buyer that the Stormwater Management System is incomplete. Spot grades shall be performed during rough grading and finish grading to insure any swales will drain and no standing water will be present.

18. The applicant or his contractor will provide a construction and plan completion guarantee

of \$5,000 prior to issuance of a building permit to guarantee that the Town will be notified when site inspections are required, the as-built plan will be provided and construction will be completed in accordance with the approved plan. A Certificate of Completion must be issued prior to return of the construction and plan completion guarantee.

19. This Stormwater Permit must be recorded at the Registry of Deeds. Failure to record the Stormwater Permit is a violation of the permit and subject to fines included in the Town of Scituate General Bylaws.
20. The Property Owner shall be responsible for the proper maintenance and operation of the stormwater control system. A best management practices inspection schedule and maintenance checklist is attached and shall serve as a guide for the proper maintenance of the system.

Comment: add language "and plan" in second sentence.

21. Construction of the proposed stormwater management system, site utilities, site amenities and grading shall be supervised by a registered professional engineer who shall certify to the Planning Board that the site was constructed according to the approved plans. The certification shall be accompanied by an As-Built Plan stamped by a registered surveyor and the registered professional engineer who designed the system and shall be submitted to the Planning Office within ten days of completion of the work. This plan shall include the construction conditions of the stormwater management system including top and bottom elevations and inverts, spot grades as necessary, grading, house, site amenities and driveways. All tie ins for roof gutters to drywells **must be shown with inverts and pipes provided**. The As-Built Plan must be submitted prior to obtaining a Certificate of Completion for the Stormwater Permit and all work must be found in compliance with the approved permit. All grading and landscaping must be complete prior to the as-built submittal.
22. Underground irrigation systems are prohibited from connecting to the town's water distribution system or in any manner using municipal water. All irrigation systems installed must be supplied by on-site sources at the expense of the property owner. Violations of this policy shall result in a fine to the property owner, with an equal fine levied on the installer of the system.

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

Public Hearing – Mixed Use Special Permit – 60 Country Way
Assessor's Map/Block/Lot 53-4-11
Applicant/Owner: Charles R. Fagan

Document

- PDF 19-020 Site Plan Set Rev 4-3-19
- PDF 19-020 Planning Response Letter
- PDF 19-020 Stormwater and O&M

Attendees: Frank Colpoys, Attorney; Ed Cullen, Merrill Engineers; Charles Fagan, Owner

Mr. Cullen addressed comments from the previous meeting.

- Trash was built extra-large on Brewery site to accommodate 3 dumpsters
 - Proposed site will use same dumpsters
- Specifications of the sewer pipe noted on the utilities sheet
- Specifications for trees – 8” pear trees, maple trees

Ms. Joseph indicated all issues have been resolved, but the Board will need to make some findings about the glazing and some other issues; waivers have been written into the decision, i.e. parking setbacks, glazing.

There was discussion about what happens if ownership transfers for either site. Mr. Colpoys opined that many concerns could be addressed at a closing. The Board thought a condition should be added to cover the possibility of change in ownership to provide easements for the shared trash facilities across the two sites. The proposed site does conform as an individual lot.

There was additional discussion on the number of parking spaces on the proposed site 13 versus 14. The space in question is within the front yard setback for the mixed use special permit; the Board should determine how to interpret the setback. Mr. Colpoys opined parking is needed in the area and does not think the one additional spot is detrimental to the area.

Motion:

Ms. Lambert moved the following findings of fact based on information submitted by the applicant and the testimony given during the Public Hearing:

1. Charles R. Fagan filed an application for a Mixed Use Special Permit in the Village Business Overlay District under Scituate Zoning Bylaw Section 560 on February 22, 2019. This application included a Project Narrative, Stormwater Permit Application & Drainage Calculations and plans by Merrill Engineers and Land Surveyors entitled Site Plan #60 Country Way, Scituate, Massachusetts, Sheets C1.1 – C6.1 and C6.2 (seven sheets) dated 2/15/19 with revisions through 3/25/19; architectural rendering of the new building and floorplan.
2. The property that is the subject of this application is a 41,912 sq. ft. upland parcel improved with an existing single family home and garage, freestanding garage to the north and 1 ½ story workshop and gravel driveway. The property is shown on the Scituate Assessor's Maps as parcels 53-4-11. The property is in the Business District, Village Business Overlay District and Water Resource Protection District with a portion in Zone A which will not be disturbed.
3. The lot or yard area required for the new building or use do not include any part of a lot that is required by any other building or use to comply with any requirements of this bylaw. The proposal meets the requirements of Section 560.4 A.
4. The Planning Board waived review of the application under Section 750 by the Design Review Committee as the project was minor in nature. As required by Scituate Zoning Bylaw Section 560.8, Design Review Standards, the Planning Board has considered the extent to which the applicant satisfies the Design Review Standards detailed below:
 - a. Roofs – Roofs are pitched to the center ridge. The slope of the proposed roof is 6:12 and does not meet the requirement of a minimum slope of 8:12 required by Section 560.8 A;

however, the building is designed to look like a stable to the existing gothic revival house and will be below the roof of the adjacent microbrewery. The Planning Board waives this requirement. Dormers are not proposed.

- b. Façade Treatment – On the façade of the proposed building facing Country Way, a small window is proposed for the warehouse. The windows of the gothic revival house will remain unchanged. Glazing requirements of 50% on the ground floor are not verified to be met.
- c. Front Yard Setbacks – The front setback for the existing residence situated on Country Way, will be 16.8 feet. 15 feet is the maximum. The Planning Board may waive this requirement on corner lots for existing buildings which are converted to mixed use. As the residence will have an office in it to be a mixed use building, the Planning Board waives the front yard setback. One parking space is proposed to be located in the front yard setback of the property. The Planning Board agrees/disagrees to waive this requirement. The proposal is considered to meet this requirement.

Comment: the Board “agrees”

- d. Side and Rear Yard Setbacks – The side setback is proposed to be 9.0’ on the north side for the proposed warehouse. The rear setback for the proposed warehouse is 41.4’. The rear setback for the existing workshop is 20.4’. The proposal is considered to meet this requirement.
- e. Special Setbacks- Scituate Harbor – This requirement is not applicable.
- f. Greenbush Design Standards – The proposed warehouse is less than 120 feet long on its longest side which does not face the street. This proposal is considered to meet this requirement.
- g. Parking and Landscaping – The driveway for the proposal will be 22’ wide. Landscaping was incorporated on the plans. No invasive plants are proposed. Screening is proposed abutting the residence. The site is in the Water Resource Protection District. Stormwater is proposed to be treated by a subsurface recharge system. Impervious surfaces are minimized.

The proposal meets the requirements of Section 560.4 B. and the Design Review Standards of Section 560.8.

- 5. As the proposal contains less than 8 housing units, no affordable units as defined in Section 560.7 are required or proposed. The proposal meets the requirements of Section 560.4 C.
- 6. The requirement that 50% of the floor area be a retail use is not applicable here as the property is not on Country Way in Greenbush. The proposal is considered to meet the requirements of Section 560.4 D.

Comment: change language from “applicable” to “met”, remove “not”, change “to” to “not” and add sentence “The Planning Board agrees to waive this requirement”.

- 7. According to Edward T. Cullen, P.E., the lot contains 41,912 sq. ft. The minimum lot area per dwelling unit is 16 units per 40,000 sq. ft. Only one residential unit is provided. 24,562 sq. ft. or 58% of the site shall be maintained as open space. This exceeds the required 20%.

Frontage is required to be an amount sufficient in the opinion of the Planning Board to provide adequate access, and not less than 20’. Frontage of approximately 393.87’ is provided on Country Way according to the Site Plan (Sheet C4.1) stamped by Edward T. Cullen, P.E.

The proposal is considered to meet the requirements of Section 560.4 E.

8. The applicant is not seeking a bonus density. The requirements of Section 560.5 are not applicable.
9. The proposal will contain 13 parking spaces including one ADA van accessible space and 10 spaces are required. This is 2 spaces per the residential dwelling. The applicant has provided parking which meets the requirements of Section 560.6.

Comment: change "13" to "14"

10. As the proposal contains less than 8 housing units, no affordable units as defined in Section 560.7 are required or proposed. The requirements of Section 560.7 are not applicable.

Comment: #10 is duplicative to #5, should be removed.

11. The proposed stormwater management system has been reviewed by the Town's consulting engineer, Matthew Lundsted of CEI whose comments indicate his concerns have been satisfactorily addressed if the stormwater management system is built as designed.
12. The review of the stormwater management system by the Planning Board's consulting engineer and their approval of this special permit eliminates the requirement for a separate stormwater permit under the Stormwater General Bylaw and its regulations for any work that conforms to the plans. Edward T. Cullen, P.E. has certified that the drainage system can be expected to result in post-development runoff characteristics (including peak flow, total volume of runoff and water quality of runoff) to be equal to or less than the pre-development runoff characteristics.

Based on these findings, the Mixed Use Special Permit meets the requirements under the Village Business Overlay District, Section 560.

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

Decision:

Ms. Lewis moved based on the Findings of Fact, the Planning Board approved the Mixed Use Development Special Permit in the Village Business Overlay District for 60 Country Way on April 11, 2019 with the following conditions:

General Requirements

1. All construction work shall be done in accordance with the plans submitted by Merrill Engineers and Land Surveyors entitled Site Plan #60 Country Way, Scituate, Massachusetts, Sheets C1.1 – C6.1 and C6.2 (seven sheets) dated 2/15/19 with revisions through 3/25/19; architectural rendering of the new building and floorplan.

Comment: add language " except as may be modified to meet these conditions."

2. Where this Mixed Use Special Permit requires approval, permitting or licensing from any local, state or federal agency, such required approval, permitting or licensing is deemed a condition of the Town of Scituate Planning Board's (the "Planning Board" or the "Board") approval of this Mixed Use Special Permit. All necessary permits and approvals must be received prior to construction.
3. Construction shall meet all requirements of the Scituate Zoning Bylaw. All conditions of approval shall be inscribed on the Mixed Use Special Permit plan.

4. The applicant shall mean the current applicant and all its successors in interest (the "Applicant"). This special permit shall lapse within two years, which shall not include such time required to pursue or await the determination of an appeal under General Laws Chapter 40A, Section 17, from the grant thereof, if a substantial use thereof has not sooner commenced except for good cause, or, in the case of a special permit for construction, if construction has not begun by such date except for good cause. The Planning Board may extend said period, for good cause shown, upon receiving a written request from the Applicant prior to the expiration of said period, which request shall provide a detailed description of the good cause necessitating an extension.
5. The total number of residential dwelling units on the site shall not exceed one (1).
6. The Applicant shall obtain the endorsement of the Planning Board for the Mixed Use Special Permit within 90 days of the expiration of the appeal period and this decision becoming final.

Utilities, Parking and Traffic

7. Maintenance and repair of the driveway, parking areas, stormwater management system, snow removal, lighting and landscaping shall be the responsibility of the owner/applicant per the Operation and Maintenance Plan attached to this decision.
8. No new underground irrigation systems shall be allowed to connect to the Town's water distribution system or in any manner use municipal water in accordance with the policy made effective by the Board of Selectmen on October 8, 2014. All irrigation systems installed in accordance with the policy must be supplied by on-site sources at the expense of the property owner.
9. All parking will be constructed as shown on the Plan.
10. The building, parking, walkways, paths and required signage shall meet all applicable requirements of the ADA and Scituate Commission on Disabilities.
11. Trash management shall be in the dumpster on the adjacent brewery site. If additional measures are needed for refuse disposal, they shall be submitted to the Town Planner to determine if acceptable or a permit modification is needed through the Planning Board.

Comment: add language "to the extent that the applicant owns the adjacent site or easements are granted."

12. All electrical, telephone, cable and similar utilities shall be located underground.
13. Any lighting shall be attached to the buildings on the interior facing side. Lighting shall be shielded so as not to spill onto adjacent properties.
14. The applicant shall obtain the approval of the Planning Board through the Town Planner if minor changes from the plan and/or details are needed for lighting, signage, fencing or landscaping.

Required Prior to Scheduling the Pre-Construction Conference

15. The final building plans, stamped by a registered architect, shall be provided to the Planning Department for review for consistency with the elevations and renderings described in Condition 1. If the plans appear inconsistent, approval by the Planning Board will be required.
16. The development shall obtain all necessary approvals for the use of Town sewer prior to scheduling a pre-construction conference. Installation of any sewer mains and appurtenances shall be performed according to the specifications of the DPW. Any required upgrades,

modifications or connections shall be at the Owner's expense. Copies shall be furnished to the Planning Board.

17. A determination of the adequacy of the existing water service for the proposed use shall be provided to the DPW for their approval prior to scheduling a pre-construction conference. Installation of all water mains and appurtenances shall be performed according to the specifications of the DPW Water Division. Any required upgrades, modifications or connections shall be at the Owner's expense.
18. Prior to scheduling the pre-construction conference, the following notes shall be added to the plans:
 - a. No finished slope shall be created that exceeds 25%.
 - b. No vehicle washing is to occur on the site.
 - c. The units on the new building shall be numbered on the outside for identification, fire protection and emergency response purposes.
 - d. Uses prohibited by Scituate Zoning Bylaw Section 520.6 or any use generating, treating, storing or disposing of materials considered hazardous waste, except for very small quantity generators as defined by 310 CMR 30.00 shall not be conducted in the commercial units. Storage of liquid hazardous materials or liquid petroleum products shall be prohibited unless such storage is above ground level on an impervious surface; and in containers or above-ground tanks within a building, or outdoors in covered containers or above-ground tanks with a containment system designed and operated to hold 10% of the total possible storage capacity of all containers, or 110% of the largest container's storage capacity, whichever is greater.
 - e. The Long Term Operation and Maintenance Plan/Pollution Prevention Plan shall be provided to all tenants and occupants of the property with applicable sections included as conditions of lease or rental agreements.
19. Prior to scheduling the pre-construction conference, the Applicant shall provide to the Planning Board:
 - a. Copies of the recorded special permit and plans;
 - b. A check to cover cost of inspections by the Town's consulting engineer. These shall include, at a minimum, inspections of Subdivision Rules and Regulations Section 9.0, for the driveway, parking areas and stormwater management systems, and in addition, inspection of applicable items in the Construction Sequence and any curbing and water and sanitary sewerage facilities as coordinated with Scituate DPW. The specific amount shall be provided by the Planning Dept. based on the consulting engineer's estimate, shall be subject to amendment from time to time and shall be supplemented by the applicant as requested by the Planning Dept.;
 - c. A construction schedule including approximate dates for installation of erosion control and other site protection/stabilization, construction of the building, all applicable items in Subdivision Rules and Regulations Section 9.0 and

- d. A type and amount of security satisfactory to the Planning Board to cover the satisfactory completion of features shown on the site plan including parking, drainage, landscaping, walkways, lighting, signs, fences, and conditions imposed by the Board shall be provided by the Applicant/Owner. The amount shall be based on the Applicant/Owner's contractors' estimates of the costs of these items, reviewed by the Town's consulting engineer and shall be approved by the Planning Board prior to the pre-construction conference.

Comments: remove "owner"

Required Prior to the Start of Construction

20. A pre-construction conference shall be held with the Applicant, their representatives, their engineer, the site contractor(s), the Town Planner, the Planning Board's consulting engineer and other representatives of the Town as the Board feels are necessary. A list of all contractor contacts, including names and telephone numbers, shall be provided to the Planning Board and the DPW. At least one telephone contact shall be available 24 hours per day in the event of an emergency.
21. The property lines of the subject property shall be marked or flagged in the field under the direction of a surveyor and notification given to the Town Planner and Consulting Engineer a minimum of three business days prior to the start of construction.
22. A stabilized construction entrance and silt sock as shown on the Plan (Sheet C3.1) of the Proposed Mixed Use Development Plan) must be installed prior to any earth disturbing activities on site including but not limited to clearing and grubbing.

Required During Construction

23. Construction work shall not begin prior to 7:00 AM weekdays and 8:00 AM on Saturday 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.
24. All earth moving/disturbance operations shall only occur while erosion and sedimentation control measures are in place and approved by the Town Planner or Town's Consulting Engineer. Such control measures shall remain in place until the Board's consulting engineer determines after consultation with the Town Planner, that the danger of erosion or sedimentation no longer exists.
25. No parking or unloading on Country Way shall be permitted during construction.
26. The Board reserves the right to require the consulting engineer to visit the site weekly during times when required construction inspections are further than one week apart.

Comment: add "Town's consulting engineer"

27. Construction of the proposed driveway, parking and site drainage system shall be supervised by a registered professional engineer who shall certify in writing to the Planning Board at the completion of the project that the driveway, parking and drainage system were constructed in accordance with the approved plan. This certification shall be accompanied by as-built plans, showing all site utilities and grading, signed and stamped by a professional land surveyor and the supervising professional engineer. The as-builts shall be reviewed by the Town's consulting engineer for compliance with the design.

Required Prior to Issuance of Occupancy Permits

28. No Certificate of Occupancy shall be issued until the Planning Board and Building Commissioner are satisfied that the driveway, parking area and installation of necessary utilities is in full compliance with the approved plans and the special permit.

Administration

29. All time periods referenced in this document for completion of conditions shall be tolled in case any appeals are taken.
30. This Special Permit shall run with the land and shall be void if it is not recorded at the Registry of Deeds within 90 days of expiration of the appeal period or such extension of that time period granted by the Planning Board following approval of this Special Permit.
31. This Special Permit shall lapse within two years from the date of its issuance unless substantial use or construction has commenced prior to that time in accordance with MGL Chapter 40A, Section 9.

All plan sheets of the Mixed Use Development Special Permit Plan shall be recorded at the Registry of Deeds. All construction work shall be done in accordance with the plans.

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

Continued - Public Hearing – Stormwater Permit – 27 Hood Road

Assessor's Map/Block/Lot 28-23-4-F and 4FA, 28-22-12-F

Applicant/Owner: St. Mary & St. George Coptic Orthodox Church

Documents

- Email letter to the Planning Board for continuance dated 4.10.19

Motion:

Ms. Lambert moved to accept the applicant's request to continue the public hearing for the Stormwater Permit for 27 Hood Road until April 25, 2019 at 7:30 pm in the Selectmen's Hearing Room at Town Hall, 600 C J Cushing Hwy and continue the time for filing a decision with the Town Clerk until May 10, 2019.

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

Documents

- Email to the Board from Shari Young dated 4.5.19 with the meeting agenda 4.11.19
- Email to the Board from Karen Joseph dated 4.8.19 with meeting materials for 27 Hood Road, 568 First Parish Lot 2 and Well 17A
- Email to the Board from Shari Young dated 4.8.19 with meeting minutes from 3.14.19 and 3.28.19.
- Email to the Board from Karen Joseph dated 4.10.19 with meeting materials for 568 First Parish Lot 2
- Email to the Board from Karen Joseph dated 4.10.19 with meeting materials for 60 Country Way

These items were distributed to the Board electronically.

Mr. Limbacher moved to adjourn the meeting at 8:53 p.m. Mr. Pritchard seconded the motion; the vote was unanimously in favor.

Respectfully submitted,

Shari Young
Planning Board Administrative Assistant

Patricia A. Lambert, Clerk

Date Approved: April 25, 2019

