

SCITUATE PLANNING BOARD MINUTES April 25, 2019

Members Present: Ann Burbine, 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: Stephen Pritchard, Vice Chairman

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

- 4/25/19 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.

Public Hearing – Mixed Use Special Permit - Drew Company/MBTA
Assessor's Map/Block/Lot 53-2-8, 53-2-8B, 53-2-9A, 53-2-10, 53-2-10A
Applicant: Drew Company, Inc.
Owner: Massachusetts Bay Transportation Authority

Documents

- Email from John P. Drew to Karen Joseph request to continue the Public Hearing

Motion:

Ms. Lambert moved to accept the applicant's request to continue the public hearing for the Mixed Use Special Permit in the Village Business Overlay District for Drew Company, Inc. at 247 Driftway until May 9, 2019 at 7:00 pm and continue the time for action until June 28, 2019.

Ms. Lewis seconded the motion; the vote was unanimously in favor.

Ms. Joseph indicated that the project is out for Peer Review and recommendations from the Design Review Committee will be presented for the meeting on May 9th.

Liaison Reports:

The Board discussed the North Scituate meeting that was held on Wednesday evening. Ms. Burbine, Mr. Limbacher, Ms. Lambert, Mr. Bornstein and Ms. Lewis were all in attendance.

- Meeting was well attended, 150-200 residents
- Need to deal with the cosmetics of the area as a starting point
 - Lamp posts, pot holes, sidewalk condition
- Discussion on Zoning and Sewer
 - Zoning and Sewer need to happen simultaneously
 - Mr. Boudreau spoke to the Sewer at the meeting

Mr. Bornstein opined the biggest takeaway was there are a lot of short term goals that can be accomplished right away that do not cost a lot and would make a big difference with the public impression of the area; need work on overarching long term planning and figure out why the small things are not happening.

Ms. Lewis thought the meeting was very informative and felt people do not want a lot of apartments or condominiums in the area. The Board discussed why Cohasset center that does not have condominiums/apartments thrives over North Scituate; there are long standing business in the area and better pedestrian access, 2 churches and the art center draw people to the Cohasset center area.

Ms. Lambert's take away was that people think the Planning Board can tell people to fix their businesses; the Planning Board does not have jurisdiction to make people fix their business, i.e. paint. She opined there needs to be a dedicated crew to work on the immediate cosmetics of North Scituate.

Mr. Limbacher agreed with Mr. Bornstein; there are two paths to take, but it should start with something measurable that gives credibility for the long term.

Mr. Bornstein opined if the streetscape is taken care of by the Town then maybe there is incentive for private ownership to take care of the properties and help move things forward at a better pace.

There was discussion about how to attract businesses to the area; Ms. Lambert gave the example of a new market that is opening in Cohasset. Ms. Burbine also opined the Board needs to get together with the Board of Health (BOH) and discuss what constitutes a change of use. Mr. Limbacher indicated the determination on change of use is done with the ZBA. There was discussion about retailer MONO MONO closing because they had wanted to expand their space but were denied by BOH.

The Board felt it was a well-attended meeting and hope within the next six weeks thing gets done.

Public Hearing – Special Permit Accessory Dwelling – 25 Mann Hill Road

Assessor's Map/Block/Lot 27-6-38

Applicant/Owner: Mark A. D'Onofrio

Documents

- PDF accessory_dwelling_specila_permit_app_03-12-15.pdf
- PDF deed.letter
- PDF EX COND 24X36
- PDF floor plan
- PDF Proposed Accessory Dwelling Floor Plan
- PDF Proposed Accessory Dwelling
- Email to Karen Joseph with Board of Health comments dated 4.18.19
- Email from Ashley and Jason Schumacher to the Board dated 4.22.19 with abutter comments

Attendees: Greg Morse, Morse Engineering, Inc.

Mr. Morse reviewed the plan.

- 1.35 acres, all upland
- Property is not located in any flood or overlay district
- Single family home constructed late 1800's with barn and office pre-dating zoning
- Mr. D'Onofrio will be moving into the primary dwelling with his parents in the accessory dwelling
- Accessory Dwelling
 - 2 bedrooms, 1,038 sq. ft., 34% of primary dwelling
 - Complies with all set backs
 - New water system – in process of upgrading the septic system

Ms. Joseph indicated the accessory dwelling meets all required setbacks; the barn and office can't be used for the dwelling because they do not meet the current set back regulations. She opined there needs to be clarification of how large the new septic system will be and on how the bedrooms will be restricted in the primary home.

Mr. Morse indicated the primary home currently has 7 bedrooms by definition of Title V and Board of Health. The applicant is allowed to repair the septic system for up to 7 bedrooms, but the D'Onofrio's intent is only to repair the system for 6 bedrooms. He discussed the provision that allows for a Deed Restriction to be placed on the dwelling; there would be a deed restriction limiting the primary dwelling to 4 bedrooms and the other 2 bedrooms would be in the accessory dwelling. The system would be classified as a repair per the Board of Health.

Ms. Joseph opined there is very high ground water in the area feels there should be some consideration for stormwater management. Mr. Morse said the accessory dwelling does not trigger the requirement for a stormwater permit and the property used to have a swimming pool and patio in the area very close to where the accessory unit is proposed. He indicated that roof gutters would be connected to drywells. Ms. Joseph asked that the drywells and grading where the septic system is going to be place be provided on a revised plan for the Planning Board.

Ms. Lambert expressed concern about the system septic. Mr. Morse indicated that although it is classified as a repair it will be an entirely new system; will be new Title V, new tank and new leaching field.

The Board indicated that there is some work to do before an approval; a definitive comment from the Board of Health.

Public Comments:

Ms. Emily Nicholson resident at 7 Aquinnah Path asked how going from 7 bedrooms to 4 bedrooms is regulated. Mr. Morse explained that Title V requires a count of bedrooms or rooms that could be used as bedrooms; this house currently has 7 rooms that would be called bedrooms. He indicated the applicant is putting a voluntary restriction on the deed that the house will never be occupied with more than four bedrooms; the other rooms would exist but would be used as office/study/den they cannot exist as bedrooms. Ms. Nicholson asked why the system is not called a "new system" if everything is new. Mr. Morse explained that there a two categories, new construction or repair; a new system would mean there is added flow into the septic system; added bedrooms would be "new". This project is reducing bedrooms (7 to 6) so it is classified under "repair" under Title V; everything is replaced, i.e. piping, tanks and leaching field.

There was continued discussion about the number of bedrooms and the enforcement issue. Ms. Joseph indicated she will explore the enforcement issue of bedrooms with the BOH and the Building Commissioner. The BOH has commented that the current septic system is for a 4 bedroom dwelling.

Mr. Morse commented that deed restrictions are done like this all over town; he is not aware how they are enforced.

Mr. Jason Schumacher resident at 3 Aquinnah Path asked for explanation on the difference between a 6 bedroom septic and a 9 bedroom, why not do a 9 bedroom septic. Mr. Morse said both the septic tank and the leaching field would be bigger. The applicant does not intend to occupy the residence as a 7 bedroom residence; it will be occupied as a 4 bedroom residence with DEP restrictions. There is a 20% difference in size from a 9 bedroom system to a 6 bedroom system would be more expensive to construct.

Mr. Schumacher also asked if there was any plumbing in the barn on the property. Mr. Morse indicated there is no connection to the septic system from the barn or the office currently on the property.

Mr. Schumacher also expressed his concern of runoff coming to his property; he already has water issues in his basement. He wants to make sure the septic is adequate and updated for the property.

There was discussion if the property could ever be a rental property. Ms. Burbine explained that with an accessory dwelling the owner has to live on the property, the owner could rent either unit but not both. This is forever; if both spaces were rented out the owner would be in violation of the special permit.

Mr. Bornstein asked about placement of the septic which will mean some mature trees will have to be moved and does not want to exacerbate the runoff in the final iteration of the design. Ms. Burbine indicated that would be condition.

Mr. Morse indicated the applicant will have a plan to the Board of Health next Monday. He said he will provide a copy of the septic plan for the Board to review prior to next Planning Board meeting. Ms. Joseph indicate the Board will also want to see more information on the plan for grading and plantings and although a stormwater permit is not required would like to see how it is being handled on the plan since there are already issues in the area.

Motion:

Ms. Lambert moved to accept the applicant's request to continue the public hearing for the Accessory Dwelling Special Permit at 25 Mann Hill Road until May 9, 2019 at 8:30 pm. and to continue the time for action for filing with the Town Clerk until June 24, 2019.

Ms. Lewis seconded the motion; 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

- PDF for 27 Hood Road Request for continuance dated 4.18.19

Motion:

Ms. Lambert moved to accept the applicant's request to continue the public hearing for the Stormwater Permit for 27 Hood Road until May 23, 2019 at 7:15 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 June 14, 2019.

Ms. Lewis seconded the motion; the vote was unanimously in favor.

Informal Discussion Senior Center Documents

- Doc of Power point presentation provided evening of the meeting

Attendees: Linda Hayes, Director of Council on Aging; Steven Kirby, Vertex; Rachel Young; Architect; Representative from Engineering Firm; Representative from Landscape Architecture Firm

Mr. Kirby gave a brief overview of the project indicating they have been working on this for about a year. Originally the project was for a stand-alone Senior Center, the scope expanded to include the Recreation Department. There have been multiple designs over the last few months and the current plan is for the Senior Center in the position of the C wing of the Gates. The remainder of the building remains intact with repairs to the "A Wing – the gymnasium" for ADA accessibility and roof repairs.

Mr. Kirby indicated they have meet with several Boards and Departments and continue to modify the site, i.e. planting, parking, but they are here to review the latest iteration.

Ms. Young reviewed the plans. (*See Attachment A: Senior Center Planning Board Presentation*)

Ms. Young presented earlier iterations of the proposal from 2018 she then reviewed the current plan.

- Circle at First Parish Road to be eliminated
- Keep majority of the Gates School with stand-alone Senior Center
- Preserving the center green
- Parking for Recreation center to east, parking for Senior Center to the west, connection of parking from Senior Center to existing parking at the rear
- Vehicular Circulation
 - Remove existing entrance on First Parish
 - Provide new two-way entrance to the Senior Center of First Parish Road
 - Two –way traffic at the Recreation Center
 - Propose existing parking at the rear of the Recreation Department to be One-way
- Pedestrian access
 - 2 new cross walks
 - Connection to existing sidewalk at First Parish

- Connection to ball fields across Cudworth Road
- Parking
 - 90 spaces existing
 - 160 spaces proposed
 - 70 space for Senior Center
 - Determined through experience with other communities like Scituate; recommendation is to have 70-100 spaces for the Senior Center
 - Future lot at rear for adaptive reuse of Gates School – 16 spaces
 - Would be snow storage area in the winter
 - 21 spaces for Recreation
 - 31 spaces at rear of Gates building, inclusive of parallel spots
 - 22 spaces at Historical Society
- Additional Site features
 - Emergency generator – will allow for use of as a shelter
 - Enclosure would utilize stone from partial demolition of the stone wall on First Parish
 - 2' high stone wall with 7' wooden fence
 - Loading area for commercial kitchen
 - Transformer
 - 6' solid fence and vegetation screening for abutters
 - Underground retention system
 - Future parking area
 - Trash storage area

There was discussion about the dangerous nature of the intersection at First Parish, Beaver Dam and Cudworth. Ms. Young indicated the proposal reduces the number of roads going into the intersection and it is a challenge for the site. It was discussed if changing Cudworth Road to one-way would be beneficial. Mr. Kirby and Ms. Hayes indicated there is still discussion and review by departments that needs to take place, but the idea is being considered in the design.

The re-use of the Gates building, B Wing, is not known at this time.

Ms. Lambert said she was on the original reuse committee for the Gates building. She commented that she is very concerned about the two-way road on First Parish for the entrance to the Senior Center. Ms. Young indicated the conclusion of their traffic analysis was the access should be kept as far away as possible from the crest of the hill to provide enough reaction time for drivers. Ms. Lambert indicated the design she had worked on had no access from First Parish for number of reasons, that being one of them. Ms. Hayes explained how they got to the design of today. Ms. Lambert said she has real concerns about the parking, the proximity to First Parish Road and the mechanics being on First Parish Road.

Ms. Young explained that the location of the mechanicals is due to the location of the electrical room in the front of the building and to keep it away from the abutter's properties.

There was discussion about the use of the Senior Center as a shelter. Ms. Hayes indicated there is still discussion on facility as a shelter, but it could be used as a warming center for residents.

Ms. Lewis questioned if there would be enough parking when the field is in use. The applicant said that parking should be at off hours with use of the fields and the Senior Center; the Senior Center closes at 4:30 p.m. Repairs on the A Wing would provide an elevator to connect to the second floor gym and would add restrooms.

Mr. Bornstein said there are some larger veteran trees that need to be preserved in the front of the site regardless of what site work happens. He also expressed concern that the area is a difficult area with traffic and parking. He opined that the unknown use of the old Gates could render this site planning untenable for the future. The project should be thought about with some phasing.

Mr. Bornstein opined that this is a large capital project the Planning Board is charged with master planning and thinking about the future wants and needs of the community; a lot time the Board is permitting, but planning is what the Board is really doing. He is disappointed that this is the first time as member of the Board he is seeing this conceptualized idea of a campus and feels it should have been brought to the Board sooner.

Ms. Hayes discussed why it has taken so long to get to the Planning Board and the timeline of events of how the project has come to be.

Ms. Burbine opined that she has many concerns, one of them being traffic flow; access from First Parish Road should be one-way, there should be a similar traffic flow as the library, reconfigure Elm Street and Country Way as the way out. She discussed the parking going out to Cudworth being too close to the intersection and it should be moved. She questioned if this has been truly vetted, especially with the unknown questions on the main part of Gates. She feels the traffic flow and the parking are inadequate for what may happen in the future.

Public comments:

Ms. Susan Green resident at 337 First Parish Road said that she has major concerns over the First Parish entrance and proposed cross walk; there is no sidewalk along the Cudworth House of First Parish so there is no safe way to get from Cudworth to First Parish. She also mentioned that the Old Gates is eligible for registration on the Historic Register.

Ms. Hayes indicated it is their objective to making sure there is safe connectivity. Mr. Kirby explained that there is not enough room to have a side walk on First Parish by the Cudworth House, but they have pathways through the site to make sure there is a way to get from Cudworth to First Parish.

There was discussion about the 1950's wing being eliminated. Ms. Young reviewed a plan that showed that scenario, but emphasized that is beyond the scope of this project. It would provide a centrally located parking and traffic flow at the back of the building. There were several other factors discussed with the demolition of the A wing.

Ms. Young reviewed the interior plans for the proposed Senior Center.

- Main entrance – double height ceiling, lounge area, reception, administrative offices
 - Elevator is right off the lobby
- Main hallway leads to café lounge, all open space with coil window to the commercial kitchen
- Multi-purpose room divided into two spaces with operable partition

- Smaller room – 1,000 sq. ft.
- Larger room – 1,500 sq. ft.
- Distance from the door to the multi-purpose room approximately 35'
- 2nd Floor
 - Five program rooms each 800 – 1,000 sq. ft.
 - Conference room
 - Nurse/professional area
 - Veterans Department
 - Fitness room for low impact activity
 - Small cardio room with equipment

There was discussion about having two floors instead of on a single level; two floors addresses mobility issues and how far people have to walk. From a planning perspective having everything on one floor is a less efficient use of space.

Ms. Young reviewed some scenarios of using the Old Gates location, using the A wing, demolishing the A wing and the limitations in using the building for the Senior Center; leads to an inefficient building, lots of circulation, lots of levels that would require ramps which are not ideal for a senior center. She also reviewed a scenario in which the Gates building was replicated and used as the center, but there was community push back on that iteration.

Ms. Joseph asked about the walkway going to the front of the Old Gates building and the trees shown on the site plan. Ms. Young indicated the lighter colored trees are existing and the flag pole is an existing feature the applicant wanted to highlight and keep. She also indicated the intent is to preserve the area as a green space and make more functional for the community versus an asphalt circle that is over run by cars.

Ms. Joseph asked about emergency vehicle access. Ms. Young responded that vehicles have access to all sides and can ride over the green if needed.

Ms. Emily Green resident at 337 First Parish Road said at one time the Historical Committee was concerned over access to carriages in the barn. Ms. Young said there will be access via the parking lot similar to the existing access of today, but the applicant can look to provide a more stabilized surface to help accommodate.

Ms. Young indicated the original stonewall and gate would be kept and they would provide a new curbed sidewalk to clearly define what is road and what is park.

Ms. Green also asked for clarification on the transformer. Ms. Young noted it is about 5'x5' box and should not be noisy.

Ms. Young reviewed the rendering of the exterior of the entry way.

- Brick formal side that faces the green
- Residential side that faces residential neighborhood

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

Priorities for 2019

- Master Plan

- North Scituate Zoning
- Bylaw for large building on small lot
- Sign bylaw needs to be revamped
- Water study
- Stormwater Regulations
 - Feedback from working group(Engineers and Developers) in December has been delayed
 - Will need to go to public hearing
- Capital Plans
- Rattail lots
- Coastal resiliency and preservation
- Sustainability
 - Incentives for large scale projects
 - Green buildings how does the Board enforce
 - Encourage more mindful use of land development; less engineered sites

The Board is going to work on prioritizing the list.

Minutes

Documents

- Meeting minutes 4.11.19

Ms. Lambert moved to approve the meeting minutes for April 11, 2019.

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

Accounting

Documents

PO #1909940(\$4,162.50), PO #1909930(\$2,411.00), PO #1909903(\$136.00),

Ms. Lambert moved to approve the requisition of \$4,162.50 to Merrill Corporation for peer review of 247 Driftway/Drew Company project, for \$2,411.00 to Comprehensive Environmental Inc.(CEI) for peer review of 568 First Parish Road Lot 2 stormwater, for \$136.00 to Brad Washburn reimbursement for APA-NCP19 Conference.

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

Liaison Reports:

ZBA – reported by Mr. Bornstein:

- Planning Board needs to work on FAR with ZBA for lot size
 - ZBA Chair willing to review

Water Resources Committee – reported by Mr. Bornstein:

- RFP's out for Water Study
- Ice pigging
- Water restrictions are due to work at the Water Treatment Plant
- STEM science spectacular this weekend; Water Department will have a display

Board of Selectmen – reported by Ms. Lambert:

- Will Branton did a great presentation on sewer

Planning and Development – reported by Ms. Joseph:

- 50 Country Way paid sewer fee for Building A
- Toll Brothers progressing
- Curtis Estates - digging foundations, 2 building permits

Documents

- Email to the Board from Shari Young dated 4.19.19 with 4.25.19 agenda
- Email to the Board from Karen Joseph dated 4.19.19 with materials for 25 Mann Hill Road
- Email to the Board from Shari Young dated 4.23.19 with meeting materials for 25 Mann Hill Road and meeting minutes for 4.11.19

These items were distributed to the Board electronically.

Mr. Limbacher moved to adjourn the meeting at 8:59 p.m. Ms. Lewis seconded the motion; the vote was unanimously in favor.

Respectfully submitted,

Shari Young
Planning Board Administrative Assistant

Patricia A. Lambert, Clerk

Date Approved: May 9, 2019

ATTACHMENT A

