

SCITUATE PLANNING BOARD MINUTES January 28, 2016

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

Members Absent: Richard Taylor, Clerk.

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, Scituate.

Chairman Pritchard called the meeting to order at 7:00 P.M. The meeting was being recorded for airing on local cable television.

Documents

- 1/28/16 Planning Board Agenda

ACCEPTANCE OF AGENDA: Mr. Limbacher moved to accept the agenda. Mr. Vogel seconded the motion and the vote was unanimous in favor. Mr. Greene arrived just after the agenda was voted.

Discussion – Stormwater Bylaw

Documents

- Email from Laura Harbottle to the Board dated 1/22/2016 with draft revisions to the Stormwater Bylaw dated 1/19/2016 and changes to Criminal and Noncriminal Disposition General Bylaw dated 1/21/16
- Legal ad for Stormwater General Bylaw
- Email from Laura Harbottle to the Board dated 1/28/16 on amount of disturbance

Ms. Harbottle indicated that she, Mr. Limbacher, Frank Snow, Pat Gallivan, Steve Bjorklund and Greg Morse were all in attendance at the Water Resource Committee (WRC) meeting on 1/26/16 as members of the Stormwater Working Group. She said the threshold for disturbance was the main focus point as the developers want 20,000 sq. ft. and the town wants 15,000 sq. ft.; but, will compromise at 18,000 sq. ft. She said one third of the permits issued by the Planning Board would have not been reviewed if the standard was 20,000 sq. ft. and if the standard was 18,000 sq. ft. only 10-12% would have been eliminated. She said the WRC has not determined their position on square footage of disturbance. She said Samantha Woods of NSRWA feels the threshold should stay at 15,000 sq. ft. as many towns use 5,000 sq. ft. as the threshold which is much stricter. She said Norwell uses 40,000 sq. ft. in accordance with federal regulations. Ms. Harbottle said that if 20,000 sq. ft. was the threshold, may 20,000 sq. ft. lots would not need a permit and there would be no control over clear cutting those lots.

Ms. Harbottle said that the developers agree that enforcement is necessary and changing the Criminal and Non-Criminal Disposition general bylaw will be required. Ms. Harbottle said that other changes that the group agreed upon are the plans required, adding definitions, clarifying the roles of the Planning Board and Conservation Commission and eliminating the requirement for the 100 year storm calculation for a single family lot. She indicated that the WRC asked if MAPC did a study to determine the 15,000 sq. ft. threshold and she confirmed today that they did not.

Mr. Vogel commented that 15,000 sq. ft. of clearing on a 20,000 sq. ft. lot seems like a lot unless there is a raised septic system. Ms. Harbottle said that 15,000 sq. ft. allows plenty of room with a buffer on the outside of the lot. Mr. Vogel said he thought a buffer would be good as well as attractive. Chairman Pritchard roughly calculated that with 18,000 sq. ft. of disturbance there would be an average of a 5' buffer around and with 15,000 sq. ft. it would be 12.5'. Ms. Harbottle said that if the impervious area is increased by more than 25% then the bylaw would apply to smaller lots. Mr. Vogel asked Steve Bjorklund how much would need to be cleared on a 20,000 sq. ft. lot with a 4 bedroom house and septic system. Mr. Bjorklund said that was his Beaver Dam lot was a typical 20,000 sq. ft. lot. He said that he cleared behind and set the house back. He said that applicants will arrange their sites to be below the threshold so they don't need a permit then they will come back and clear unsightly buffers without a stormwater permit. He said the bylaw is not about saving trees, but getting water back into the ground. Mr. Vogel indicated that then applicants wouldn't need to spend money on stormwater infiltrators. Mr. Bjorklund said that if the threshold is 18,000 sq. ft., sites will have 17,900 sq. ft. of disturbance and not have to do any stormwater mitigation. He said they want a reasonable bylaw without Scituate being the strictest. He said there is a lot of engineering to meet the bylaw and doesn't think the finished lot will have either 15,000 or 18,000 sq. ft. of disturbance. He said if the Board wants infiltrators, they should say so.

Ms. Harbottle said it is not just about infiltrators, but stormwater. Mr. Bjorklund said it is about stormwater and keeping it on-site and not trees. Chairman Pritchard said it was about water from creation of impervious surfaces and there is confusion about advocacy of standards for management of stormwater control. Mr. Bjorklund said there are ways around the bylaw. Chairman Pritchard said it seems like the objective is to not design for stormwater management. Mr. Bjorklund said the standard should be to put infiltrators on roof liters to take care of clean roof water and put it back into the ground. Chairman Pritchard said it would cost too much to engineer how much water will go in the ground. He said people will flood their neighbors. He said it seems like a default design that everyone has to do without changes in grade is being advocated. Mr. Bjorklund said grade change is already in the bylaw. Kerri Johnson of New Home Network and K & E Construction said Norwell has little to no stormwater controls and Scituate and Cohasset have strict controls making development difficult. She said developers are looking for a happy medium.

Chairman Pritchard asked what the difference of 3,000 sq. ft. makes. Mr. Bjorklund said it doesn't work now. Ms. Harbottle said that neighbors and the Town drainage system need to be considered. She indicated that Milton is adopting a stormwater utility where people pay to put stormwater from impervious surfaces. She said people in Scituate are only being asked to pay for what is on their property and that is not unfair. She said that the model bylaw that Horsley Witten proposes is 5,000 sq. ft. of disturbance. Mr. Bjorklund asked how many towns in the state have stormwater bylaws and said regulating as much as possible is wrong. The Board indicated that they have a bylaw and are not being asked to eliminate it. Mr. Bjorklund said there is agreement on over 90% of the material in the bylaw.

Ms. Burbine commented that MAPC's response was political and the amount of disturbance is an arbitrary number. She said the goal should be to not impinge on your neighbors and anyone else. She said 18,000 or 20,000 sq. ft. of disturbance is acceptable to her. Mr. Limbacher said he thought that 18,000 sq. ft. will capture a representative sample of what is built. He said every lot is unique and a matrix is really needed; but in lieu of that 18,000 works. Mr. Vogel said any new development in Cohasset needs a stormwater system permit, so Scituate's number is not ridiculous. Ms. Harbottle

said that a public hearing is scheduled for February 11. She indicated it is not required; but the Board felt it is best for the bylaw.

Chairman Pritchard said he would need to see the value of going to the larger number and would listen to the benefits and would like to hear from the WRC. Mr. Limbacher said 18,000 sq. ft. is a compromise. Mr. Vogel said that if infiltrators were made part of the bylaw that would take care of a major part of the runoff that would run to a neighbor's property. Mr. Greene thought that addressing water that comes off impervious surfaces makes sense, and infiltrators make sense so that neighbors and the DPW won't complain. Ms. Harbottle also clarified that the group has no disagreement on the bylaw being triggered when over 25% impervious is on a lot. Chairman Pritchard said he hoped a default infiltrator design could be discussed at the hearing. Mr. Vogel said he would like to see written that new stormwater can't go to the streets. Ms. Harbottle said the only way to determine new volume is through engineering calculations which she doesn't see a way around. Mr. Bjorklund said he will work with Ms. Harbottle on infiltrators before the hearing on February 11.

Public Hearing – Accessory Dwelling Special Permit – 9 Blanchard Farm Lane

Assessor's Map/Block/Lot 26-1-5F

Applicant: K & E Construction

Owner: Patrick & Tracy Hunter

Documents

- Application, deed, Purchase and Sales Agreement and Construction Contract
- Transmittal to departments dated 12/29/15
- Proposed Septic System Design Plan #9 (Lot 7) Blanchard Farm lane by Morse Engineering Co., Inc. dated 12/17/15
- House Plans for Hunter Residence/K & E Construction by 209 Design Sheets A-1 & A-2 Exterior Elevations dated 11/20/15, Sheet A-3 Foundation- Lower Level Plan dated 11/20/15, Sheet A-4 First Floor Plan Design 2 dated 11/9/15 and Sheet A-5 Second Floor Plan dated 11/20/15
- Email to the Board from Laura Harbottle dated 1/ 22/16 with above noted materials

Kerri Johnson of New Home Network and K & E Construction was present along with Tracy Hunter, the future homeowner. Ms. Johnson said they are proposing an accessory dwelling with a kitchenette for the Hunter's parents. She said it will have a bedroom, living room, kitchen and bathroom and there is a building permit for the house, but not the accessory dwelling. Ms. Harbottle said that the accessory dwelling is within the criteria in that it is 650 sq. ft. and the owners will occupy the dwelling. She said that the Hunters and their parents have purchased the house together. She said that parking is provided with two parking spaces in the garage and two in the turnaround area and utilities are provided for. Ms. Harbottle said there is a steep drop off with the walk out basement and indicated that screening will be required for privacy and to reduce headlight glare. Ms. Johnson said the size of the house is smaller than shown on the subdivision plan. Ms. Harbottle indicated the stormwater was reviewed under the subdivision. Chairman Pritchard asked if any of the basement will belong to the accessory dwelling. Ms. Johnson said it is all one space and is not intended to be divided. Ms. Harbottle indicated that the drywell system will need to be relocated to be 25' from the property line. Mr. Greene, Mr. Limbacher and Ms. Burbine had no problem with the integrated accessory dwelling. Mr. Vogel said he will abstain from the vote as he has seen the plans in his Building Department role.

Frank and Terry Kelly said they were direct abutters and had not seen the plans. Ms. Harbottle said that they have been available in the Planning Office. Mr. Kelly indicated he does not want to see a duplex. Chairman Pritchard indicated that the accessory dwelling could be rented out and is not just limited to in-laws. Ms. Johnson reviewed the plans with the Kellys and Tom Quinn and indicated that the house will look and live like a single family home. Mrs. Kelly said that she wants the garage in the front as she does not want to see lights. Tom Quinn of 30 Whittier Drive said that he had a question on the height of the house. He said the subdivision plans had a certain elevation for the foundation and topsoil and wanted to know if the proposed plan changed that. Chairman Pritchard said that those types of decisions are usually made in the Building Department. Mr. Vogel said that subdivision plans usually do not indicate top of foundation, but the Building Department would address height. Mr. Quinn commented that the height of the house will be raised and the subdivision plans show the top of foundation and grading outside. He said they are trucking in fill to raise the height. Chairman Pritchard said that presumably the Building Department looked at the height issue and asked Ms. Harbottle to follow up on the grading issue. Ms. Harbottle said she could ask the consulting engineer if the increase in fill impacts the drainage.

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

1. According to Town of Scituate Assessor's records, the property at 9 Blanchard Farm Lane is owned by Blanchard Farm LLC. Patrick and Tracy A. Hunter and Daniel T. and Kathleen Hunter have a Purchase and Sales Agreement to purchase the property. Patrick and Tracy Hunter have a Construction Contract with K & E Construction Corporation. The property is located in the Residential R-2 and Water Resource Protection Zoning Districts on a lot of 20,094 sq. ft.
2. On December 22, 2015, K & E Construction applied for a special permit for an accessory dwelling within a single family home on the property at 9 Blanchard Farm Lane.
3. Based on a floor plan submitted by the applicant, the interior floor space of the proposed accessory dwelling will be approximately 650 sq. ft. This meets the size requirements of 530.2F of the zoning bylaw for accessory dwellings.
4. The plan shows the dwelling to have a paved driveway and a two car garage. This appears adequate to provide two parking spaces for the accessory dwelling and ample parking for the primary dwelling.
5. The prospective future owners have submitted a signed, notarized statement that they will live on the property.
6. The septic system has been approved for five bedrooms.
7. Exterior stairs to the accessory dwelling are on the side or rear of the house.
8. Morse Engineering Co., Inc. provided a letter dated 11/18/2015 to the Town Planner that the impervious area of the revised layout plan increased from 3,450 sq. ft. to 3,943 sq. ft. or a 14% increase. The roof drywell systems are proposed to be increased by 33% for the increased stormwater runoff. Leaching drywell chamber systems A and B have been increased from 3 each to 4 each.

9. The application meets the standards of the Scituate Zoning Bylaw for an Accessory Dwelling Special Permit.

Mr. Limbacher seconded the motion. Motion was approved 4-0 with Mr. Vogel abstaining.

Ms. Burbine moved to approve the Special Permit for an accessory dwelling at 9 Blanchard Farm Lane with the following conditions and 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 conform to the plans entitled Hunter Residence Lot 7 Blanchard Farm Lane, Scituate, MA by 209 Design dated 11/20/2015 Sheets A1 Exterior Elevations, A2 Exterior Elevations, A3 Foundation + Lower Level Plan, A4 First Floor Plan Design 2, A5 Second Floor Plan; Proposed Septic System #9 (Lot 7) Blanchard Farm Lane by Morse Engineering Co., Inc. revised dated 12/17/15.
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. Landscaping shall be provided in the rear yard to supplement the existing natural tree line. The landscaping shall be comprised of evergreen and deciduous native plants. A minimum of 10 evergreen trees of 6 -7 foot height (excluding hemlock and arborvitae), 10 evergreen shrubs of 18 – 24” in height and 10 deciduous shrubs of 18-24” in height shall be provided to screen the backyard from abutting properties. A plan shall be submitted to the Town Planner for approval prior to planting.
4. Subsurface leaching drywell system B shall be relocated to be at least 25 feet from the rear property line. A plan shall be provided to the Planning Board showing the revised location prior to approval of a building permit. This location shall be staked in the field during construction and shown on all as-built plans.
5. The standard conditions for accessory dwellings approved by the Planning Board shall be conditions of this decision and shall be included for recording at the Registry of Deeds.

Mr. Limbacher asked if the applicant was okay with the screening. Ms. Johnson said they would like to reduce it, but will accept the condition. Mr. Greene seconded the motion. Motion was approved 4-0 with Mr. Vogel abstaining.

Public Hearing – Scenic Road – Country Way Multi – Use Trail
Applicant/Owner: Town of Scituate Department of Public Works

Documents

- Application dated 12/28/15 with list of trees to be removed and walls to be removed/relocated
- Country Way Multi-Use Trail Scituate, MA plans by Horsley Witten Group, Inc. sheets C-1 – C-16 dated Dec 2015
- Transmittal to departments dated 12/29/15
- Email to the Board from Laura Harbottle dated 1/22/16 with above noted materials
- Letter from Mike Breen dated 1/28/16

Al Bangert, Scituate Special Projects Manager and Justin Lamoureux of Horsley Witten were present. Mr. Bangert indicated the multi-use trail along Country Way would be a public municipal project that was ranked #3 in a 2007 study on town walkability connections. He said the trail has been partially funded by Town Meeting and has been delayed due to water line construction. He said the trail will go on the east side of Country Way and will go to approximately Hughey Road in Phase I. He said the east side serves most abutters and side streets and has less wetland resource areas. Mr. Bangert said that abutters were invited to a Phase I 50% design meeting in October and most of their suggestions have been incorporated. He indicated they have an Order of Conditions from the Conservation Commission and that tree removal would just be for Phase I.

Mr. Bangert said that the path is proposed to be asphalt, generally six feet wide with a 6" granite curb. He said the path will be totally in the road right-of way except by the Masonic Lodge where there will be a sidewalk divide with an easement. He said that Mike Breen has given his opinion that the trees are over pruned and can be removed. Mr. Bangert indicated that replacement trees will be on a one to one basis with 2 1/2" caliper trees from a list of street trees approved by the project landscape architect. He said that existing trees to remain in the right of way will be protected with orange snow fencing. He indicated that stone walls will be replaced to enhance the character of Country Way. He said the project will provide for safety and meets the objectives of a scenic path.

Ms. Harbottle indicated that some of the trees to be lost are good sized. She said the ones up near First Parish Road have been overly pruned due to overhead utilities. She said some evergreens will need to be removed and several areas of grade changes will be a challenge with retaining walls needed. Chairman Pritchard asked if the trail drains to the road. Mr. Lamoureux indicated it did and there will be some road improvements. Ms. Harbottle said there are a lot of utility poles on the east side which will be passable for walkers and carriages, but bicycle riders will have a difficult time. Mr. Lamoureux said that there will be 36" clear from all utility poles so the trail is fully handicap accessible. He said serious bikers will use the road and there will be 12 foot wide lanes. He said that the poles cannot be moved. Ms. Harbottle offered that this is a positive project for the Town as it will provide a pedestrian connection on Country Way and there will be tree replacement. Ms. Burbine agreed that the trail is a good idea and it will provide accessibility to the train in Greenbush. Mr. Limbacher concurred and said he has a trail in his front yard and the road is much safer. He agreed that serious bikers would use the road and that many of the existing trees are pruned up to the power lines. He verified that the trees would be cut and the stumps ground and that only the Phase I trees would be cut when the contract proceeds. Mr. Vogel asked if there was room in the road for bikers with a separate striped lane. Mr. Lamoureux said that the bike lane would need to be 3' and the road 9' which wouldn't meet MA DOT standards.

Mr. Vogel asked if there were any areas that have been identified that substantially impact abutters. Mr. Lamoureux said that they have talked to most abutters and where there will be walls they will generally not be more than 3' tall stone walls. He said the walls are mostly dry laid and where they need to retain earth, there will be a foundation with filter fabric and stone behind as on Gannett Road. Mr. Greene asked if the trail would be located around the guardrail at the pump station. It was confirmed that the guardrail will be relocated. Chairman Pritchard asked if the replanting would be aesthetic and take into account visibility. Mr. Bangert said they will try to plant trees on property where trees were cut and they may seek permission to have the trees on private properties. Chairman Pritchard asked if the stonewalls to be removed will be rebuilt and replaced or recreated. Mr. Lamoureux said they will be using the existing stones and supplementing if necessary. He said that 176' of stonewall will need to be replaced at 258 Country Way. Chairman Pritchard asked how

the trail will be maintained in the future. Mr. Bangert said it would be plowed by DPW with their two sidewalk plows and that the asphalt and granite will match up to the future road improvements at First Parish Road and Old Country Way.

Karen Dressler asked why the path was so wide and would it be straight as Country Way is a scenic road. Mr. Bangert said that the trail will be 5' or 6' wide and 6' enables the trail to be a recreational trail. He said the trail will all be in the Town right of way and it will follow the road. Mr. Vogel asked how this relates to the Gannett Road trail. Mr. Lamoureux said Phase I of Gannett is 8' wide and Phase II is 6' wide. Ms. Dressler asked who would be planting the new trees and will they be a height that does not require pruning. Mr. Bangert said the landscape contractor will plant the trees according to a specified detail. Mr. Lamoureux said that the locations of the new trees will be staked in the field by the contractor and others to hopefully find locations where wires won't be a problem in the future. Ms. Dressler asked about new rocks for the walls along the scenic road and if the walk could go around the existing trees. Mr. Lamoureux said the imported rocks must be natural New England Stone. He said easements would need to be obtained to have the trail out of the right of way and on private property.

Ruth Steele of 142 Country Way asked when Phase I would begin and when Phase II would be funded as she would like to see the trail. Mr. Bangert said that Phase I should start in the spring and be done before school opens. He said that CPC has funded \$500,000 for Phase I which has not been spent yet as DPW paid for the design and engineering plans. He said they may put in an application to CPC this fall for the funds for Phase II. Mr. Steele said that there are many young families along Country Way. Paul Lemieux of 248 Country Way thanked the Town for the project and asked about contact information. Mr. Bangert said that the project manager's name and contact information would be provided to abutters prior to the work starting. Ms. Steele asked about snow removal. Mr. Bangert said that the Town has sidewalk plows and homeowners will need to require their plow people to keep the walk clear and open. Jane Henderson asked how the trees will be cut down and how wide does the street have to be. Mr. Lamoureux said that it will take 3 to 4 days to remove the trees. They will start by limbing them and then go down the line. He said that the manual requires 12 feet of width. He said there are 11' lanes now and they are not reducing the travelled way.

Bill Dummer of 350 Country Way noted that some trees are in rough shape and wondered how much space there was between the wall and the walk. Mr. Lamoureux said that there will be a minimum of 1' and they will work with property owners who lost trees to have one located on their property. Mr. Bangert indicated they prefer to have the trees located behind the wall. Mr. Dummer asked where the estimate from Phase I came from. Mr. Bangert said it came from previous estimates and the base bid and the add alternates are based on that. He indicated that the trail will start at First Parish Road instead of in Greenbush as that is the favored route to the schools with Gates and the High School in the vicinity. Ms. Dressler asked if this was going to render the road non-scenic. Ms. Harbottle said that scenic roads are designated by Town meeting based on trees and stone walls. She said the vote of Town meeting still stands and the project will be redoing stone walls and replanting trees to keep the scenic character. Mr. Vogel added that the scenic homes along the road also contribute to its character. Chairman Pritchard said that Town Meeting would need to vote to undesignate the road as scenic. Mr. Dressler asked about the size of the trees to be planted. Ms. Harbottle indicated 2 1/2" caliper.

Ms. Burbine moved to close the Scenic Road Act and Public Shade Tree public hearing, and approve the removal of trees and stonewalls within the Country Way right of way as shown on a plan prepared by Horsley Witten Group entitled Country Way Multi-Use Trail Scituate, Massachusetts,

Sheets C-1, C-2, C-7, C-8, C-9 and C-10 dated December 2015 in connection with the construction of a proposed trail along the eastern side of Country Way from First Parish Road to Old Country Way. The trail will be constructed in two Phases: Phase I trail construction will be from First Parish Road to approximately Hughey Road, and Phase II, subject to funding, from approximately Hughey Road to Old Country Way. The full project includes removal of 24 trees varying in size from 6" caliper to 48" caliper and 7 stumps, and the relocation or reconstruction of approximately 788 linear feet of stonewall. The Board approves the plan subject to the following conditions:

1. Granite curbing shall be installed at the street corners as shown on the plan for safety.
2. One to one tree replacement (24 trees) shall be provided with trees at a minimum size of 2 ½" caliper, 12 feet tall, trunk free of branches 6 to 7 feet, balled and burlapped Nursery grown stock to meet the American Nursery & Landscape Association Standards, latest edition. The trees shall be field located by the Town Planner in consultation with the Tree Warden, Town Engineer and homeowner.
3. Existing shade trees to remain in the right of way of Country Way or at its limit as shown on the plans shall be protected with staked flexible plastic snow fence to ensure that the tree's trunk is not damaged during construction.
4. Only Phase I trees are to be removed during Phase I trail construction. There shall be no removal of trees shown in Phase II until funding has been approved. The Planning Office is to be notified 30 days minimum prior to Phase II tree removal.
5. A preconstruction conference with the Town Planner and Town Engineer is required at least 48 hours prior to each phase of construction.
6. Fire hydrant relocation shall meet all town standards and shall require approval of the Fire Department and Town Engineer.

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

Discussion – Cushing Field CPC Proposal – 1 Aberdeen Drive

Documents

- Application for CPC funding dated 10/1/15 for Scituate Public Schools for Cushing Field Hockey Field/Youth Soccer at 1 Aberdeen Drive
- PowerPoint presentation for CPC Cushing Field proposal
- Email to the Board from Laura Harbottle dated 1/ 22 /16 with above noted materials

Bill Luethe, an assistant principal at the High School and Superintendent John McCarthy were present. Mr. Luethe indicated that the front field at the High School used for field hockey and town soccer is being removed for the new Middle School. He indicated the existing field at Cushing School is underutilized and they would like to obtain money from the CPC to renovate and expand the Cushing Field and provide a walkway down to the High School from the field. They indicated that only a few trees will need to be cleared to improve the field and size wise it is perfect. Superintendent McCarthy said the field would be rededicated to the Svenson family. He said that the Cushing School will gain a nice field for use during the school day. He indicated there is plenty of parking at Cushing School to accommodate the field usage.

Ms. Burbine asked if there would be lights. Superintendent McCarthy said no because it was in a neighborhood. She asked if there would be bollard lighting along the path for safety. Superintendent McCarthy said he would look into it as it would make the walk safer. He also indicated that the field would be irrigated.

Ms. Burbine moved to support the CPC article regarding the renovation and expansion of an existing underutilized field at Cushing School with a pathway to the High School, to replace a field lost at the High School due to construction of a new middle school, and a letter of support will be provided to the CPC. Mr. Limbacher seconded the motion. Motion was unanimously approved. The Planning Board expressed support for the installation of bollard lighting on the pathway.

Site Plan Waiver – 114 Front Street – Rudolph Adamo Salon
Assessor's Map/Block/Lot 50-7-14
Applicant: Rudolph Adamo, Inc.

Documents

- Application for Site Plan Waiver received 1/19/16
- Transmittal to departments dated 1/19/16
- Email to the Board from Laura Harbottle dated 1/22/16 with above noted materials

Mike Hager was present to represent Rudolph Adamo Salons. He said they would like to relocate their salon and spa from Cohasset to 114 Front Street as the lease was lost in Cohasset. He said they are asking for a waiver as there is no change in use as the location was previously a retail store. He indicated the hours would be from 8 am to 8 pm Monday through Saturday. He said they have not worked out the signage yet, but will be back with it when they do. He said they would like to be in the new space by April 1, 2016. He indicated all the improvements would be in the interior and they are using the entire interior space for the salon.

Ms. Harbottle said that parking was grandfathered and there is street parking and Cole Parkway is available for parking.

Ms. Burbine moved that the Planning Board finds the proposed site work or building work is minor in nature because there appears to be adequate parking in the nearby public parking lot and on Front Street, and no site work is proposed, and to grant the site plan waiver for Rudolph Adamo, Inc., to open a salon at 114 Front Street, with the following conditions:

1. There shall be a maximum of eleven styling and coloring stations.
2. Construction shall be an interior build-out only. No exterior modifications are proposed.
3. The front windows shall be used for display of goods for retail sale or to highlight the services offered. No signs shall be affixed to the interior or exterior window surface.
4. Signage shall be in accordance with the zoning bylaw and submitted for approval by the Town Planner prior to occupancy.
5. Approval is contingent upon all local approvals being obtained from the Town of Scituate and the Commonwealth of Massachusetts.
6. Hours of operation will be from 8:00 am to 8:00 pm Monday through Saturday.

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

Vote to Withdraw 134 Humarock Beach Road Accessory Dwelling Special Permit Application

Documents

- Draft motion for withdrawal of application
- Email to Board from Laura Harbottle dated 1/22/16 with above noted materials

Ms. Harbottle indicated there were problems with the setbacks for the accessory dwelling application so the applicant requested it be withdrawn.

Ms. Burbine moved to accept the applicant's request to withdraw without prejudice their Accessory Dwelling Special Permit application for 134 Humarock Beach Road. Mr. Vogel seconded the motion. Motion was unanimously approved.

Form A – 81 Mann Lot Road

Assessor's Map/Block/Lot 25-2-3 & 4

Applicant/Owner: Creel-Mann Realty Trust, Nancy Salamone, Trustee

Documents

- Application, deed, assessor's information and Plan of Land in Scituate, MA showing a division of parcels 25-2-3 & 4 #81 Mann Lot Road for Creel-Mann Realty Trust by Morse Engineering Group, Inc. dated 1/18/16
- Transmittal to departments dated 1/19/16
- Email to the Board from Laura Harbottle dated 1/22/16 with above noted materials

Jeff Hassett from Morse Engineering was present for the applicant's representative, Bob Burwick who sat in the back of the room. Mr. Hassett said that there are currently two existing lots that are proposed to be divided into four fully compliant lots with adequate frontage, lot width and upland lot area. He said that one lot has a house which was damaged by fire. He said none of the site is in a FEMA floodplain zone.

Ms. Burbine commented that she disliked the rattails. Mr. Hassett said there will be nice lot layouts with nice houses and there will be remaining woods between lots 2 and 4. Ms. Burbine asked who would maintain the rattails. Ms. Harbottle said that the downside to irregularly shaped lots like these is that there usually are property disputes in the future with subsequent lot owners not really knowing where the lots lines are located.

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 parcels 25-2-3 and 25-2-4 prepared by Morse Engineering Co., Inc. for the Creel-Mann Realty Trust dated 1/18/16 as the division of the tract of land shown 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 Mann Lot Road or Creelman Drive. Mr. Limbacher seconded the motion. Motion was unanimously approved.

Accounting

Documents

- PO # 1605105 (\$46.16), PO # 160522 (\$1,422.00)

Ms. Burbine moved to approve the requisition of \$46.16 to WB Mason for office supplies and for \$ 1,422.00 to Chessia Consulting Services for construction inspections for The Glen. Mr. Vogel seconded the motion. Motion was unanimously approved.

Minutes

Ms. Burbine moved to approve the meeting minutes of 1/14/16. Mr. Vogel seconded the motion. Motion was unanimously approved with Mr. Pritchard and Mr. Greene abstaining as they were not present at the 1/14 meeting.

Ms. Harbottle indicated that Town Meeting has been changed to April 14 at 6:00 pm; therefore, the Planning Board's first meeting in April should move to April 7. The Board concurred. Mr. Limbacher said he will not be at the meeting on 4/28/16 and may not be at Town Meeting.

Liaison Reports

Ms. Burbine indicated that the EDC has accomplished a lot in the past year and hopes to get more done. She said the EDC supports the Winterfest. She said CPC is moving forward. She said she attended a South Shore Coalition meeting and there possibly could be money for some projects if they are fully engineered. She said there have been thoughts about extending a walk from Lincoln Park to Cohasset. She said there would be benefits to both towns.

Town Planner Report

Ms. Harbottle indicated that the Police Chief was in about the condition on the Public Safety Complex that requires all construction access off of Mann Lot Road. She indicated the chief said that some vehicles were having a hard time with the turn and asked if there could be a field change to allow access into the site off of Route 3A after the highway access permit is obtained. The Board agreed as long as traffic was managed in the morning and evening peak traffic times.

Ms. Harbottle said that the Hazard Mitigation plan is coming along with VHB as the consultant. She said the Open Space Plan also needs to be updated so that the Town can obtain grants. Chairman Pritchard asked if there was any feedback on the FEMA maps yet. Ms. Harbottle said that Marshfield and Duxbury have heard, but Scituate has not. She said the other towns have had changes recommended by the Woods Hole Group incorporated in the maps. She said the bylaw has to be changed within 6 months of the changes.

Old Business and New Business

Documents

- Email to Board dated 1/22/16 from Karen Joseph with agenda for 1/14/16
- Email to Board dated 1/19/16 from Karen Joseph with letter to the CPC on the Maxwell Trust Land
- Email to Board dated 1/26/16 from Laura Harbottle with information on date and time of Town Meeting

These items were distributed to the Board electronically.

Mr. Vogel moved to adjourn the meeting at 9:35 p.m. Mr. Limbacher seconded the motion. Motion was unanimously approved.

Respectfully submitted,

Karen Joseph
Planning Board Secretary

Richard Taylor, Clerk
2-11-16
Date Approved