

SCITUATE PLANNING BOARD MINUTES May 14, 2015

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

Members Absent: None.

Others Present: Ms. Laura Harbottle, Town Planner.

See Sign-in List for names of others present at this meeting.

Location of meeting: Selectmen's Hearing Room, Town Hall, 600 C J Cushing Highway.

Chairman Pritchard called the meeting to order at 7:30 P.M. The meeting was being recorded for airing on local cable television.

Documents

- 5/14/15 Planning Board Agenda

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

Continued Public Hearing – Mixed Use Special Permit in the Village Business Overlay District - 50 Country Way

Assessor's Map/Block/Lot 53-5-3 and 3B

Applicant/Owner: 50 Country Way Trust, C. Christopher Ford Trustee

Documents

- Mixed Use Special Permit 50 Country Way Draft Conditions revised dated 5/14/ 15
- Email chain from Chris Ford to Laura Harbottle dated 4/22/15
- Email to Board dated 5/8/15 from Laura Harbottle

Chris Ford and Greg Morse were present for the applicant. Mr. Ford said that in the last meeting conditions of approval were discussed with the only item remaining for the applicant to reach approval with the MBTA for use of their right-of-way. He indicated that he shared the email communications with Laura Harbottle and the MBTA is prepared to provide an easement for the project. He said that the MBTA is using a company called Greyco Management which Mr. Morse submitted plans to. He said that the plans are now being internally reviewed by all MBTA departments prior to a final easement being granted. Mr. Ford said that he had to pay \$15,000 for the easement and that has been done. He said that he anticipates final MBTA approval by the end of the month and sees no reason to hold up the Board's approval process further.

Ms. Harbottle said that there has been correspondence between the MBTA and the applicant which she has been copied on. She indicated that the MBTA does want to go forward and they just need to go through a process that will determine what kind of easement or license they will grant. She indicated that the proposed condition 6 reflects that the MBTA desires to grant the easement and that if for some reason they change their minds alternate plans would need to be submitted for approval prior to construction. Ms. Harbottle said that all of the conditions have been reviewed except for condition 6 and the draft reflects the changes the Board has requested.

Mr. Taylor moved that the Board approve the mixed use special permit revised 3/9/15 through 5/14/14 as the Planning Board previously discussed and modified and accept condition 6 as written for the easement of the MBTA. Mr. Vogel seconded the motion.

General Requirements

1. All construction work shall be done in accordance with the plans ~~submitted by Morse Engineering Company, Inc.~~ entitled Proposed Mixed Use Development, 50 Country Way (Assessor's Parcels: 53-5-3 & 53-5-3B) Scituate, Massachusetts, dated October 13, 2014, as revised through February 20, 2015, with any additional revisions needed to conform to the conditions ~~contained herein (the "Mixed Use Special Permit")~~, the renderings provided by e-mail of 3/5/15 ~~with respect to the buildings~~, and ~~with~~ the Site Plan/Roof Plan (Sheet A101), Level 1, 2 and 3 Area Plans (Sheets A102, A103 and A104), and A, B and C Building Elevations (Sheets A105, A106 and A107) by Dr. Paul Ford, PhD in architecture. Final elevations shall be approved by the Planning Board prior to scheduling the pre-construction conference. The Planning Board may require buildings to conform to the elevations or renderings at their discretion. Where the renderings do not agree with the elevations, the developer shall provide the more detailed building treatment. For example, shutters shall be installed as shown on the Elevations. Landscaping shall be as shown on the plans by Morse Engineering.
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, including but not limited to the Board of Selectmen's approval of work in the public right-of-way of Country Way. 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 thirty (30). The housing mix shall be 16 one (1) bedroom units and 14 two (2) bedroom units. The total number of bedrooms shall not exceed 44 using the definition of a bedroom by Title V. All units will either be rental or condominium and not be mixed.
6. **The applicant shall furnish written documentation that the MBTA will allow installation of improvements for the use of their property for emergency egress for the Greenbush Station development at 50 Country Way as shown on the above-referenced plan and including all items required in Condition 20 below. This may consist of an easement, license or similar legal document. The applicant shall make the Town aware of any requirements of the MBTA that must be met in connection with construction of these improvements, which shall be deemed conditions of this special permit. If the applicant cannot meet the MBTA's**

conditions, or the MBTA changes its preliminary agreement and does not allow construction and use of the emergency egress /public access path, the applicant shall notify the Town forthwith and submit an application for approval of a modification to the special permit with an alternative plan.

Utilities, Parking and Traffic

7. Unless and until a Property Owners Association/ Condominium Association is formed, maintenance and repair of the driveway, parking areas, stormwater management system, retaining walls, emergency egress/public access path including snow removal, lighting, landscaping and emergency access shall be the responsibility of the owner/applicant.
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, as shown in the Table on the Site Layout Plan (Sheet 3 of the Proposed Mixed Use Development Plan.) Marketing material advertising the sale of the residential units shall include the parking limitations noted in this Table.
10. All buildings, parking, walkways, paths and required signage shall meet all requirements of the ADA and Scituate Commission on Disabilities.
11. Traffic from the site shall be monitored from 6 months to 2 years after occupancy to verify traffic is in accordance with the projections for the site. The Planning Board's consulting traffic engineer's analysis of the impact of the project on existing Town roads was based on the project's generation of 270 additional vehicle trips on an average weekday, with 25 additional trips during the weekday morning peak hour and 52 additional trips during the weekday evening peak hour (VAI letter to John Chessia of February 18, 2014.) No uses shall be established which increase the project's total trip generation above these amounts.
12. Trash removal operations shall be monitored from 6 months to 2 years after occupancy to verify that there are no safety issues with trash removal as significant back up distances are proposed. Trash removal operations shall be reworked if safety is found to be an issue. [Recommended by Traffic Study]
13. All electrical, telephone, cable and similar utilities shall be located underground.
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 or landscaping.

Affordability

15. All affordable units shall meet the requirements for inclusion in the Subsidized Housing Inventory through the state's Local Initiatives Program (LIP).
16. According to Section 560.7 D, the number of one and two bedroom affordable units shall be in the same proportion as the market rate units. Two affordable units shall contain one bedroom and two shall contain two bedrooms.
17. The affordable units shall be constructed so that the first is completed and available for occupancy before the seventh market rate unit, the second affordable unit, before the fourteenth

market rate unit, the third affordable unit, before the twentieth market rate unit, and the last, before the twenty-sixth market rate unit.

18. The applicant or their representative shall be responsible for preparation of a LIP Local Action Units application for the affordable units to be submitted to DHCD by the municipality (chief elected official). Forms and assistance will be available from the Planning Department.

Phasing and Public Benefits

19. The phasing of the project shall be according to the applicant's proposed phasing schedule received March 5, 2015 and attached to this approval.
20. An emergency egress and public walkway shall be required. Both shall connect from Country Way through the site to an improved emergency egress/public access path from the site to Drew Place. The Property Owners Association/ Condominium Master Deed documents shall include a statement that the emergency access and public walkway must be maintained by the Association. This maintenance shall include snow plowing.

Construction of the path shall include additional related improvements as follows:

- a. Within the site, emergency access/egress shall be over the driveway and the island in the parking area at the rear of the site. The island shall be improved with pervious pavement capable of supporting a fire truck along the access route and 4" of loam and seed throughout, with moveable pilons/pylons along the front side to discourage parking. The cape cod berm shall be replaced with sloped granite curb. A No Parking – Fire & Emergency Access sign shall be installed at the front of the island.
- b. The public walkway on the site shall be constructed of concrete and brick as shown on the plans within the site except within the island at the rear of the parking lot (see above).
 - i. Permanent easements shall be recorded granting the public access over the walkway.
 - ii. An informational sign indicating "public access path" or similar shall be installed of a style coordinated with other public wayfinding signs in Town indicating the path is public (or funding to cover the cost of same, at the discretion of the Planning Board) and identifying some possible destination(s).
 - iii. A vertical granite curb of a minimum 6" in height shall be used along the north side of the driveway up to and around the curve of the entry island for approximately 25' (total) and along the south side of the driveway around the entry island and on the west of the parking area for approximately 70' (total). ~~along the walk to maintain vertical separation from the parking area.~~
 - iv. Fencing as shown on the plan shall be used to separate the path from the multi-unit buildings.
 - v. Bike racks shall be provided at each building as per Scituate Zoning Bylaw Section 760.7 E.
- c. The following improvements and related items are required for the emergency egress/public access path in the MBTA right of way:
 - i. The surface of this portion of the emergency egress/public access path shall be improved with pervious pavement 10' wide with 1' gravel shoulders on each side.

- ii. The Condominium or Property Owners Association shall be required to maintain this portion of the path, including snow plowing, and the Master Deed or Owners Agreement shall include a description of this maintenance, documentation that the MBTA will allow it, and indicate who will provide it.
- iii. The plan must show all area required in or adjacent to the proposed emergency access, required to be travelled by a fire truck as shown by the area under the wheels and within the expected travel path as per the plan, as part of the path. This path shall be improved with hardening and/or other material as needed to support and provide access for a fire truck as specified by the Fire Dept.
- iv. Existing trees in the MBTA ROW that must be removed to construct the emergency egress shall be replaced in the ROW or on the site, with new trees of a minimum of 3" caliper dbh. These shall be in addition to the new trees shown on the Landscaping Plan.
- v. Lighting, including seven fixtures to match those along the MBTA path, [shall be](#) located along the path on the MBTA property and the site. The applicant must provide all necessary electrical connections for the lighting.

Required Prior to Release of Special Permit to Applicant for Recording

- 21. The plans shall be updated as discussed with Greg Morse on March 9, 2015.
- 22. Funds shall be provided for review of a Property Owners Association Agreement or Condominium Master Deed by Town Counsel.

Required Prior to Scheduling the Pre-Construction Conference

- 23. 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. The applicant shall provide proof that the Special Permit was recorded to the Planning Board along with the plans.
- 24. Documentation shall be provided to the Planning Board in the form of a written agreement signed by both the owners of 50 and 52 Country Way that the owners of 52 Country Way (presently occupied by Morning Glories bakery) agree to:
 - a. The Applicant's installation of proposed sidewalk and curb within the Access and Utility Easement near the bakery and on their property.
 - b. Striping the driveway, and
 - c. The on-going and perpetual maintenance of a manhole and two leaching catch basins in the access and utility easement on their property, initially by the Applicant and ultimately by the Condominium Association or Property Owners' Association of 50 Country Way.
- 25. The applicant's plans show the existing 1856 George Wetherbee House will be preserved by moving it to the front of the lot and incorporating it within Building A. The developer shall engage a licensed structural engineer to assess the condition of the house, its suitability for re-use, the feasibility of completing renovations as required by the State Building Code while maintaining the exterior facades and porches of the building, and of moving these and successfully incorporating them within a new structure as shown. He/she shall prepare a

stamped, written report for the Planning Board on these items with a plan to address significant structural, heating, electrical, plumbing or other system issues or required upgrades. He/she may consult an architect or historic preservation professional as needed.

The Planning Board shall have this report reviewed by a qualified structural engineer, architect and/or historic preservation specialist who shall serve as their consultant at the applicant's expense. If in the opinion of the Planning Board's consultant, these upgrades or issues cannot be addressed, or the house cannot be moved without significant damage, an alternative design for Building A shall be submitted to the Planning Board. This design shall include a façade similar to that of the Wetherbee House. This alternative design shall be reviewed by a historic preservation consultant at the applicant's expense who shall report to the Planning Board on the appropriateness of the proposed façade relative to the size, design, character and historic period of the building it was intended to replace. The new façade shall be approved by the Planning Board prior to the pre-construction conference.

26. The development shall obtain all necessary approvals for the use of Town sewer prior to scheduling a pre-construction conference. Copies shall be furnished to the Planning Board.
27. 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.
- ~~28. The applicant shall furnish written proof from the MBTA of their approval of all work relating to installing the proposed emergency egress and public access path over MBTA property including grade changes, tree removal and replacement and placement of pervious pavement and gravel shoulders, and that any easements required by the MBTA for these uses have been obtained prior to scheduling the pre-construction conference.~~
- ~~29.~~28. Prior to scheduling the pre-construction conference, the developer shall contact Janice Lesniak of the Massachusetts Dept of Housing and Community Development (617-573-1327) to determine the purchase price(s) or rent(s) of affordable units based on LIP Guidelines and discuss other requirements for the affordable units as described in Condition 42 below.
- ~~30.~~29. 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. Copies of the NPDES Permit including its Stormwater Pollution Prevention Plan.
 - c. **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 9.2, for the driveway, parking areas and stormwater management systems, and in addition, inspection of applicable items in the Construction Sequencing Narrative, the existing drainage system in the driveway, new curbing and retaining walls. 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.**

- d. A construction schedule including approximate dates for installation of erosion control and other site protection/stabilization, construction of Buildings A, B and C, all applicable items in Subdivision Rules and Regulations 9.1.3; and
- e. a Performance Bond to cover the cost of parking, landscaping, walkways, and other amenities including the emergency egress/public access path. The amount shall be based on the applicant's contractors' estimates of the costs of these items and shall be approved by the Planning Board prior to the pre-construction conference.

31.30. The Applicant shall provide a draft Condominium Master Deed or Owners Agreement to include the owner(s) of the retail, office units and residential units. The Condominium Master Deed or Owners Agreement shall include:

- a. **A statement that the driveway, drainage system, sewer, public and private pedestrian access through the site, landscaping and other common areas shall be owned by a Condominium Association or Property Owners' Association and shall not be maintained by the Town. The driveway, drainage system, public and private pedestrian access through the site, landscaping, lighting, tree box filters, stormwater leaching system within the Zone A on the bakery property and other common areas shall be inspected, maintained and repaired by a legally constituted association of the Property Owners or a Condominium Association. This shall also be stated in a note on the plan.**
- b. A requirement that maintenance of the drainage system, pedestrian walks, parking, driveways, emergency egress and landscaping shall be in accordance with the Operation and Maintenance Plan approved by the Planning Board's consulting engineer; provisions for snow removal and maintenance of safe conditions through the winter of all vehicle and pedestrian ways; and a description of annual maintenance of the driveway, parking areas, emergency egress/public access path, landscaping, lighting and other common amenities.
- c. A requirement that the Association maintain an account always containing a minimum of one year's costs for this maintenance. A contractor's estimate of this maintenance and proof of the available funds in this account shall be provided to the Planning Board with the Agreement and annually on the first of the year.
- d. A requirement that the developer notify contractors, builders and real estate agents that membership in a Property Owners Association or Condominium Association and a table showing the available parking for each unit are required to be disclosed to all prospective buyers. The developer shall make copies of the Condominium Master Deed or Property Owners Association Agreement available to be provided to all prospective purchasers of units in the development.
- e. The Town Planner shall be added to the Town of Scituate contact information on page 1 of the Construction Phase Best Management practices.
- f. A requirement that the Property Owners Association or Condominium Association notify the Planning Board of the name, address, phone no. and e-mail of the trustees within seven days of their election, and to provide an annual report of their maintenance activities to the Planning Board by January 1 of each year.
- g. A table of the number and general location of parking spaces assigned to each unit.

Required Prior to the Start of Construction

- | ~~32.~~31. 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.
- | ~~33.~~32. The property line between #50 and #52 Country Way and boundary of the limit of clearing 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.
- | ~~34.~~33. A stabilized construction entrance as shown on the Sedimentation & Erosion Control Plan (Sheet 5 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. Construction access must be clearly identified on the site with signage approved by the Town Planner.
- | ~~35.~~34. The developer shall request a permit to demolish the existing historic barn and consult with the Historic Commission to determine whether a demolition delay will be required. A pre-moving survey shall be completed a minimum of thirty days prior to application for permits to move the Wetherbee House.

Required During Construction

- | ~~36.~~35. 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.
- | ~~37.~~36. All earth moving/disturbance operations shall only occur while erosion and sedimentation control measures as shown on the Sedimentation & Erosion Control Plan (Sheet 5 of the Mixed Use Development Plan) and approved by the Town Planner are in place. 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.
- | ~~38.~~37. No parking or unloading on Country Way shall be permitted during construction. Construction vehicles shall use the designated construction access. They are not permitted to use the existing access and utility easement during peak morning bakery hours of 7:00 to 9:00 a.m. **Access to Morning Glories' driveway, parking area, building and property must be maintained at all times.**
- | ~~39.~~38. The Applicant shall notify the owner of Morning Glories (52 Country Way) a minimum of three business days prior to the installation of the curb to be placed within the Access and Utility Easement. This curb installation work shall not occur before 9:00 a.m. or up to three days prior to Easter, Valentine's Day, Thanksgiving or Christmas Day or any other four holidays defined by the owner of Morning Glories.
- | ~~40.~~39. Inspections and observations made according to the Stormwater Pollution Prevention Plan (SWPPP) shall be submitted to the Board within 48 hours after the inspections. 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.

~~41.40.~~ Construction of the proposed 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 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.

Required Prior to Application for Building Permits

~~42.41.~~ Prior to applying for a building permit, the applicant shall provide:

- a. A copy of an executed regulatory agreement between the developer, municipality and DHCD to insure long-term affordability.
- b. The proposed rental or sales price of the affordable units, and estimated condominium fee if applicable;
- c. A draft deed restriction to restrict the rental or subsequent price if a condominium, to 80% of the area median income according to the Department of Housing and Community Development (DHCD), in perpetuity. The draft deed restriction shall be approved by Town Counsel and proof of recording provided to the Planning Board prior to the issuance of the first Occupancy Permit for an affordable unit;
- d. A plan showing the location of the affordable units for the Building and Planning Departments;
- e. The name and contact information for agencies, companies or individuals who will conduct marketing, hold the lottery and perform monitoring;
- f. A draft affirmative marketing plan meeting the guidelines for approval of DHCD. The Marketing Plan must affirmatively provide outreach to area minority communities to notify them about availability of the unit(s) and must demonstrate the need for local preference as well as insure that there will be no discriminatory impacts as a result of using local preference criteria. A maximum of up to 70% of the units may be local preference units for those who have a connection to the community as defined by the state under Section III.C of the Comprehensive Permit Guidelines. If in the opinion of the Planning Dept. the plan does not meet the current requirements of DHCD for inclusion of the affordable units on the Subsidized Housing Inventory, revisions shall be required prior to application for the second building permit.
- g. Any changes to the affordability documents must be approved by the Town Planner per Condition 18.

~~43.42.~~ The retaining wall behind Building C shall be designed by a structural/ geotechnical engineer. The Planning Board must be provided a copy of the stamped approved plans prior to any application for a foundation or building permit for any unit.

~~44.43.~~ Detail of proposed retaining wall with wooden guardrail adjacent to the MBTA right-of-way must be submitted to the Town Planner for approval prior to any foundation or building permits being obtained for the site.

Required Prior to Issuance of Occupancy Permits

- | ~~45-44.~~ Following review and approval by the Planning Board, the Condominium Master Deed or Owners Agreement shall be recorded at the Registry of Deeds prior to the Building Department's issuance of an occupancy permit. Proof of recording of the Property Owners Association Agreement or Condominium Master Deed must be provided to the Planning Board.
- | ~~46-45.~~ Prior to issuance of an occupancy permit for Building A, a deed restriction shall be recorded requiring the façade of Building A to be preserved for a minimum of thirty years.
- | ~~47-46.~~ The emergency egress/public access path must be constructed prior to occupancy of any building on site.

Administration

- | ~~48-47.~~ All time periods referenced in this document for completion of conditions shall be tolled in case any appeals are taken.
- | ~~49-48.~~ This Special Permit 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.
- | ~~50-49.~~ Building A shall be completed within five years of the date of recording of this special permit.
- | ~~51-50.~~ 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.
- | ~~52-51.~~ **All plan sheets of the Mixed Use Development Special Permit Plan shall be recorded at the Registry of Deeds.**

Mr. Pritchard asked if the easement had to be obtained in any timeframe. Ms. Harbottle said prior to scheduling the preconstruction conference. The Board determined that condition 6 should be moved to be put in the section before the preconstruction conference as condition 22 and the decision renumbered as appropriate. Mr. Taylor moved the amended motion for reorganization and renumbering of the conditions. Mr. Limbacher seconded the motion. Motion was unanimously approved.

Vote to sign 529 & 531 Country Way Common Driveway Plans

Documents

- Common Driveway/Stonewall Easement/Operation and Maintenance Plan for 529 & 531 Country Way
- Mylars for 529 & 531 County Way Common Driveway (Easement Plan, Common Driveway Plan and Site Details dated 5/5/15)

Mr. Taylor moved that the Planning Board sign the Common Driveway Special Permit Plans and Common Driveway/Stonewall Agreement for 529 & 531 Country Way by SITEC revised dated May 5, 2015 consisting of a common driveway easement plan, common driveway plan and site details as all of the conditions of the decision have been met and the Operation and Maintenance Plan with the Common Driveway/Stone Wall Agreement have been provided as a stand- alone document. Mr. Greene seconded the motion. Motion was unanimously approved.

Accounting

Documents

- PO # 1506951 (\$1,560.00), PO # 1507308 (\$60.00), PO # 1507326 (\$196.98), PO # 1507444 (\$650.00)

Mr. Taylor moved to approve the requisition of \$1,560.00 to Merrill Corporation for engineering peer review for Inly School classroom addition, \$60.00 to Laura Harbottle for the MAPD Conference; for \$196.98 to Gatehouse Media MA for legal ads in the Scituate Mariner for Inly School and 35 Dreamwold Road and for \$650 to Horsley Witten Group for a Task 1 pre-application meeting with DPW on Seaside At Scituate (Toll Brothers). Mr. Limbacher seconded the motion. Motion was unanimously approved.

Minutes

Mr. Taylor moved to approve the meeting minutes of 4/23/15. Mr. Vogel seconded the motion. Motion was unanimously approved.

Liaison Reports

Mr. Taylor said that the Design Review Committee (DRC) reviewed the sign designs for 56 New Driftway. He said they had many of the same comments as the Planning Board. He indicated that they do not desire plastic and mentioned elevating the sign and putting individual tenant slots below as the Planning Board had indicated. He said they will be back to the DRC on June 9 and then back to Planning on June 11.

Town Planner Report

Ms. Harbottle said that the consulting engineer selection process will be changing. She said that a new project will be sent out to 2 of the engineers already arranged into groups for cost estimates. The applicant will have the choice between the 2. She said that she hopes it will bring an end to the negativity about the process. Chairman Pritchard asked if this was a done deal. Ms. Harbottle said she had previously talked about it with the former chair, Mr. Limbacher and the Town Administrator who were in agreement to the process. The Board determined that the process seemed reasonable.

Ms. Harbottle said that the Board received a package for eliminating all of the streets in the Goulston property. She indicated she would review the material with DPW and Town Council and get copies for the Board. She indicated that the paper streets have been there since Goulston subdivided the property so these are proposed to be eliminated now.

Public Hearing – Common Driveway Special Permit – 35 Dreamwold Road Assessor's Map/Block/Lot 33-6-31, 16 & 16A Applicant/Owner: Susan A. Phippen Trust

Documents

- Common Driveway application, deed and agreement for 35 Dreamwold prepared for the Susan A. Phippen Trust
- Trustees Certificate and trustees acceptance of position documents
- Stormwater Report dated 3/12/15 by Morse Engineering for the Susan A. Phippen Trust
- Common Driveway Special Permit Plan in Scituate, MA Sheet 1-3 dated 3/12/15 by Morse Engineering for the Susan A. Phippen Trust

- ZBA Special Permit dated 3/16/15 w/ correction dated 4/16/15
- Transmittal to departments dated 3/31/15
- Email to Board dated 5/6/15 from Fire Chief Murphy
- Existing Conditions Plan dated 3/12/15
- Chessia Consulting Services Engineering Review dated 5/12/15
- Letter from Fire Department dated 5/14/15
- Letter from Water Department dated 5/12/15
- Email dated 5/14/15 with Chessia review, Water Dept. and Fire Dept. comments
- Chessia summary of issues dated 5/14/15

Mr. Limbacher recused himself from the hearing and left the room as money from the trust will be coming to a charity where he is a Board member.

Jeff Hassett, PE from Morse Engineering, Greg Morse and Maureen Hurley and Kim Stewart, Trustees of the Susan Phippen Trust were present. Mr. Hassett indicated that the Planning Board heard the ANR for the property a month ago. He said that a common driveway special permit is being sought for approximately 5 acres of the property, 4.7 which are upland. He said a Notice of Intent has also been filed with the Conservation Commission. He indicated the property consists of a single family dwelling with an existing drive which will remain. He said a proposed common driveway to service the existing house and two new houses is being proposed. He said that Lot 1 will have its own driveway off of Dreamwold Road. He indicated the common driveway is at the same location as the existing driveway and will go from 16 feet in width to 14 feet in width. He said the Fire Chief has approved the 14 foot wide width from the beginning of the first driveway back to the end of the common driveway.

Mr. Hassett indicated that the existing front yard is a lawn area with mature trees. He said the common driveway will meander to save many of the existing trees and provide a rural environment. He indicated that a hammerhead of 20 feet by 45 feet is provided for emergency vehicle turnaround which exceeds the bylaw requirements. He said there will be new water services to the three homes and there will not be a new hydrant as there is one in front of Lot 1 on Dreamwold Road. He said the common driveway is approximately 320 feet long which is less than the 1000 foot maximum.

Mr. Hassett reviewed the proposed drainage indicating that 3 rain gardens and a stormceptor particle separator would be provided. He said the common driveway meets the purpose of the bylaw to reduce the number of access points onto a road and preserve the rural character of the Town. He said Fire and DPW comments have been met and he will be submitting a revised plan set to address the peer review comments.

Ms. Harbottle said that she and the applicant have been working with the Conservation Commission to see if a vernal pool is present in the existing wetlands. She indicated that consultants have visited the site and have determined no vernal pool is present so the common driveway and drainage do not have to be setback to meet vernal pool standards. She said the Water Division is not requiring a looped water line and that the Deputy Fire Chief finds a 14 foot wide road acceptable. She indicated that there will be 3 entrances off of Dreamwold Road very close together. She said the common driveway, the driveway to the ANR lot and Coby's Run are very close, but the traffic should be slow on the curve on Dreamwold Road. She said it may be safer to have Lot 1 access off of the common driveway, but that would require relief from the Zoning Board. She said peer review was delayed to see if there was a vernal pool so the consulting engineering comments were just recently received and the applicant will need to respond to drainage concerns.

Engineering peer review consultant, John Chessia, provided the Board with a summary sheet of his comments which he reviewed with the Board. His summary included the following:

**Common Drive/Stormwater Permit
Summary of Issues:**

Common Drive:

- Easement is inconsistent between Common Drive and ANR plans. No lot or easement descriptive data is on the Common Drive Plan.
- The Board should review the maintenance agreement.
- The Board should determine if existing trees should be described by size and type.
- The design of the Common Drive has not been approved by the Fire Chief.
- I recommend that the plans clarify cable utility service to the existing house. There currently are overhead wires, which are not indicated on the plans. The two new lots propose underground service.

Stormwater Permit:

- As designed it is likely that erosion would occur at the end of the berm where runoff would concentrate.
- The DPW should comment on the proposed connection to the existing catch basin. It also appears that there is a change of direction between the pipe outlet from the wetland and the catch basin that should be located.
- There are some discrepancies in the subareas that should be corrected.
- It does not appear that a maximum buildout has been utilized for the design and no protection of existing woods to remain has been provided.
- I recommend that Tc calculations utilize more refined data available in HydroCAD.
- DEP does not accept rain gardens for rate control. No soil testing has been performed for any of the infiltration systems all of which are utilized for rate control. Greater groundwater separation or groundwater modeling would be required.
- Street sweeping is a discretionary credit and no data has been provided. I recommend that the Board not credit street sweeping without assurance of it being performed consistent with DEP requirements.
- The Stormceptor would only receive 30% TSS credit per DEP publications.
- More data on rain garden plantings, etc. is required.
- A Plan for Erosion control consistent with DEP requirements should be provided.
- Minor modifications to the Operation and Maintenance Plan are required to be consistent with DEP requirements.
- It is unclear the status of legal aspects of the project, such as Homeowners Association documents, easements, etc.

Chairman Pritchard asked Mr. Hassett if these comments were going to be addressed. Mr. Hassett indicated they would be in the revised plan set.

Mr. Taylor said he would like the utilities to the existing house underground. He asked how wide Dreamwold Road was as it only has a 40 foot wide right-of-way. He said that with 3 curb cuts close together on a hairpin narrow curve with a road in poor condition, he favors adding a fourth driveway for Lot 1 on the common driveway. Mr. Vogel said he has the same instincts as Mr. Taylor, but 4 houses on a common driveway is troubling too. Ms. Harbottle suggested signage may be able to be used on Dreamwold indicating multiple driveways close together. Mr. Hassett indicated that the applicant prefers to keep Lot 1 separate as far as engineering goes and believes it will have a safe access as it is on a dead end road on the good side of the curve and a variance would be needed to accomplish 4 driveways off a common drive and the applicant does not want to set precedent. Ms. Harbottle said this is a unique property because of sight distance. She said that the subdivision regulations require 250 feet from a subdivision road to another street on the same side of the road, but that doesn't technically apply here because the proposal is a common driveway. Mr. Vogel said there is not 250 feet and the problem is not solved by putting more traffic on the common driveway. Mr. Hassett said there is 110 feet centerline of the common drive to centerline of Coby's Run.

Ms. Burbine said Dreamwold is a narrow dead end with chance of reconstruction slim to none. She believes people drive slow there now and the driveways will have decent sight distance. She said 250 from road to road is unrealistic and she doesn't have a problem here. She said that the proposed new water line to the existing house cuts through the cluster of mature trees and wants to see the water line relocated and all the utilities underground. Chairman Pritchard said these concerns along with the items Mr. Chessia brought up all need to be addressed. Mr. Taylor suggested that easements for the rain gardens are important. Ms. Burbine agreed that the rain garden on Lot 3 should be in an easement so it is not filled in. Mr. Vogel asked about the rattail between Lots 1 and 2. Mr. Hassett said the separation is necessary so that two 50 foot frontage lots don't share a lot line as only one curb cut is allowed per 150 feet of frontage if lot lines are shared.

Dana Hartwell of 32 Dreamwold Road said that between Coby's Run and the common driveway there is a hydrant, catch basin and tree. He asked why the driveway for Lot 1 couldn't come off of Coby's Run. He said the tree is behind the hydrant and he doesn't want headlights coming into his property. Mr. Hassett said the hydrant is not being moved and it depended on how the driveway was located if the tree would need to come down. Mr. Vogel said it would appear the driveway would be closer to the catch basin and common drive. Mr. Hassett said it would be difficult to get an agreement for access off Coby's Run and he hasn't researched the matter as he is working for the Susan Phippen Trust. Steve Bjorklund indicated that all mortgage holders on Coby's Run would need to sign such an agreement and the Planning Board restricted the number of lots that could come off Coby's Run. It was the majority opinion of the Board that 2 driveways are a better option and the tree should remain. Ms. Harbottle suggested it could be part of the common driveway conditions; however, the lot is not part of the common driveway application. Mr. Hassett said that Lot 1 stands on its own with its own drainage and a driveway can be built. Mr. Morse said that Lot 1 is a fully compliant ANR lot and would not meet the conditions for a variance owing to shape, size and topography of the lot. Mr. Taylor asked if Lot 1 could tie into the common driveway in the future if there was a problem. Ms. Harbottle said the Board would usually not put that as a condition. Mr. Bjorklund suggested that a possible choice would be to change the bylaw at Town Meeting.

Chairman Pritchard said that a continuance was needed. Mr. Taylor moved to accept the applicant's request to continue the public hearing for the Common Driveway Special Permit for 35 Dreamwold Road until June 11, 2015 at 7:50 pm. Mr. Greene seconded the motion. Motion was unanimously approved.

Continued Public Hearing – Site Plan Administrative Review – 46 Watch Hill Drive – Inly School

Assessor's Map/Block/Lot 52-2-3A

Applicant/Owner: Inly School

Documents

- As-Built for field dated 5/1/15 by McKenzie Engineering
- Operation and Maintenance plan for the field dated 4/30/15
- Review of Field dated 5/4/15 by Merrill Engineering
- Email to Board from Laura Harbottle dated 5/1/15 with Inly School Accessibility presentation and email from Peterman Architects to the Commission on Disabilities
- Construction Schematic dated 5/7/15 (INLY NEXT Schematic Design)
- Revised drawings by Peterman Architects dated 5/8/15
- Revised Stormwater Report dated May 2015
- Response by Oak Consulting Group dated May 7, 2015
- Draft motion
- Draft review by Merrill Engineers dated 5/5/15
- Email from Tom Peterman dated 5/8/15 with plant types for roadway planting
- Revised landscaping C-002 received May 12, 2015
- Merrill Engineers report dated 5/12/15
- Email to Board from Laura Harbottle dated 5/13/15 with letter from Watch Hill Residents dated 5/12/15, SPAR decision for Art Barn dated 5/31/2001 and 7/17/1998 decision for Montessori School
- Email to Board, Police Dept. and Fire Dept. dated 5/13/15 with previous conditions of approval, site parking logistics plan and response from Inly School on enforcement of previous conditions
- Email to Board dated 5/14/15 forwarding Scituate Police Department comments
- Comment from the Commission on Disabilities (handed out at meeting)
- Comment from Mr. D'Ambrosia
- Email from Mark Thompson dated 5/14/15 with Deputy Fire Chief Elliott comments

Paul Worthington-Berry, Sean Malone, Rob DeMarco, Steve Ceglarski and Scott Henderson were present representing Inly School. Mr. Worthington-Berry reviewed the present site where the modular classrooms are in the middle of the campus. He indicated the modular classrooms will be replaced with the proposed addition which will be larger, but is not designed to accommodate more students. He said the 6 classroom spaces would be larger and the addition would also have meeting rooms, a library, a creative space and robotics lab. He said the visitor entrance and student entrances are both handicap accessible and the new addition will not be accessible from the outside, but will have ramps and an elevator inside. He said that the Art Barn has several plastic cows outside and the new addition will relate to the "barn" concept by being a round, shaker style barn building.

Mr. Worthington-Berry said that the biggest changes since the last meeting have been with the site plan. He summarized the changes as follows:

- There are now 2 handicap accessible spaces behind the Art Barn – the other parking spaces have been eliminated;
- 4 parking spaces in the existing parking lot are to be restriped;
- The detention basin will be enlarged and a dry well provided off the Art Barn;

- A screen of plants will be provided along Watch Hill Drive – 41 6 -8 foot Green Giant Arborvitae with screening by condenser pads and transformer in front of the porch;
- A berm has been added to keep water from the Simon's property;
- Contractor parking will be on Sunflower Hill and the construction fence, trailer, temporary classroom trailers and emergency egress are shown on the INLYNEXT Schematic Plan dated 5/7/15;
- The addition will be staked in the field by the contractor to verify proximity to the setback;
- Parking for special events will be on Sunflower Hill and on the lawn in front of the Middle School. No parking signs will be added to Watch Hill Drive;
- The new athletic field is now stabilized with jute mesh and seeded. The erosion issues have been addressed. People are on call at the school in event that rain causes erosion to occur.

Mr. Worthington-Berry said that they met with the Commission on Disabilities who reviewed the handicap/emergency vehicle parking on the west side of the Art Barn and the access into the school. He said they did not vote and asked the applicant to meet with the State Architectural Access Board to clarify that having the porch which is non program space be not accessible.

Ms. Harbottle summarized the issues into a few categories:

- **Accessibility:** signage on the doors may help people to find the accessible doors. A meeting with the Architectural Access Board was suggested by the Commission on Disabilities to determine if a waiver on the porch was required. This could be a condition.
- **Parking:** Inly seems to view that everything is working, but the neighbors say it is not. Previous approvals have been changed and the Planning Board has not been kept in the loop. Police and Fire were asked for their comments on circulation, safety and emergency access. On first pass, the Police were comfortable, but Fire wants the applicant to go to the Traffic Rules Committee.
- **Landscaping:** 46 trees from a previous approval were planted. It is unclear if any need to be removed for parking. If any are removed they should be replaced. A landscape screen will be placed along Watch Hill Drive to screen the Art Barn and new classroom addition.
- **Old Conditions:** It has been difficult to receive consistent data. The Planning Board nor the Board of Health are receiving the number of students to verify parking and sewer flows. Signage on the street to direct parking would be an improvement. The Traffic Rules Committee should review the plan. The school should be more proactive in helping parents know where to park during events.
- **Stormwater for the Field:** The slope for the field has been stabilized and engineering review found the field constructed per the plans and the Operation and Maintenance Plan is acceptable.

Josh Bows of Merrill Engineering, the Board's consulting engineer, said he reviewed 4 sets of plans. He indicated the latest set addressed most of the comments and the rest can be included in conditions. He said the field construction matched the design documents and he suggested a few changes for the Operation and Maintenance Plan which were done.

Mr. Worthington-Berry indicated he had talked to Mrs. Luther, the Director of the school, about the concern of previous conditions not being met. He said that since the conditions were imposed, the

school has purchased additional land and also has an agreement with Every Bloomin Thing for overflow parking where a van transports people back to the school. He said that some overflow parking at the school is on Sunflower Hill and on the grass in front of the Middle School. He estimated the hill could park about 20 -25 cars and in front of the Middle School 40 – 45 cars. He indicated Police details are used for special events. He said that the school is providing the Board of Health with the student population. Mr. Taylor thought that no parking signs located by the existing mailboxes would be helpful and was concerned about access to Sunflower Hill as it is steep and narrow and really doesn't accommodate two way traffic or many cars. He said parking during special events is his main concern. Mr. DeMarco said he is not sure if Every Bloomin Thing has been used yet, but there is an agreement with them in hand. Mr. Worthington-Berry said the parent handbook with its parking plan is reviewed at the back to school night and sent in communications.

Mr. Limbacher was glad to hear that the field drainage is now working. He expressed concern about the parking plan as the overflow spots must be meaningful and the exact number of spaces is not really known. Mr. Worthington-Berry said 200 parking spaces would be required to be fully compliant. Mr. Limbacher asked about how many spaces were required for the increase in floor space due to the addition. Mr. DeMarco said 53; however the neighbors didn't want the 11 spaces or any more parking so they have been removed. He said the right thing to do is to get cars off the street; but they are listening to the neighbors and not building more parking. He said the buffer at Watch Hill Drive has been increased, handicap and emergency parking will be addressed with 2 spaces by the Art Barn and with signage and police details special event parking will be controlled. He said they will do a better job of enforcing parking on the hill and it will only be on one side. He said the no parking signs will be respected and when the parking is full the parking plan will be enacted to transport people from down the street. Mr. Malone clarified that the net increase in parking is 3 with 2 handicap spaces and one gained by restriping in the existing lot. Chairman Limbacher said he has no issues with the building depending on the outcome with the Architectural Access Board.

Mr. Vogel said that the parking needs to be managed. He said that parking on Sunflower Hill seems desirable as it prevents traffic from going too far up Watch Hill Drive. He said he would like to see the parking layout for the overflow parking and is glad the applicant will be meeting with the Architectural Access Board. Mr. Greene asked if parking was just a problem at special events. Mr. Worthington-Berry said yes. Chris Campbell of 100 Watch Hill Drive said that everyday there are cars parked on both sides beyond the mailbox and suspects they are employees. He said that when the Art Barn was built, traffic was supposed to be kept to the lower part of the hill. He suggested the school may not be able to enforce what is being said tonight. Mr. DeMarco said that the headmaster was under the impression that the residents did not want No Parking signs. He said the school will enforce the parking if they are allowed to put up the No Parking signs at the mailbox. He said they want to balance what the neighbors want and what the school needs.

Ms. Burbine said there is a parking issue and suggests that the headmaster be more assertive in enforcement as just noting the handbook is insufficient. She suggested that signs and language in the handbook about violators being towed at their own expense should be added. She suggested the children could be enriched with the value of cooperation if they observed their parents obeying parking restrictions. Ms. Burbine was very concerned that the temporary trailers which were supposed to be there for only 3 years are still there. She said when the school enforces the conditions it agrees to it develops a trust. She is not sure if there is a trust between the school and the neighbors and is also worried that a tow truck will be needed to pull out special event attendees who can't get out of the overflow parking due to snow and mud. Mr. Worthington-Berry said the

trailers will go away when the addition is complete and the school does intend to enforce the parking. Mr. DeMarco agreed that the school needs to enforce parking better and thinks signage will help. He said the Board will help the director enforce parking and towing will be done. He said the school wants the temporary buildings gone as well; but he asks for the support of the Board tonight for the project as demolition needs to commence as soon as school is released in June so that heavy construction will be done before the kids return in September.

Jessi Napoli of 77 Watch Hill Drive said he is representing 7 households. He provided photos. He said the conditions for the Art Barn are broken almost every day as the mailbox was moved further up Watch Hill Drive and parking goes to the cul-de-sac every day at drop off and pick up making it difficult for residents to get in/out. He said he is concerned about emergency vehicle access. He said the Art Barn is supposed to be screened and doesn't want screening by the field removed. He indicated not all of the programs are related to education. He said they have choral events too. He asked if Sunflower Hill was zoned for parking as it is a residential zone. Mr. Worthington-Berry said the Art Barn trees were planted and new screening is proposed by the Art Barn. Mr. Vogel said the site is an educational use. Mr. DeMarco indicated the house on Sunflower Hill is not used for classrooms, but is under the umbrella of an educational use. He said they will put signage up for parking and police it. He said that they have cut the parking out that they want and would like to keep cars on their property and use it as efficiently as possible with police details, but the neighbors don't want parking or to work together. Mr. Napoli said the police don't enforce the parking limitations. They just keep people safe and don't direct the people where to park. He said the offsite parking condition has not been adhered to. He said there is limited parking on Sunflower Hill and not room for 2 way traffic. He said they are trying to maintain the peaceful nature of their neighborhood.

Christine D'Ambrosia of 96 Watch Hill Drive asked if the 2 parking spaces by the Art Barn are really necessary as it brings traffic further up the hill. She asked if all the traffic could access from the lower parking lot. She said traffic coming around the corner and up the hill into the cul-de-sac is a concern. Brendan Cavanaugh of 92 Watch Hill Drive said handicap people access the Art Barn today. He said the new addition creates a problem. Mr. Worthington-Berry said that the ramp which is attached to the modular building would need to be redone and the code requirements don't allow enough space for the ramp to fit. He said that the accessible path must be dignified and the best place for that is at the existing entry which is accessible and with the 2 handicap spaces to the rear of the barn. Mr. DeMarco reemphasized that they know they should be providing more parking, but are trying to address neighborhood concerns. Mr. Cavanaugh was concerned that there are 6 curb cuts on Watch Hill Drive and 1 on Route 123 and one more curb cut for 2 handicap spaces seems excessive. He asked for them to be more creative for an access and parking solution to the porch and Art Barn.

Terry Lee of 97 Watch Hill Drive said enforcement is the issue. He said temporary buildings seem to stay put and he has never heard anyone say they didn't want signs. He thinks there is a credibility issue. He said towing would be effective. He said there is total disrespect for people's property and enforcement has been ineffective for 15 years. He said he wants the parking plan quantified as it is ludicrous to have a plan and not know how many cars can be accommodated. He said prevention is the key. Ms. Harbottle said that Watch Hill Drive is a private way and police don't have jurisdiction to issue parking tickets for towing. She said the police don't enforce no parking on private ways. She suggested that 75% of the property owners could get together and petition the Town to make it a public way and DPW could advise them of the process. Mr. Worthington-Berry said people park in front of the Middle School now and it is difficult to quantify the number as there are no striped

spaces. Mr. Campbell asked if they could park in any of the contracted space during the day. A negative answer was given as it is a business.

Mr. Taylor suggested that a right turn only sign could be placed before the parking lot to force all activity except for handicap parking to go through the parking lot and not up the hill. Mr. Ceglarski suggested putting a resident access only sign and a line in the road as that would be easier to enforce. He said he likes the idea on the drop off if there could be multiple lanes. Mrs. D'Ambrosia said the request is to keep traffic down the hill so it is avoided every day. Mr. Worthington-Berry said they will talk to the Architectural Access Board, but the Art Barn can't be driven to unless the 2 handicap spaces are off to the west due to the transformer, stormwater basin and grade changes. Mr. DeMarco said he is glad the neighborhood is receptive to signage so that the school can police the parking issue.

Chairman Pritchard asked how the Board wanted to address issues. Mr. Worthington –Berry said the draft decision had going to the Architectural Access Board as a condition. Ms. Harbottle said that was before the neighborhood issues came to the forefront. Mr. Taylor said he wants to know the number of cars that can park on Sunflower Hill and on the lawn at the middle school and how the offsite overflow will be activated. Chairman Pritchard said there needs to be normal operation plans and event operation plans. He said traffic should be one way in/out on Sunflower Hill. Mr. DeMarco asked if the Board would approve the project tonight and let the school work on issues as the draft decision suggests. He said they have a parking plan and started trying to work with the neighbors in February but they sent an email to the Board. He said they need to bid the demolition so that it can start in mid-June when school gets out. Chairman Pritchard and Mr. Limbacher both indicated the parking issue needs to be resolved. Mr. Campbell suggested if the issue was that important to Inly the number of overflow spaces would be on the plan. Ms. Harbottle said the next meeting is May 28, but Traffic Rules meets the first Tuesday of the month. Mr. Worthington Berry asked if the Building Inspector could make sure the conditions are met. Ms. Harbottle said she wouldn't rely on that as a draft decision from the Board puts milestones in for when things need to be done by. She said she could have draft conditions ready for May 28.

Mr. Limbacher said he sees 3 problems:

- Building (non-issue except for Architectural Access Board)
- Day to Day parking and drop off – traffic flow
- Event Parking

Mr. DeMarco said signage would be able to help with the daily traffic flow and event flow too. He stressed that demolition must begin in mid-June. Mr. Ceglarski said they will commit to having their civil engineer and architect meet with the neighborhood and come up with a realistic plan for drop off and parking. Ms. Burbine suggested there is a disconnect between Inly School and its parents. Ms. Harbottle said that Traffic Rules should be involved as Police and Fire are members and they know about private roads. She suggested linking the parking solution to an occupancy permit. Mr. Vogel said he would be fearful that the project would be built without a mutually agreeable solution to the traffic flow and parking issues. Ms. Harbottle suggested a month continuance to allow discussion to occur. Chairman Pritchard suggested after the meeting occurs, there could be a condition that a parking plan must be done prior to a building permit being obtained, but demolition could proceed. Mr. Vogel said the Building Department has 30 days to review a building permit, but demolition permits can be issued in advance so that would buy some time.

Mr. Worthington-Berry asked if Traffic Rules has jurisdiction over a private road. Ms. Harbottle said they have jurisdiction over all roads. Mr. DeMarco said Traffic Rules was never mentioned at the last meeting and it comes up now. He said they would have scrambled to meet with them as they did the Commission on Disabilities if they had known. He indicated he looks forward to meeting with the neighborhood and coming to an agreement on a plan. Chairman Pritchard suggested that a condition be included for the applicant to meet with Traffic Rules. He said the Board is trying to sort out all of the information they have been given including that previous conditions were not being met. He said he would like to meet in 2 weeks and go through parking, building and access conditions. Mr. Limbacher said they should have an expectation for the next meeting. He said they should meet with the neighbors and come to an understanding for daily traffic flow and event parking. They should have the number of event spaces counted and a plan for how they will be utilized. They could meet with Traffic Rules after that. Chairman Pritchard said that they may need to station parking monitors at the beginning of the year to enforce the traffic pattern. Mr. Taylor said Inly is a good addition to Scituate, but working within your neighborhood is too.

Ms. Harbottle confirmed that the neighborhood and Inly will meet and invite her to the meeting. Daily traffic flow and event parking will be agreed upon. The Inly team will also meet with the Architectural Access Board and add all the existing trees to the plan.

Mr. Taylor moved to accept the applicant's request to continue the public hearing for the Site Plan Administrative Review for the Inly School Classroom Addition at 46 Watch Hill Drive until May 28, 2015 at 7:30 pm. Mr. Vogel seconded the motion. Motion was unanimously approved.

Old Business and New Business

Documents

- Email to Board members dated 4/27/15 from Laura Harbottle with staff updates on several projects including Inly School, 61 Border Street, 50 Country Way along with 4/28/15 DRT update and private well regulations
- Letter dated 4/27/15 from Priscilla Grable on 92 Marion Road
- 2 emails dated 4/29/15 from Laura Harbottle forwarding pictures of 214 Clapp Road drainage basins
- Email from Laura Harbottle to the Board dated 5/1/15 with letter from Ohrenberger, DeLisi & Harris LLP to Joe Iantosca of Fern Properties
- Email to Board dated 5/8/15 on 61 Border Street
- Email to Board dated 5/8/15 from Laura Harbottle on Library SPAR conditions
- Email to Board dated 5/12/15 from Laura Harbottle on 61 Border Street

These items were distributed to the Board electronically.

Mr. Vogel moved to adjourn the meeting at 11:05 p.m. Ms. Burbine seconded the motion. Motion was unanimously approved.

Respectfully submitted,

Karen Joseph
Planning Board Secretary

Richard Taylor, Clerk
5-28-15
Date Approved