

SCITUATE PLANNING BOARD MINUTES May 27, 2021

Members Present: Ann Burbine, Chairman; Benjamin Bornstein, Vice Chairman; Patricia Lambert, Clerk; Stephen Pritchard, Rebecca Lewis and Bob MacLean, Alternate.

Others Present: Karen Joseph, Town Planner; Shari Young, Planning Administrative Assistant.

Members absent:

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

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

Chairman Burbine called the meeting to order at 6:33 P.M. The meeting was conducted in compliance with the Governor's executive order modifying the Open Meeting Law regulations for remote participation during the COVID-19 health pandemic. The meeting was being recorded for airing on local cable television.

Documents

- 5/27/21 Planning Board Agenda

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

Roll Call to call the meeting to order:

A roll call vote was taken to open the meeting.

Ms. Burbine - yes
Mr. Pritchard – yes
Ms. Lambert – yes
Mr. Bornstein - yes
Ms. Lewis – yes
Mr. MacLean - yes

Continued - Public Hearing – Scenic Road – 533 Country Way

Assessor's Map/Block/Lot 26-2-5

Applicant/Owner: Marvel Homes (formerly John O'Keefe, P&J South Street, LLC)

Documents

- Doc DRAFT Motion - Continuance
- Doc DRAFT Motion WD
- PDF 4169 Scenic Road 5-14-21

Attendees: Paul Sheerin, Marvel Homes; Paul Mirabito, Ross Engineering

Mr. Mirabito reviewed a revised plan for the Board.

- Original plan dated March 9th with revision on May 14th
- Original application showed one tree, middle of the lot to be removed and a portion of the existing concrete wall to be removed

- Revised plan shows
 - Additional trees within the layout to be removed
 - Portion of wall to be removed for turning radiuses for a common driveway
 - Common Driveway is shown on the plan
 - Adequate sight distances are provided
 - Removal of wall and trees provide adequate access to the property, 2 house lots
 - Location of common driveway shown, ends in turnout for emergency vehicles
 - Shows 2 homes that would be serviced by the common driveway

Ms. Joseph opined the Board needs to decide if they want to continue this public hearing or ask the applicant to withdraw; it was only advertised that one tree would be removed, the 16" Maple. She opined the application should be re-advertised so the public is aware and feedback from the Tree Warden can be obtained.

Mr. Mirabito said the only revision made is the additional trees; it could be re-advertised but the meetings have already been advertised and continued and anyone listening, especially the abutters would know. He said it is not unusual for any plan submitted to have changes made to it and this the case in this situation.

Ms. Joseph disagreed with Mr. Mirabito; this is a Scenic Road hearing and the trees above 3" in caliper have not been advertised or posted and the Tree Warden has not been given the opportunity to comment.

Mr. Mirabito suggested that the project be re-advertised and he will reach out to the Tree Warden and ask that the trees be marked accordingly; he said the trees to come out are very obvious out in the field.

The Board wants the Tree Wardens comments not that the trees just be marked.

Ms. Burbine said she is not aware that the applicant has received approval to remove the cement wall for the access. She said this is a bit of a conundrum with what the applicant is trying to do; it was suggested at a meeting with Mr. Sheerin that he consider a two-lot subdivision and the wall would never be touched. The applicant does not have the Form A's; they do not have access to a common driveway.

Mr. Mirabito said he has looked at doing a two-lot subdivision and the homes would not be able to be built due to dimensional requirements for setbacks, etc.

The issue before the Board tonight is the scenic road.

Mr. Pritchard summarized what is to happen; the scenic road will be re-advertised with all the trees noted on the revised plan, the tree warden will be asked to review and give his assessment prior to the next meeting. Ms. Joseph requested a new application so that all information is provided and correct.

Motion:

Ms. Burbine moved to accept the applicant's request to withdraw the application for a public hearing for the Scenic Road and Public Shade Tree hearing for property located at 533 Country Way (Parcel

26-2-5). The Board agrees to waive the re-filing fee except for the portion for advertising as re-advertising will likely be necessary.

Ms. Lambert seconded the motion; a roll call vote was taken and was unanimously in favor.

Ms. Burbine - yes

Mr. Pritchard – yes

Ms. Lambert – yes

Mr. Bornstein – yes

Ms. Lewis – yes

Public Hearing – Site Plan Administrative Review and Stormwater – 43 Watch Hill Dr. – Inly Assessor’s Map/Block/Lot 52-2-5B-1

Applicant: Inly School, Donna Milani Luther

Owner: Bruce and Daydee Jobse

Documents

- PDF 16-04-27_application – major site plan administrative review – completed – signed
- PDF 21002 Planning Board Cover Letter
- PDF 21002 Statement of Adequacy of Drainage System
- PDF 21002 Stormwater Report Narrative – Compiled
- PDF 210303 – Presentation
- PDF Locus Deed
- PDF Stormwater Permit Application – Completed – signed
- PDF Toddler House Existing & Proposed Plans Elevations
- Doc Transmittal Letter
- PDF 210506 – 1st Peer Review Inly School
- PDF 210518 – 2nd Peer Review Inly School
- Email dated 4.26.21 with comments from Fire Department
- Email dated 5.11.21 with comments from Fire Department
- PDF 21002 Peer Review 1st Response
- PDF 21002 Site Plans 5-13-21
- PDF 21002 Stormwater Report
- PDF 21002 Turning Figure
- PDF 678969 Toddler House at Inly School - Sizing Sheets
- PDF 678969 Unit 1 – CDS1515-3 TSS Calcs
- PDF 678969 Units 2 – CDS1515-3 TSS Calcs
- PDF CDS Final TARP Field Verification Report 1-2010
- PDF CDS1515-3-C-DTL
- Email dated 5.26.21 from abutter Eromin
- DRAFT motion

Attendees: Donna Milani Luther, Inly School; Sean Malone, Oak Consulting Group, Civil Engineer; Tom Peterman, Architect; Janet Bernardo, Horsley Witten Town’s Consulting Engineer

Mr. Bornstein recused himself from the hearing and left the meeting.

Ms. Luther presented to the Board.

- Pre-school thru Grade 8 school, sits on under 10 acres
- Plan is to create a separate building for Toddlers age 18 months – 3 years
- Committed to working with the neighbors and abutters and being a good neighbor

Mr. Peterman shared his screen and discussed the plans for the facility.

- Structure being proposed is an existing single-family, 4-bedroom home directly across the street from the toddler center that is on the campus currently
- Renovations include
 - 3 classrooms for toddlers
 - Create bathrooms for each classroom
 - Basement of building unfinished
 - Second floor will be used for staff offices and storage, no public use
 - Adding a new front porch and stairs and walkway to make handicapped accessible
 - Elevations will look similar to what is existing today
 - Garage door will be removed and windows will be added
 - Adding windows and door to the side elevation where garage used to be
- Site Plan
 - Building set back from the street, has a very large front yard
 - Proposing driveway that loops around front of house for drop-off/pickup
 - Keep traffic off the street
 - Drop-off lane at sidewalk front of the house
 - Passing lane
 - All widths and fire truck turning radii have been tested and fire department has been satisfied
 - Providing 19 parking spaces
 - Only 8 staff members
 - Additional parking provided for parents of toddlers
 - Current bylaw suggest 30 spaces would be needed
 - Basement and second floor not being occupied for this use
 - Looking for Board to support the reduction in parking to 19 spaces
 - Handicapped space provided and sidewalk that goes up to the ramp
 - Sidewalk extends to the street
 - Conditioned that a crosswalk be installed
 - Need to figure out how it connects to existing pathways on the Inly campus on the other side of the street
 - No other site improvements proposed except for a small playground
 - Proposing to relocate the toddler playground equipment from other side of the campus – low in scale
 - Use of playground 12 students a time with no less than 2 adults for supervision
 - Abutter concerned that the playground is close to his neighboring house
 - Committed to the neighbor will look for an alternative location
 - Hope the Board will approve tonight as shown on the plan
 - Extending landscape screening across property line with abutter
 - Extending trees out to Watch Hill Drive
 - Islands will have trees and landscaping
 - Maintaining dense row of trees for screening for the parking lot

Mr. Malone presented additional information regarding the drainage and grading for the site.

- 19 parking spaces with 20' drive aisles around the site
- Approximately 10,000 sq. ft. of impervious area to be added to the site
- Stormwater management system designed to treat and manage the discharge from the site with regards to rate and volume
 - Once constructed there will be no increase in rate or volume from the site
- Drainage plan
 - Entire site slopes
 - Graded the site to match existing grades as much as practical
 - Slope is approximately 6%-7% across the site
 - Stormwater captured in several locations
 - Landscaped island – has a small stone swale bed, LID country drainage will collect water and direct it to a treatment unit in front of the building with a discharge on the west of the building; approximately 20% of the stormwater
 - Remainder of water directed more easterly and captured with additional swales with basin and a catch basin at the low point of the site
 - All directed to subsurface detention structures, treatment and then to an infiltration system
 - Test pits done
 - Infiltration system designed to have 3' separation from seasonal high ground water per requirement of Scituate bylaws
 - Plan has been peer reviewed and minor changes have been made to the plan
 - Letter from Horsley Witten that the plan does meet state and town requirements for stormwater
 - There will be no adverse impacts from the site development

Ms. Bernardo, Town's Consultant, provided comments to the Board.

- Reviewed the plan in terms of zoning and stormwater management
- Provided two letters, May 6th and follow up letter dated May 18th
- Opined the applicant has met the requirements for both zoning and stormwater
 - Questions the parking spaces at 19 versus the required 30
 - Decision by the Board if adequate or not
 - Applicant has consulted with the Fire Department and increased the driveway width to accommodate the trucks
- Stormwater management is intense because the soils are not particularly good
 - Number of different practices
 - Detention system, infiltration system
 - Overflow that is the clean out from the infiltration system; an inspection port
 - Important the property owner knows where the clean out is, is aware of it and inspects it regularly
 - If the system failed it would be very visible at low point of the driveway where the catch basin is located – there would be ponding

Ms. Bernardo opined the applicant has met all the criteria that was requested and are meeting the regulations as required.

Ms. Bernardo added that if the lot was shaped more like a rectangle and the two property lines went down to the wetlands it would have been asked that the applicant make sure the discharge to the property boundary and wetlands were both evaluated. The system was designed with the final design point further down, there is less discharge to the abutting property; what is discharging under existing conditions and what is discharging under proposed conditions is actually reduced and is an increase to the back wetlands. However, by the time it gets to further wetlands down gradient the applicant has reduced what is happening under existing conditions.

Mr. Pritchard commented the bottom line at the property boundaries is that there are no increases in velocity or flow. Ms. Bernardo said correct at the property boundaries and the boundary to the abutter is a decrease.

There was discussion if the catch basin in the driveway does flood where will the spill over be located. Ms. Bernardo said it would start in the driveway, there is a large low point there, there would be 6" of water before it hops the curb. If it hops the curb it would flow to the abutter to the south.

Mr. Malone indicated that as part of the submission a comprehensive operation and maintenance plan for the stormwater system was included and there will be ongoing regular inspections.

Ms. Burbine read the comments from the Fire Department for the record.

"In keeping with their plan to install a fire alarm system and NFPA 13 sprinkler system, they will need at least a six inch water main for a hydrant which will need to be within 100 feet of the building. Consideration should be given to fire apparatus access. A Fire Dept. Access Road needs to be twenty feet wide with curb radii sufficient to accommodate Scituate Ladder 1. The drop off area if included in the driveway width would need to be a live parking area only. The Fire Dept. would like to review the fire alarm shop drawings and sprinkler plans including hydraulic calculations and flow testing data at the appropriate time."

AND,

A filtering device to screen out sediment on all NFPA 13 systems will be required.

The applicant said they are aware of the comments; they only had issue with the hydrant as there is a hydrant directly in front of the building at the end of the driveway on Watch Hill Drive and opined it might be a little over 100' or even less. Mr. Peterman said the 100' requirement is only for standpipe systems and the code for this type of system is 400' and they are well within that range. He said everything else they have given to the Fire Department and have committed to.

Ms. Joseph said it has been indicated the project has been peer reviewed and there is no increase in rate, volume or quality of runoff leaving the site; the site is in the Water Resource Protection District and in a Zone 2 to a public well, a large part of the original house falls within the 50' buffer, but the applicant has tried to keep a lot of the parking, etc. out of the buffer area. She said the Board is a little limited on what can be regulated under the Dover Amendment. With regards to parking there was a meeting with the applicant prior to filing the application and it was agreed that 19 spaces is a

reasonable number based on the square footage being used, in comparison with other pre-school/daycare in Scituate, the parking would be available to the rest of the school during special events. She opined it is a good thing for the school. She indicated all the conditions from the previous site plan reviews are still in effect; some previous required signage is not on the site presently, it is hoped this is done as part of this project. She opined the applicant has done a good job in re-using the house, she recommends a crosswalk and additional screening to help buffer the neighbor.

Mr. Pritchard asked if the house is old enough to be an issue for lead paint or asbestos. Mr. Peterman said no, the house was built in the early 1990's, an environmental report needs to be done prior to any demolition per the health department and it is being done.

Mr. MacLean said the plan looks good, but understands the hesitancy of the abutter with the playground and what the process would be potentially to move it to the other side of the house, i.e. Conservation Commission waiver for the playground to be built within the 100' buffer to wetlands, can this happen with moving the playground away from the abutters property line.

Ms. Joseph said putting it on the other side of the house puts it in the 50' buffer which the Town of Scituate has a 50' no disturb; not sure the Conservation Commission would be happy with that. She said there maybe other places to put the playground, but this is in a Zone 2 to a well so the 50' buffer should not be disturbed.

Mr. Peterman said they discussed this with the neighbors today and there are very limited opportunities to re-located it; the school does own the neighboring property on the other side, Sunflower Hill, there has been some discussion about moving it there but the topography changes and rises very steeply and heavily treed putting a playground there would require a lot of site work, a lot of grading. He said they have committed to looking to see if there is any reasonable alternative; it is not a typical elementary school playground it is for three-year-olds.

Ms. Burbine asked about snow and trash removal. Mr. Peterman indicated the snow will be moved in locations away from the abutters property line and probably pushed to the Watch Hill lot line and to the other side of the property as far away from the neighbor's property line as possible. He indicated in terms of trash removal the school will likely use a golf cart or something to pickup the trash; it is not anticipated there will be a lot of trash being generated.

There was discussion about lighting; the plan shows lighting at the porch ceiling to wash the porch and immediate sidewalk in front of the building, there are also a number of bollards and low scale lighting to wash the sidewalk and crosswalk at the parking lot. The applicant is trying to cut the impact of the lighting so it is residential and low scale, they are trying to avoid pole mounted fixtures.

Mr. Pritchard asked about the landscaping plan; Ms. Joseph reviewed the plan and found it acceptable, but she is conditioning some additional screening for the abutter.

Public Comment:

Mr. Jim Eromin of 27 Watch Hill Drive indicated most of his issues have been addressed after meeting with the applicant today, i.e. snow removal, the trees and the traffic. He said the two big items were the runoff on his property and the playground; the applicant has agreed to look at re-

siting the playground because that is a real problem for them; the water as discussed earlier all the water is running towards his property and all the plans have infiltration, etc., but he has no standing water issues on the property, no water issues in the basement, no septic problems, no leaching problems and he does not expect any of that to change and if it does Tom and Inly agreed to work with them if issues should arise and get it resolved as quickly as possible.

Ms. Lambert asked how long school is in session. Ms. Luther said they are in session 12 months out of the year just for the preschool, but a much-reduced number of children than in the full school year.

Motion:

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

1. The property at 43 Watch Hill Dr. is occupied by a single-family dwelling and is located in the Residence R-1 zoning district and Water Resource Protection District, Zone 2 to a public well. The Table of Use Regulations indicates the use is allowed by right in this zoning district. According to G. L. c 40A § 3, "No zoning ordinance or by-law shall prohibit, regulate or restrict the use of land or structures... for educational purposes... on land owned by... a non-profit educational corporation; provided... that such land or structures may be subject to reasonable regulations for the bulk and height of structures and determining yard sizes, lot area, setbacks, open space, parking and building coverage requirements."
2. The applicant submitted the site plan entitled Toddler House Planning Board Permit Set for Inly School in Scituate, MA, dated 4/15/2021 with revisions through May 13, 2021 by Sean P. Malone, P.E. of Oak Consulting Group for Peterman Architects, Inc. and was accompanied by seven site plans consisting of Existing Conditions and Site Preparation, Site Layout, Grading Drainage and Erosion Control Plan, Erosion control Notes, Site Details, Site Details Plan and a Landscape Plan. Elevations and floor plans by Peterman Architects dated 4/19/2021 were also submitted. A separate Existing Conditions Plan by Merrill Engineers and Land Surveyors for 43 Watch Hill Drive dated March 25, 2021 was also submitted.
3. The Planning Board approved a Site Plan Administrative Review for the INLY School Art Barn on May 31, 2001 with conditions relating to parking and traffic. All of these conditions remain in effect. The Planning Board approved a Site Plan Administrative Review for a classroom addition on June 15, 2015. All of those conditions remain in effect.
4. According to the architectural plan submitted, there will be no change to the footprint of the building. Exterior changes to the building will be new windows and doors, a new front porch and handicap accessible walks as necessary. Building trim, siding and roofing will be repaired as needed. There is no change to the existing height of the structure.
5. According to the site plan submitted, a 20' wide site driveway/drop off will be provided with one-way circulation. A concrete sidewalk with handicap ramps will connect the Toddler House to Watch Hill Drive and the remainder of the Inly School.
6. The building is being retrofitted to accommodate up to 44 toddlers and staff combined (36 students and 8 staff) to comply with Title V limitations of the existing on-site septic system.
7. The Scituate Zoning Bylaw Section 760.6, Table of Minimum Parking Requirements, requires one parking space for every 200 sq. ft. of building area for educational exempt uses. The plan shows 19 designated parking spaces for the Toddler House. The gross square footage of the building with an unfinished basement is approximately 5,900 sq. ft. Under the zoning bylaw this would require 30 parking spaces. The site plan shows 19 parking spaces

based upon other day care facilities parking provided and there is additional parking on the Inly School Campus and it is in the interest of the Water Resource Protection District to minimize impervious surface.

Comment: language should be added...the applicant has represented that neither the basement nor the second floor will be occupied space and therefore the occupied area is approximately 2,300??? square feet

8. The area of new grading/clearing is approximately 25,000 sq. ft. The existing impervious area is 6,036 sq. ft and the proposed is approximately 17,128 sq. ft. for an increase in impervious area of approximately 170%. The proposed stormwater management system includes stone swales, catch basins and subsurface detention and infiltrations systems. The applicant's engineer has certified that the drainage system can be expected to result in post development runoff characteristics (including peak flow, total volume of runoff and water quality of runoff) for the project being less than or equal to pre-development characteristics. The site plan **generally** meets the requirements of the Water Resource Protection District as the drainage system is balanced for rate and volume of runoff with a small portion of the sidewalk, driveway and parking being treated by a stormwater treatment unit prior to discharge.
9. The Planning Board finds, to a degree consistent with reasonable use of the site for the purposes permitted by the regulations for the district the land is located in that:
 - a. The adjoining premises are protected against detrimental and offensive methods of utilizing the site with the exception of the abutter to the south, the project area is surrounded by other Inly School property and an evergreen screen is proposed between the project site and the abutting residential property.

Comment: revise language – with the additional screening it meets the requirement, currently language is a little vague

- b. Watch Hill Drive is a private road with no site-distance issues. The site has been designed with one-way traffic circulation with separate drop-off and through lanes to minimize queues providing for traffic safety and ease of access.
 - c. The site has been designed with vegetated screening to minimize light intrusion from the site and the site driveway has been designed for emergency vehicles. Sidewalks are included for pedestrian safety on the site and abutting school property.
 - d. The site has been a residential house lot and has an existing septic system and the accommodations of students and staff will respect the existing septic infrastructure. An existing hydrant is located along the site frontage and a new site service is being provided for firefighting facilities.
 - e. The site has been designed with a new stormwater management system meeting stormwater requirements and Water Resource Protection District requirements.
 - f. No significant hazardous material will be stored on site.
 - g. The site has been designed to tie in to the existing grades as much as practical to minimize cut and fills. Erosion control will be provided.
 - h. The site design includes preservation of existing vegetation on Watch Hill Drive and there is new screening along the south to minimize views from publicly accessible locations.
 - i. Parking area trees are shown as required and the parking will be buffered by existing and proposed vegetation. Site lighting is limited to bollard lights along walks to avoid light spillover to neighboring properties.

Comments: add porch lighting.

- j. Sidewalks are provided for safe travel for pedestrians between the site and school property. The use is for young children so connectivity to non-school areas is not desirable.
10. The site plan entitled Toddler House Planning Board Permitting Set for the Inly School in Scituate, MA, Site dated 4/15/2021 with revisions through 5/13/21 by Sean P. Malone, P.E. for Peterman Architects, Inc. meets the requirements of the Town of Scituate Zoning Bylaw Section 770.6, Site Plan Review Standards of Review to a degree consistent with reasonable use of the site for the purpose permitted by the regulations of the district in which the land is located.

Mr. Pritchard seconded the motion as amended; a roll call vote was taken and was unanimously in favor.

Ms. Burbine - yes
Mr. Pritchard – yes
Ms. Lambert – yes
Mr. MacLean – yes
Ms. Lewis - yes

Ms. Burbine moved to approve the Site Plan with the following conditions:

1. Any modifications to the bulk and height of structures, yard sizes, lot area, setbacks, open space, building coverage, parking, as well as the storm water management system shall conform to the approved site plan. Prior to scheduling the pre-construction conference, the site plan shall be modified to conform to the conditions below.

Comment: add language for occupancy and use

2. Where this Site Plan Administrative Review 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 approval of this site plan. All necessary permits and approvals must be received prior to construction. Materials and details of construction shall meet all requirements of the DPW, Board of Health, Fire Department, Conservation Commission, Building Department, the State Building Code and the Commission on Disabilities.
3. Occupancy shall reflect Title V limitations of 440 gallon per day unless otherwise permitted by the Board of Health.
4. The vegetative screening at the southeast property line must be maintained.
5. An independent third-party inspector employed through the Town shall perform construction inspections for installation of the drainage and parking facilities according to Section 9 of the Subdivision Regulations. Written reports shall be submitted to the Applicant and Town Planner stating the results of the inspections.

Pre-Construction

Comment: add addition condition...proponent will evaluate alternative locations for the playground and report back to the Planning Board and to the extent that changes are proposed will request approval for those changes

6. A pre-construction conference including the Town's consulting engineer, the site contractor,

the Town Planner and Conservation and Natural Resource Officer will be required prior to the start of construction.

7. Prior to scheduling the pre-construction conference, the following shall be provided to the Planning Board:
 - A revised plan containing a crosswalk across Watch Hill Drive to the remaining Inly School property with ADA accessible curb cuts and appropriate signage;
 - An additional 3 pines shall be added along the south property line west of the existing pines to enhance the vegetative screen.

Construction

8. Stormwater control measures shall be maintained during construction according to the site plan and construction sequence. Stormwater Management post construction shall be according to the Stormwater Management Operation and Maintenance Plan (O & M) revised dated May 2021. Water and sediment cannot be discharged into the infiltration system until the site is fully stabilized.

Comment: add sentence...the applicant is requested to maintain vigilance on the proper drainage of the catch basin at the low point of the property to the south

9. The Town Planner is to be notified when erosion control measures are installed, when construction begins and when construction is completed. If deemed necessary by the Town Planner, temporary sedimentation basins, check dams, silt socks and noise and dust control may be required. All erosion control measures shall remain until the Town Planner determines that the danger of erosion or sedimentation no longer exists.
10. Construction work shall not begin prior to 7 AM weekdays and 8 AM on Saturday and shall cease no later than 7 PM or sunset whichever is earlier. No construction shall take place on Sundays or legal state or federal holidays.
11. There shall be no parking or idling of vehicles on Route 123 or Watch Hill Drive during construction.
12. Construction of the proposed site and site utilities shall be supervised by a registered professional engineer who shall certify in writing to the Planning Board and Building Commissioner that the site and site utilities were constructed in accordance with the approved plans. The certification shall be accompanied by as-built plans for the improvements shown on the plan, signed and stamped by a land surveyor and the supervising professional engineer. The as-built plans must be submitted to the Planning Board prior to the issuance of a final occupancy permit.

Ms. Lambert seconded the motion as amended; a roll call vote was taken and was unanimously in favor.

Ms. Burbine - yes
Mr. Pritchard – yes
Ms. Lambert – yes
Mr. MacLean – yes
Ms. Lewis - yes

Mr. Bornstein re-joined the meeting.

Board Re-organization:

Ms. Burbine indicated there was town election – Ms. Lambert was re-elected to the Board and Mr. MacLean was elected as the alternate member.

Ms. Lambert opined that although other Boards change their Chair when there is an election, she feels this Board is different, there is a lot of hands on and meeting with applicants, etc. and she would be comfortable with nominating Ann to continue as Chair; she does a good job and has a good relationship with Karen; she appreciates everyone on the Board, Steve, Bob and Ben with their engineering expertise, but the Chair needs to be available all the time.

Ms. Lambert moved that Ms. Burbine continue as Chair for another session.

Ms. Lewis seconded the motion; a roll call vote was taken and was unanimously in favor.

Ms. Burbine - yes
Mr. Pritchard – yes
Ms. Lambert – yes
Mr. Bornstein – yes
Ms. Lewis – yes
Mr. MacLean - yes

Mr. Pritchard nominated Mr. Bornstein to continue as Vice Chair. Mr. Bornstein said he would continue unless someone else wanted to do it; he said he would be thrilled to continue, but his work load and family is getting very busy.

Ms. Lambert said she would be honored to be Vice Chair. Mr. Bornstein deferred to Ms. Lambert if she wants to take over.

Mr. Pritchard withdrew his nomination.

Mr. Bornstein moved to nominate Pattie Lambert as Vice Chair.

Ms. Lewis seconded the motion; a roll call vote was taken and was unanimously in favor.

Ms. Burbine - yes
Mr. Pritchard – yes
Ms. Lambert – yes
Mr. Bornstein – yes
Ms. Lewis – yes
Mr. MacLean - yes

There was discussion about the Clerk position; Ms. Lewis said she would do it.

Ms. Lambert moved to nominate Rebecca Lewis as Clerk.

Mr. Pritchard seconded the motion; a roll call vote was taken and was unanimously in favor.
Ms. Burbine - yes
Mr. Pritchard – yes
Ms. Lambert – yes

Mr. Bornstein – yes
Ms. Lewis – yes
Mr. MacLean

Minutes
Documents

- Meeting minutes 5.13.21

Ms. Lambert moved to approve the meeting minutes for May 13, 2021.

Ms. Lewis seconded the motion; a roll call vote was taken; the vote was unanimously in favor.

Ms. Burbine - yes
Mr. Pritchard – yes
Ms. Lambert – yes
Mr. Bornstein - yes
Ms. Lewis – yes
Mr. MacLean - yes

Accounting
Documents

PO #2109595 (\$37.44), PO #2109588 (\$725.00), PO #2109522 (\$2,175.00)

Ms. Lambert moved to approve the requisition of \$2,175.00 to Horsley Witten for peer review of 43 Watch Hill Drive - Inly School, for \$725.00 to Chessia Consulting for peer review of 18 Ford Place, for \$37.44 to WB Mason for office supplies.

Ms. Lewis seconded the motion; a roll call vote was taken and was unanimously in favor.

Ms. Burbine - yes
Mr. Pritchard – yes
Ms. Lambert – yes
Mr. Bornstein – yes
Ms. Lewis – yes
Mr. MacLean - yes

Liaison Reports:

Traffic Rules and Regulations – reported by Ms. Burbine:

- Curb cut discussion on First Parish Road – where there is an S-Curve
 - Applicant willing to put up speed signs for 780 First Parish
- Crosswalk location down near Kent Street
- People traveling to fast down First Parish Road near Senior Center and left-hand turns being made out of the parking lot which is not allowed
 - Over next 2 weeks there will be some enforcement

Ms. Lambert gave an update to her filing on the open meeting law against the Public Building Commission (PBC). She received a letter from the PBC that to participate she would need to watch on TV; a phone number and email were provided; however, the email did not work. Several days later she received a letter from the Attorney General asking if she wanted to file another complaint since the PBC did not respond to the first complaint in a timely manner. She did not file another complaint.

She discussed the Senior Center and issues with the lights, etc., the neighbors are very frustrated; she said this is a work in progress and people are working on punch lists, etc.

EDC – reported by Mr. MacLean:

- Update from DPW and water resources and planning future trip to view water treatment plant, looking at current status and potential upgrades

Mr. Pritchard asked if there is testing being done on the water system for PSAs; Ms. Joseph said she believes testing is in the works, something was mentioned in the Water Resource Committee minutes.

Ms. Lambert made a statement about water and the Planning Board; the Board is acutely aware there is a water shortage, it is tiresome that people keep accusing the Planning Board and the Zoning Board of Appeals of approving new developments when there is not enough water; the Planning Board does not say “yes” to anything unless it receives approval of the Water Commissioners, which happen to be the Select Board; if people have a complaint about development they need to go to the people that tell the Board there is enough water; the Board is trying to work within the confines they have to deal with the water issues and the building.

Mr. Pritchard seconded Ms. Lamberts remarks; the implementation of water emergency actions is now the normal not an emergency action anymore; it appears to be the acceptable approach for assessing whether there are appropriate water levels.

Ms. Burbine said the other issue is hooking into sewer; the Select Board who are the Sewer Commissioners just allowed the Riverway to hook into the sewer system.

There was discussion about the Inflow and Infiltration (I&I) project at Cedar Point and the how much water has been saved; Ms. Joseph indicated the data is still being collected.

Planning and Development – reported by Ms. Joseph:

- After June 15th, we may need a quorum in the room unless new legislation passes regarding open meeting law
- Drew Company has started construction
 - Fencing is up and demolition has started for phase 1
 - Construction fencing is very good
- 18 Ford Place has started construction
 - House has been demolished
- Board has received money for the pedestrian fund from both projects
- 0 Rear Country Way
 - Pre-construction soil tests done this week
 - Needed to verify ground water was as assumed in the calculations

- Results were as the drainage calculations presumed
 - No curb cut permit
 - No surety
 - Not authorized to begin construction
- Seaside at Scituate
 - Issued a dust violation
 - Paving Hatherly Road on June 3rd
 - Site meeting to review the road
 - Mill work seems rough, vertical curbing might be too short
- Senior Center
 - Building lights on per the Police Department
 - Settings adjusted

There was discussion about the 40B project on 3A; it is still in the comment period for the State, still in review with MassHousing, no project eligibility letter has been issued. MassHousing is still evaluating the Cottages at Old Oaken Bucket as well. The applicant for the 3A project did submit comments to the Town comments, rebutting the town comments. There is likely a couple more months before something is issued.

Documents

- Email to the Board from Shari Young dated 5.24.21 with agenda for 5.27.21
- Email to the Board from Karen Joseph dated 5.24.21 with meeting materials for 43 Watch Hill Drive – Inly School, 533 Country Way and DRAFT meeting minutes 5.13.21.
- Email to the Board from Karen Joseph dated 5.26.21 with meeting materials for 43 Watch Hill Drive and 533 Country Way

These items were distributed to the Board electronically.

Mr. Pritchard moved to adjourn the meeting at 8:03 p.m. Ms. Lewis seconded the motion; the vote was unanimously in favor.

Ms. Burbine - yes
Mr. Pritchard – yes
Ms. Lambert – yes
Mr. Bornstein – yes
Ms. Lewis -yes
Mr. MacLean - yes

Respectfully submitted,
Shari Young
Planning Board Administrative Assistant

Ann Burbine, Chair

Date Approved: June 10, 2021