

**SCITUATE PLANNING BOARD    MINUTES    May 28, 2020**

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

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

Members absent: Benjamin Bornstein.

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

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

Chairman Burbine called the meeting to order at 7:00 P.M. The meeting was 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**

- 5/28/20 Planning Board Agenda

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

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**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. Limbacher - yes  
Ms. Lewis – yes

**Continued - Public Hearing – Stormwater and Site Plan Administrative Review Common Driveway - 16, 18-20 Mann Hill Road  
Assessor's Map/Block/Lot 27-7-9A  
Applicant/Owner: Estate of Patsy Jo Terrell**

**Documents**

- Draft Motion for continuance

*Motion:*

Ms. Burbine moved to accept the applicant's request to continue the public hearing for the Stormwater Permit and Common Driveway Site Plan Review for 16, 18 and 20 Mann Hill Road until June 25, 2020 at 7:00 pm and to continue the time for action for filing with the Town Clerk until July 31, 2020.

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

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

**Continued - Public Hearing – Special Permit – Residential Compound Development & Stormwater Permit – 0 Country Way, 0 Rear Country Way  
Assessor's Map/Block/Lot 32-7-21 and 32-7-13-B  
Applicant/Owner: Bradford Merritt**

**Documents**

- Doc REV 4
- PDF Merritt Estimate
- DOC SWPPP Rev 2
- PDF GC Response 2020-03-30 – Chessia Review – SWPPP Rev 2 2020-03-30
- PDF GC Response 2020-03-30 - Chessia Review – 2020-03-26
- PDF Stormwater Post 1 Bypass – 2020-04-06
- PDF Stormwater Post 1 Bypass
- Email from John Chessia dated 5.14.20
- DOC Draft Motion Res Cmpd Devpt 7

Mr. DeLisi, Mr. Grady and Mr. Merritt were remotely participating in the meeting.

Mr. De Lisi indicated that the Board and Applicant last met on this project on January 9, 2020. He said since then there has been some work on the plan.

- Board of Health (BOH) has commented on additional test pits and plan revisions and indicated the BOH is satisfied with the feasibility of the project and could issue permits
- Deputy Fire Chief's questions have been satisfied with respect to fire code
- Mr. Grady has responded to Peer Review comments from Mr. Chessia for the project and the SWPPP
- Site visit was done on with some of the Board members and Mr. Grady
- Calculations for impervious areas have been provided
- Estimate for the construction and utilities was provided to help determine an appropriate amount for surety
  - Estimate for approximately \$356,000.00
- Provided water quality certification
- Plans have been revised to reflect all issues
- DRAFT of Declaration of Private Access Road and Easement have been provided
- Operations and Maintenance Plan and SWPPP have been provided and reviewed by the Town's Peer Review Engineer

Mr. De Lisi indicated that he provided comments late today to the DRAFT Motion document and previously provided Homeowner's Documents. Mr. De Lisi turned the meeting over to Mr. Grady for any comments regarding the plan.

Mr. Grady indicated there are no substantial plan changes to point out.

Ms. Joseph deferred to the Board for comments; she indicated that individually the Board members have raised some concerns with her and suggested the Board should discuss those issues at this time. She said there was no meeting held in which these issues were discussed.

Ms. Burbine began by stating what a "Residential Compound" is; it is to promote large lot development, reduce construction costs, and reduce impacts of new development on abutting properties. She said she is having issue with how this development reduces the impacts on Aberdeen Drive. She asked what the final elevation of an average house in the development would be in relation to Aberdeen.

Mr. Grady said the top of foundation for the house on Lot 1, the elevation is 72, the rear yard where the stone wall is between Aberdeen and their development is 76. He said the elevation will continue to go up toward the houses, estimating another 4-6 feet. He indicated the houses on Aberdeen are between 10-12 feet higher than the homes in the proposed development. He said they do not have architectural plans for the homes at this point, but they are required to meet the zoning height requirements of 35' or 2.5 stores in height. Ms. Burbine said the new homes will be almost as high as those on Aberdeen, so the homes on Aberdeen will be looking into the new homes. She asked if the houses on Aberdeen will have a view from their first floor into the second floor of the houses in the development. Mr. Grady said the houses will be separated by over a 100', closest is 150' and there is a maintained buffer. He said it is not a layman's subdivision, there will be separation between the houses.

There was great difficulty in hearing the Board members and applicant and his engineer due to the remote participation and some unknown technical difficulties.

Ms. Burbine indicated that the Board received comments to their DRAFT Decision from the applicant less than an hour before the meeting. She said the timing and conditions under which we are under and those that are needed for review of this project are not sufficient for the public or the applicant and asked for an immediate continuance to June 11<sup>th</sup> at 7:00 pm.

*Motion:*

Ms. Burbine moved to accept the applicant's request to continue the public hearing for the Residential Compound Special Permit for 0 Country Way until June 11, 2020 at 7:00 pm and to continue the time for action for filing with the Town Clerk until June 30, 2020.

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

Ms. Burbine - yes

Mr. Pritchard - yes

Ms. Lambert - yes

Mr. Limbacher - yes

Ms. Lewis - yes

Ms. Burbine apologized to the public for the unexpected continuance of the meeting.

**Documents**

- Email to the Board from Shari Young dated 5.21.20 with agenda for 5.28.20 and meeting minutes 5.14.20.
- Email to the Board from Karen Joseph dated 5.21.20 with meeting materials for 0 Country Way, 0 Rear Country Way Residential Compound
- Email to the Board from Karen Joseph dated 5.27.20 with meeting materials for 0 Country Way, 0 Rear Country Way Residential Compound.
- Email to the Board from Karen Joseph dated 5.28.20 with meeting materials for 0 Country Way, 0 Rear Country Way Residential Compound

These items were distributed to the Board electronically.

Due to technical difficulties, the meeting was ended abruptly without the consent of the Board and did not reconvene.

Respectfully submitted,

Shari Young  
Planning Board Administrative Assistant

Patricia A. Lambert, Clerk

Date Approved: June 11, 2020