

SCITUATE PLANNING BOARD MINUTES March 10, 2016

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, Scituate.

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

Documents

- 3/10/16 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.

Form A – 3 Louise Lane/167 Captain Peirce Road

Assessor's Map/Block/Lot 26-2-9 and 26-2-8

Applicant: Joyce Friedman

Owner: Paul Gearin & Margaret Watson

Documents

- Application, deeds and Plan of Land located in Scituate, MA showing a division of parcel 26-2-9 at 3 Louise Lane prepared by Decelle Burke & Associates, Inc. for Joyce Friedman of 167 Captain Peirce Road dated 11/23/2015
- Transmittal to departments dated 3/2/16
- Email from Laura Harbottle to Board dated 3/4/16 with above materials

Joyce Friedman and Paul Gearin were present as the applicant and property owners. Ms. Friedman said that for the past 26 years her driveway has not been on her land and she would like to be legally able to use it. She said that Mr. Gearin has agreed to sell her a small piece of land where her driveway crosses his land as well as have an easement over the other piece of her driveway that will remain on his land. She indicated just the lot line will change and there will be no change in frontage or setbacks for either home. She said both lots will still have the required lot area. Mr. Vogel confirmed that both lots are on septic and the changes do not interfere with the septic systems. Ms. Harbottle indicated that there is no change in frontage, and the setbacks and lot area are both conforming so the plan can be endorsed.

Mr. Taylor moved to endorse as approval under the Subdivision Control Law Not Required a Plan of Land located in Scituate, MA showing a division of parcel 26-2-9 at 3 Louise Lane prepared by Decelle Burke & Associates, Inc. for Joyce Friedman of 167 Captain Peirce Road dated 11/23/2015 as the division of the tract of land shown on the accompanying plan is not a subdivision because it shows a proposed conveyance and change in lot line which does not alter the existing frontage as required under the Scituate Zoning Bylaw. Mr. Limbacher seconded the motion. Motion was unanimously approved.

Public Safety Complex – Condition 7 - Lighting

Documents

- Certificate of Action for Site Plan Administrative Review for the Public Safety Complex dated 9/30/15
- Email to the Board from Laura Harbottle dated 3/10/16 with materials

Town Administrator Patricia Vinchesi, Lieutenant Mark Thompson and Fire Chief John Murphy were present. Ms. Vinchesi indicated that the condition “The lighting in the public parking lot shall be programmable as to on-off and intensity” is problematic for the Public Safety Complex. She indicated it would result in a change order on the contract as the project was bid without the Planning Board conditions and that dimming of the lights for the public area is a concern for an emergency building. Lt. Thompson said that the public area will have walkway lights and is in use 24 hours a day due to bail releases and public meetings so the walk needs to be properly lit. Chief Murphy indicated that there are also personnel changes in the middle of the night as well as public walk ins necessitating well-lit areas for both public safety officials and the public. Ms. Vinchesi said the lights in front won’t be on 24 hours, but they don’t want them to be dimmable due to the projected use and cost for the dimming feature.

Chairman Pritchard asked if wireless control was considered. Ms. Vinchesi said she would ask, but the wires and conduit are being run now thus the request. Chief Murphy said the engineers did not propose wireless control. Chairman Pritchard asked if there were occupancy sensors. Lt. Thompson said they had them inside, but not outside. Ms. Vinchesi indicated that there are personnel changes at night and the community meeting room is likely to be used nightly. Chairman Pritchard asked how the issue of neighborhood impact will be addressed. Ms. Vinchesi said the building is unique and will have few abutters so the impact will be less than a business. Lt. Thompson said the lights will have cut off features so will shed minimal light off-site. Chairman Pritchard said the Board was trying to ensure energy efficiency which is why the condition exists. Ms. Burbine said that she has historically seen a lack of lighting on Scituate public buildings and has no problem with this as safety is needed over economy of means. Ms. Vinchesi said that the building will also have a medical triage area which is a 24/7 use. Chief Murphy offered that the lights will be LED to provide cost savings.

Ms. Vinchesi said that they are asking just for the requirement for dimming to be removed. Mr. Vogel asked for the lighting lumens plan so the Board could check that the light levels are not exceeded for the use. Lt. Thompson said that the area is also covered by camera due to custody exchanges etc. which will impact the light level. Mr. Limbacher asked if someone complained about the lighting. Ms. Vinchesi said they would be open to concerns along with looking at the use of the building. Ms. Vinchesi said she didn’t have the plan and there would be the same issue on the middle school project. Mr. Taylor asked if all the lights go on together. Ms. Vinchesi said she didn’t know. Chairman Pritchard said usually there is control for a whole circuit and not individual lights. He said that dimming is used when nobody is around and it is usually combined with a motion sensor. Chief Murphy said they can go back and ask the engineer about the lumens and verify it is designed for the lowest level permissible. He said shields can be put on the lights in the rear adjacent to the closest neighbors.

Chairman Pritchard indicated the Board needs to decide as it impacts a change order. Ms. Burbine said she supports removing the dimmable requirement, but no one should feel unsafe. Mr. Taylor

said it is a unique building. Mr. Limbacher and Mr. Vogel said they were not opposed to removing the requirement. Ms. Vinchesi said she can commit to the lowest safe level of lighting so it will be less intrusive to the neighborhood. Chairman Pritchard said hopefully it is designed that way and he would like to hear back on wireless technologies as it appears to him that most of the cost is in the wiring. Ms. Vinchesi said she would look into it for the middle school.

Mr. Taylor moved to change condition 7 in the Site Plan Review for the Public Safety Complex to eliminate the requirement for dimmable exterior lights with the understanding that the Town will look at options to control individual light levels as needed and lighting will not intrude on off-site properties. Mr. Limbacher seconded the motion. Ms. Vinchesi said that controlling off-site impacts is not practical for the Mann Lot Road intersection. Mr. Limbacher suggested removing the entire lighting condition. Mr. Taylor withdrew the motion. Mr. Limbacher moved to eliminate the lighting requirement in condition 7 that reads "The lighting in the public parking lot shall be programmable as to on-off and intensity." Mr. Vogel seconded the motion. The motion was unanimously approved.

Accounting

Documents

- PO # 1606095 (\$406.02), PO # 1606123 (\$724.54), PO # 1606255 (\$15,134.71)

Mr. Taylor moved to approve the requisition of \$406.02 to Gatehouse Media MA for legal advertising in the Scituate Mariner on 1/28 and 2/4/16 for the Stormwater General Bylaw public hearing, for \$724.54 to C Christopher Ford for refund of excess permitting funds in the Planning Board Guarantee Account for 50 Country Way and for \$15,134.71 to Falconi Development LLC for a refund of the bond held for installation of the town drainage for the 8 Border Street Stormwater Permit. Mr. Limbacher seconded the motion. Motion was unanimously approved.

Minutes

Mr. Taylor moved to approve the meeting minutes of 2/25/16. Mr. Vogel seconded the motion. Motion was unanimously approved.

Liaison Reports

Ms. Burbine indicated the EDC met yesterday for a brainstorming session. She said they walked through North Scituate Village to attempt to figure out the best and highest use for the Village with the understanding that it is predicated on having sewer in the future. She said the EDC will be coming up with options for a 5, 10 and 15 year plans that are incrementally done. She indicated that parking lots are very visible and more cohesiveness will be desired. Ms. Burbine indicated the EDC is working on their website as well as trademarking Sea Scituate. She said that they are working on signage.

Ms. Burbine said that the CPC voted to support the Maxwell Trust land purchase; however, the Selectmen did not by a vote of 3-1 against. She indicated there was contention over the unwritten promise from the Town to purchase the Maxwell Trust land when money became available and the fact that the Maxwell Trust never put a Conservation Restriction on the two properties as they indicated when they bought the land in 2003. She also indicated that the CPC tabled the \$300,000 request for money to repair the cupola for the old Central School. She indicated that maintenance is

not a CPC funded item and there were not multiple bids. She said the playground in North Scituate has doubled in cost to \$600,000 as new rules from the state dictate a poured impervious mat be used. She said the playground would be a good thing for North Scituate and may be one step in having the WPA Building being a visitor center as Susan Phippen imagined. Ms. Burbine indicated the CPC voted to approve the field hockey field and purchase new boats for recreation; but, they did not vote for \$4,000 for the First Baptist Church. She said funds for Widow's Walk were not voted.

Town Planner Report

Ms. Harbottle indicated that the Hazard Mitigation Plan was presented to the Selectmen and has gone to MEMA for review. She said that it was necessary for grants. She also indicated that the Selectmen discussed the Stormwater Bylaw and Criminal and Non-Criminal Disposition Bylaws. Ms. Harbottle said that the fines will be spelled out as \$100 for the first offense, \$200 for the second offense and \$300 for the third offense and each day is a separate offense. She said there were questions about the fines. Ms. Harbottle said the office will attempt to have people come in for hearings and use fines as a last resort.

Ms. Harbottle also indicated that the Town Administrator is thinking about changing the name of the department to Planning and Economic Development. Ms. Harbottle said she spends a fair amount of time working on Economic Development Commission (EDC) material. The Board liked the sound of it, but questioned if the job description would change and also said it reinforces the need for more help in the department. Ms. Harbottle said the job description won't change in the near future and other towns do have this same department name with more staff. She said by putting the two together it elevates the two and hopefully enables a comprehensive view of town development. Ms. Burbine offered that regardless of the name, the department needs more help. Chairman Pritchard said the notion of the two together could have a perception of the Board being tight with economic developers. Ms. Burbine said the Board is an independent elected Board answerable to the voters. She said this would possibly mean zoning changes in the future. She said people don't accept change readily and the lack of infrastructure for sewer is a concern. Chairman Pritchard agreed that sewer capacity needs to be addressed if the Town wants to talk about expansion capabilities. Mr. Vogel agreed and indicated it would be helpful for updating the Masterplan as well. The Board asked for meetings to discuss sewer and water capacities.

Old Business and New Business

Documents

- Email to Board dated 3/4/16 from Karen Joseph with agenda for 3/10/16 and 2/25/16 meeting minutes
- Email to Board dated 3/10/16 from Laura Harbottle with information on lighting for Public Safety Complex

These items were distributed to the Board electronically.

Mr. Vogel moved to adjourn the meeting at 8:43 p.m. Mr. Limbacher seconded the motion. Motion was unanimously approved.

Respectfully submitted,

Karen Joseph
Planning Board Secretary

Richard Taylor, Clerk
3-24-16
Date Approved