

SCITUATE PLANNING BOARD MINUTES August 24, 2017

Members Present: Stephen Pritchard, Chairman; Ann Burbine, Vice Chairman; Benjamin Bornstein, Clerk, William Limbacher and Richard Taylor

Others Present: Acting Town Planner Laura Harbottle.

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

Location of meeting: Scituate Town Library, Community Room in the Lower Level, 85 Branch Street, Scituate.

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

Documents

- 8/24/17 Planning Board Agenda

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

Continued Public Hearing - Residential Cluster Special Permit – off Hatherly and Tilden Road Seaside at Scituate)

Assessor's Map/Block/Lot 46/10/7F

Applicant: Toll MA Land III Limited Partnership, c/o Toll Brothers

Owner: Suburban Realty Trust, Benjamin Goulston, Trustee

Documents

- Email from Laura Harbottle to the Board dated 8/17/17 with items related to traffic including Vanasse & Associates peer review dated 7/18/17, comments from Traffic Rules Committee dated 7/18/17, letter from Police Dept. dated 7/10/17, Recreation Dept. comment dated 7/20/17, renderings of entrance design by Toll Brothers, Meeting Minutes of the Design Review Committee dated 8/8/17 with stonewall pictures, Subdivision review letter by Horsley Witten dated 8/1/17, Horsley Witten Stormwater review letter dated 7/13/17
- Email from Laura Harbottle to the Board dated 8/17/17 with 8/17/17 letter from Ohrenberger Associates, Horsley Witten Environmental Review letter dated 8/17/17 and email from Janet Bernardo, email chain from Janet Bernardo dated 8/17/17, Figures from Phase II by CHA
- Email from Jennifer Keefe dated 8/16/17 regarding Health information on Scituate Proving Grounds
- Email to the Board dated 8/23/17 from Karen Joseph with PowerPoint presentation for 8/24/17 meeting
- Email to the Board dated 8/23/17 from Laura Harbottle with information on environmental review from Horsley Witten

Chairman Pritchard introduced Brad Washburn as the new Director of Community Development and Planning. Attorney Ohrenberger said that since the last meeting a site visit was done with the Board, a meeting was held with the Design Review Committee and the hearing with the Conservation Commission is continuing. He said that Dave Bauer of Toll Brothers will provide an overview, Mark Manganello would discuss buffer zone issues, Kevin Kline of Stantec would do stormwater, Jim Ash would review environmental and Erin Furdette would do traffic.

Dave Bauer indicated that their first alternative was to do a 90 four bedroom single family home development. He indicated that due to the impact on the schools and sewer, etc. the plan was redesigned to be a 55 plus unit community with 142 town homes and 10 single family homes. He said that the project satisfies the purpose of the bylaw by providing housing for older adults. He indicated that the town's 2015 Housing Production Plan indicates the Town has a higher median age and older adults would want to downsize to apartments or condominiums. He indicated that a 2004 survey of the Town showed that 75% of the people support town house developments. Mr. Bauer said that in 1980 10% of the Scituate population was 65 or older and in 2010 the number had jumped to 17%. He said smaller suitable units geared toward a single level living with low maintenance are what is desired.

Mr. Bauer said that that they prepared plan of a conventional single family development with 114 three bedroom homes on 10,000 sq. ft. lots as this was realistic with water and sewer consumption. He said that the option conforms to zoning and would require no waivers, to use a baseline for the remainder of his presentation. He indicated that the proposed development meets the purpose of the bylaw in that it has a more efficient use of land. He said the development will have 44.3 acres of open space that will be perpetually restricted and managed by the condo association. He indicated that the chart speaks to the efficient use of land. He said that the open space will be 26.3 acres taking out wetlands and land subject to flooding. Mr. Bauer said the proposed community meets purpose 1.

He indicated that purpose 2 is to permanently preserve natural topography and wooded areas within the development and to preserve usable open space and recreational facilities close to homes. He said that the condominium association will maintain the pool, bocce courts and pickle ball courts and there would be walking trails subject to conservation approval. Chairman Pritchard asked where the trails connect to and would they be for the public. Mr. Bauer indicated that the recreational amenities and trails on site are for the private use of the proposed development and not open to the public.

Mr. Bauer said that purpose 3 of the bylaw calls for site planning to enhance the neighborhood and for affordable housing. He said that the special permit allows for increased density if affordable housing is provided; however none is being proposed. He said the economic analysis compared the alternate layout to the proposed development and the alternate development would cost the Town approximately \$1 million a year whereas the proposed development yields the town approximately \$795,000 for a tax surplus. Chairman Pritchard asked about funding of an amenity for the community. Attorney Ohrenberger said that Toll Brothers is committed to doing a public amenity. He said that sidewalks, beachfront access and playgrounds have been brainstormed and the Selectmen would like to have two members of the Planning Board and Conservation Commission give the direction that is needed so that the proposal can be presented to the Town. Mr. Taylor inquired if the public would be able to use the pool as asked about in the Recreation Department comments. Mr. Bauer said the pool is absolutely private.

Mr. Bauer said purpose 4 of the bylaw encourages creativity in design. He said the architecture, garage positioning and general layout cannot change as it has been the result of two years' worth of work. He said they did look at the Pinehills and their best-selling home is a two car garage with one door close to the street. He said they have changed their specifications to include fancier garage doors of a carriage style to enhance the streetscape. He said planting and fences will also be used. He said that the unit with the front door off on the side – the Bucknell – is one of their best selling

homes. Scott Greenbaum of 40 Dayton Road asked how big the units are since they expect people in Scituate to be downsizing and the homes look larger than many in the neighborhood. Mr. Bauer said the homes will vary in size from 1,800 sq. ft. to 2,600 sq. ft. in size. He said there will be 8 – 10 home styles and 2 to 3 color schemes. He said the same unit style will not be used in the same building or adjacent to it. He indicated that the roofs would be weather wood and a neutral color so not to look cookie cutter like. Ms. Burbine commented that progress has been made and it may be hard to find a home with sameness???. She asked the median cost. Mr. Bauer said the homes will start at \$500,000 for the basic and go upward. He said the condominium fee will be about \$400 a month. Ms. Burbine asked toward the creativity end, would different color doors be considered. Mr. Bauer said they will not allow too many different color doors as it can get unattractive quickly. He confirmed that all of the homes will have front porches. Mr. Taylor noted that the picture of the Pinehills uses cobblestones at the end of the driveways. Mr. Bauer said it is not in their plans at this time; however, they are looking at some type of treatment between the driveways. Mr. Bauer commented that the roof has some metal roofing???. He said they are trying to go with coastal colors and a coastal feeling and garage doors will not be colored as it generally leads to the trim.

Chairman Pritchard asked if there were detailed drawings as the Board would like the Design Review Committee (DRC) to see them. Mr. Bauer said they have not done detailed drawing yet and with 8 – 10 different styles everyone could be different. Chairman Pritchard said he liked the garage doors with the divider. Mr. Bauer said there is not enough room for a divider and this development will not be having all of the same things that the Pinehill's has. He said a vast majority of people prefer the one door and the design is based on real user data. Ms. Harbottle asked if flowering trees will be used as in the picture as she did not recall them on the plan. Mr. Bauer said the pictures should mimic the landscape plan. Mr. Taylor asked if every street has a sidewalk. Mr. Bauer said no as they have found that people on side streets walk shoulder to shoulder down the street. The Board commented that people over 55 should have sidewalks and the comments from the Fire Department need to be addressed. Mr. Bornstein commented that this development will create a new neighborhood and he has a hard time with the 55 plus and there being no affordable housing. He said the overall feeling to him is a sprawling development with its stormwater controls and wetland buffers. Chairman Pritchard said he would like the DRC to review the project and their initial impressions on the front entry design were that natural stone needs to be used.

Sean O'Connor of 132 Tilden Road asked which roads would have walks. Mr. Bauer said Roads A and F that go from Hatherly to Tilden. He said there will be dead end roads with an emergency vehicle turn arounds at the end and the community will not be a gated community. Mr. Bauer said there will be setbacks and buffers and the entrance off of Hatherly will have stone piers. He said the condominium association will be responsible for maintenance on the site. Mr. Bauer said that Toll Brothers sits on the condo association board while construction is ongoing and they often hire The Dartmouth Group to manage their interests. Mr. O'Connor asked where the amenities are. Mr. Bauer said there will be planting along Hatherly Road. Mr. O'Connor asked if there could be a play field connected to Wampatuck School in the triangle piece of property off of Ermine Road. Mr. Bauer said that is not possible due to wetlands and stormwater and that Toll Brothers will be contributing something to the Town.

Lauri Swart of 11 Norwell Ave. said that for 180 days a year there is recess and it feels like it is in her back yard and she wanted the observation passed along. Scott Greenbaum asked if the houses east of Hatherly Road would be part of the condominium association and if there were going to be upgrades on the Hatherly side. Mr. Bauer said the houses are not part of the condo association and that there are no plans for upgrades east of Hatherly. Hal Stokes of Curtis Street said that the houses

all look the same and was concerned about the cookie cutter approach to the design. Mr. Bauer said the houses will not be the same and they created a composite footprint so that from a stormwater point of view the largest foot print possible would be used in the stormwater calculations. He said the same house will not be built next to one another. Mr. Friedman of Oceanside Drive said there is a sidewalk now and asked if it will be replaced and asked if there would be basements. Mr. Bauer said there is no off-site work and anticipates none unless something is damaged and indicated there would be full unfinished basements.

Mark Manganello of LEC said that the buffer zone plan provided depicts the 50 foot buffer zone as shows post construction restoration areas that will be wildflower meadows. He said construction will disturb the buffer with clearing and grading and there will be over 10 acres of restoration. He indicated they have met with the Conservation Commission and received a positive response to filling and replicating wetland. Chairman Pritchard asked where the untouched land was. He said he sees it that unless land is part of the 50 foot buffer and wetlands, it is all cleared and regraded. Attorney Ohrenberger said that the bylaw necessitates all the clearing and that at the last Conservation Commission meeting they determined that wetlands filling is 7,500 sq. ft. and new wetlands created is four times that. Chairman Pritchard asked how much cut and fill there was. He asked for a diagram and for it to be tied to the remediation plan. Pat Gallivan, Conservation Agent, said there is some possibility of leaving some treed area. Chairman Pritchard said he wanted some trees since there will be comprehensive regrading. He said the draft remediation plan should also be tied to anticipated land disturbance. Mr. Bornstein asked about the eastern marsh. Attorney Ohrenberger said it is not part of the project and it may be given to the Town for trials and Conservation. He said the area east of Oceanside Drive may be given to the Town too. Kevin Powers of 29 Seaside Road asked if the two lots down there have ocean access as inside the seawall there is significant wash over to the larger area. Attorney Ohrenberger said they are in discussions with the Town.

Christine Loeb of the Proving Grounds Group said that most of the site is disturbed. She said she does not want all wildflowers and some trees are needed as the site will not be suitable unless it is fully replanted and able to handle stormwater. She said she does not recommend the Town take the marsh area as it needs yearly maintenance from the debris from storms. Mr. Bauer said they would clean the area up. He said if the land goes to the condo association, then they will clean it. He said the Conservation Commission will probably want the land. Chairman Pritchard said some type of maintenance clause will be needed. Attorney Ohrenberger said that the Town received a grant to build the seawall and an easement was received from Goulston. Mr. Taylor asked a question about the graphic of the development plan with the open space and waterfront park. Mr. Bauer said that is a typo as no waterfront park is planned. He said the Town has used the property for a staging area. Penny Scott-Pipes commented that the public has maintained the marsh and scouts usually clean it up on Ship Shape Day. Mr. Greenbaum confirmed that the two lots on the seawall will be part of the land transfer.

Kevin Kline of Stantec said that the stormwater design for the site is conservative and they are reducing their runoff off the site. He said since the last meeting they have met with Horsley Witten and are working on a written response. He said there are no direct connections to Hatherly or Tilden Roads and they are pushing stormwater to infiltrate on site. He said they have minimized the swale to Hatherly so that there is a lower volume and velocity and they are tying into the existing wetlands which discharge to the Town systems. He said they are not adding a pipe.

Jim Ash, a licensed Site Professional (LSP), from GEI, said there has been professional review of the environmental documents. He said the yellow line shows the limits of the contaminated site boundary. He indicated that the Army developed the area in 1918 and then it was sold to the Suburban Land Trust in 1921. He said the George Goulston Company operated on the site from 1921 to 1980 for light manufacturing. He indicated that between 1927 and 1976 several companies used the site for short wave radio stations. Mr. Ash said the site is currently vacant. He said that during WW I the site had gunpowder and explosives on it as compounds had not been developed yet. He indicated that the light manufacturing was white oil to lubricate fibers for cloth and it was a condensed form of a petroleum product. Mr. Ash said that contamination was first reported to DEP in 2004 and there were five field investigations between 2004 and 2010 in the yellow site area. He said the first investigation was initiated by DEP as they were investigating military bases. He said they did a thorough visual of the site and sampled in the yellow areas and identified remediation areas that were associated with drum disposal. He said petro carbons associated with white oil were found, lead and polycyclic aromatic hydrocarbons. He said remediation was done on the drum disposal area and four other areas with petroleum contamination and PAH contamination. Mr. Ash said the site had closure in 2011 and a certification that work was done according to the state regulations was given and the site was certified for residential development.

Chairman Pritchard asked if there was a "Site" within a "Site". Mr. Ash indicated that there was a disposal area for solid waste which had metal remnants and debris and it had its own RTN. The other site contained the smaller site. He indicated there was nothing east of Hatherly Road; however Toll Brothers did do investigations east of Hatherly on their own. He said that the site was regulatory wise closed, but Toll Brothers did commission CHA to do a double check. He said samples were collected from 26 soil borings, 14 test pits and 11 monitoring wells. Mr. Ash said that CHA encountered contamination concentrations to what the previous consultants found in four areas. He said they were in the original site area and the fourth was on the other side of Hatherly Rd. He said that consisted of lead and PAH from the burnt down building. He said this is exempt from reporting under the Mass Contingency Plan (MCP) and the contamination concentrations could have been left in place and redevelopment occur without the remediation; but CHA recommends that the soil and all residuals of the white oil be removed and Toll Brothers will do it. Mr. Taylor asked where the removed soil will go. Mr. Ash said it can go to asphalt batch recyclers, landfills and thermal absorption facilities.

Joe Longo of Horsley Witten (HW) said they were hired by the Town to look at the environmental areas. He said there are four areas of contamination still at the site. He said at this step in the MCP process, Toll Brothers said they will clean up the area. He said HW wants to review the plan and report for cleanup. He said the areas of contamination could be below the residential development thresholds, but they would like the applicant to provide information for review so that HW can suggest the next steps. He said HW wants to think about health and safety during construction including where the soil will go, clarify areas of concern, limits of work and cut and fill. He said they want to know what is going to happen to the smoke stack. Mr. Longo said there will be another closure report and they would like to hear from the applicant on that. Mr. Taylor said that he observed existing foundations and concrete on the Board's site walk and wanted to know what testing was going to be done. Mr. Miccile said none. He said that they tested everything and hired a third party for asbestos remediation. He said the brick and concrete came back clean. Mr. Miccile said the material will be crushed on site and used for the road base. Chairman Pritchard said that that information needs to be on a construction plan for dust and noise and he assumes the steel will be removed. Mr. Miccile said there will be dewatering to control the dust. Mr. Taylor asked if the concrete on the east side would be ground the same. Mr. Miccile indicated it would be.

Mr. Bornstein asked how did they know what contaminants to look for from the white oil manufacturing. Mr. Ash indicated that because of uncertainty in sampling of releases they included more than oils, PAH's and lead and did tests for PCB's, chlorinated solvents, both light and heavy metals, petro carbons and asbestos in the soil. He said only three or four contaminants were identified despite testing in dozens of places on the property. Chairman Pritchard said that the Board will be expecting to see the remediation plan for the special permit for the four areas of remediation. Mr. Ash said they are working on it and some of the work will be described, but not completed. He indicated that if locations are uncovered during the work, they will investigate them as necessary. Chairman Pritchard asked that the plan include the methodology and process for inside and outside of the site areas and for locations uncovered during the work.

Chairman Pritchard asked that questions on cancer rates be addressed. Mr. Ash said he cannot speak to that. Chairman Pritchard asked if the Board of Health has been contacted. Mr. Ash said he would set up a meeting with Ms. Keefe. Chairman Pritchard said there is a question on pockets of cancer rates with an abnormal rate of melanoma. Attorney Ohrenberger asked if there was a nexus of the site study and what is being questioned. Mr. Ash said that PAH's are carcinogens and it is not typical to do a cancer study for a disposal site. Chairman Pritchard asked that it be covered with the Board of Health. He asked if anything was detected in the eleven monitoring wells. Mr. Ash said there was nothing above the standards. Sean O'Connor of 132 Tilden Road asked how much of the affected soil is removed. Mr. Ash said it varies from three to four feet to ten feet. He said side wall sampling is done to excavate to the proper limits. He said they go deeper and wider as necessary. Mr. O'Connor asked about dust in the air while school was in session. Mr. Ash said dust control measures will be taken and there will also be truck paths with wheel wash stations to avoid off site impacts. He said they will take all measures available to reduce distribution although they are not required to. Mr. Ash opined that the risks are low in finding something during excavation as they have done so much sampling, but they will have the contingency plan for it. Mr. O'Connor asked if Mr. Ash had recommended anything that Toll Brothers won't do and asked for examples of similar sites in Massachusetts that they had done this type of work on. Mr. Ash said Toll Brothers will do the work and this is very common in urban areas in Boston and other redevelopment sites. Scott Greenbaum of 40 Damon Rd said that on the east side there was emissions testing with arsenic, lead, sulfurs found. He asked if the east side had been tested for munitions. Mr. Ash said he would look at the CHA report and indicated they did a full screen analysis on the east and found lead and PAH's as the only items above the regular standards. He said he would double check on the arsenic. .

Erin Furdette of McMahon Associates indicated that they reviewed the traffic and are working through the comments from the Town's consultant Vanasse and Associates. She said the traffic study originally was five intersections, but was expanded to include two others that Vanasse recommended. She said that they used ITE data and determined that there were 74 trips in the am peak hour and 64 in the pm peak resulting in very little delay between the built and no build data. She said delays were LOS C or better for all the intersections which would mean good operations for the project. She indicated they also ran the trip generations numbers for the 90 single house scenario and it generates more trips than the proposed over 55 scenario. Jeff Dirk of Vanasse Associates indicated they were retained by HW and concurs with the project findings and comments of the Town's Traffic Rules and Regulations Committee and Police Departments. He said the project as an age restricted development will have minor impacts and intersections need to operate at a level of service D or better which is a 35 to 40 second delay. He said all of the intersections will comply. He said there will be less than a second impact. He said that the comments on pedestrian safety for Tilden and Hatherly Roads needs to be addressed with the speed of traffic and lines of sight for the

actual speed of traffic versus the posted speed limit being shown. He said this will translate to how pedestrians need to be accommodated. He said from the concerns of the community, sidewalks on one side of all the roads are necessary and how the residents will walk to the ocean and where cross walks should be needs to be identified. He said the Police would like radar signs and he would like to see crash data from the Town Police to determine if the number of crashes versus the volume is disproportionate. He said the site plans need to be evaluated for the fire code for turn arounds and turning radius data for fire trucks should be supplied.

Chairman Pritchard asked if the traffic data acquired in February is seasonally adjusted and if it is it adjusted for Scituate or in general. Ms. Furdette said it was seasonally adjusted based on stations on Route 3A. Mr. Limbacher asked if the over 55 development affects traffic flow as a variation of peak time. Ms. Furdette said that is why the traffic at peak is lower as it is more spread out. Ms. Burbine commented that senior citizen busses need to be able to turn around in the development. Ms. Furdette said they will supply fire truck and single unit truck turning data. Mr. Taylor asked about the dead ends. Mr. Dirk said they will not meet the fire code. Attorney Ohrenberger said the plan will be revised.

The Piotrowskis' of 119 Hatherly Road were concerned that the traffic counts take into account the peak summer traffic from Tenth Ave to the coast especially with the estimated number of construction vehicles. Ms. Furdette said they did add Beaver Dam and Jericho Road counts and this was done while school was in session. She said they did account for seasonal traffic and that Toll Brothers has a plan for construction vehicles. Mr. Bauer said the five year construction time is an estimate as the build out depends on the market. He said onsite workers will deal with local conditions.

Attorney Ohrenberger said that the Selectmen want to know if two members of the Board would like to be in the amenity discussion. Chairman Pritchard asked for Attorney Ohrenberger to contact him.

Mr. Bornstein moved to accept the applicant's request to continue the public hearing for the Residential Cluster Special Permit for Seaside at Scituate by Toll MA Land III Limited Partnership, c/o Toll Brothers, Inc. off of Hatherly and Tilden Roads until October 12, 2017 at 7:00 pm and keep the time for action to file a decision with the Town Clerk until November 30, 2017. The applicant will provide seven copies of the most used three, four and five unit buildings to the Planning Office by September 5 for review, discussion and recommendations by the Design Review Committee. Ms. Burbine seconded the motion. Motion was unanimously approved.

Form A – Hatherly Road (Goulston property)

Hatherly Road, Sixth Avenue or Longley Road

Applicant: Toll MA Land III Limited Partnership

Owner: Suburban Realty Trust, Benjamin Goulston, Trustee

Documents

- Cover Letter dated 8/21/17 on ANR, Application, Plan of Land - Land Court Case 8507B prepared for Toll Brothers Inc. in the Scituate, MA prepared by ESE Consultants, Shawn L. Crawford, P.L.S. dated 8-14-17 Sheet 1 of 2 and Sheet 2 of 2, Order of land Court Eliminating Ways, Letter from ODH dated 8/21/17 offering an explanation of the ANR for the Special Permit

Attorney Ohrenberger said that they want to be transparent and the single family homes proposed for Hatherly and Longley Road and Norwell Avenue are not part of the special permit. He said they also want to start a discussion of the non-buildable land on the east side of Hatherly Road. He said if it is not going to be under the Conservation Commission, it will need to go to Town Meeting so it needs its own definable parcel. Chairman Pritchard asked if the single family homes are out of the residential cluster development. Attorney Ohrenberger said for the analysis they are in the special permit and there is no intent to change the demographics. Mr. Bornstein said he had a hard time understanding why the lots are being removed from the special permit. Attorney Ohrenberger said that it is a negligible issue and the statistics are more favorable to them. Mr. Bornstein asked if the procedures will apply to the single family homes. Mr. Bauer said that the ten lots can be developed by right and they can be done now or with the development. He said they do not want to start construction of the single family homes until the project has been totally approved. Chairman Pritchard said that an evaluation of the whole build out needs to occur. Attorney Ohrenberger said that they will continue the evaluation in the same manner. Ms. Burbine said she counted eleven lots. Mr. Taylor said that one is not buildable.

Mr. Bornstein moved to endorse as Approval Not Required a Plan of Land - Land Court Case 8707B prepared for Toll Brothers Inc. in the Scituate, MA prepared by ESE Consultants, Shawn L. Crawford, P.L.S. dated 8-14-17 Sheet 1 of 2 and Sheet 2 of 2 as the division of land is not a subdivision because every lot as shown on the plan has frontage of at least the distance presently required on Hatherly Road, Longley Road or Sixth Avenue or is labelled as not a buildable lot. Mr. Taylor seconded the motion. Motion was unanimously approved.

Contract for Horsley Witten

Attorney Ohrenberger said that he understands that the Horsley Witten contract will be exceeding \$50,000.00 and that it will have to go to the Board of Selectmen for action. He indicated that they will provide a letter if the Board would like. Ms. Harbottle said that the contract did not have a dollar amount for reimbursable, the wetland review is slightly over budget and the contract should be increased now to allow for a buffer so that peer review can continue in a timely manner. Chairman Pritchard said he would like a number not to exceed. Ms. Harbottle said she has talked with Horsley Witten and they believe the number should be \$75,000.00. Mr. Limbacher moved to have the Horsley Witten contract extended to \$75,000.00 by the Board of Selectmen. Ms. Burbine seconded the motion. Motion was unanimously approved. The item will hopefully be on the Selectmen's agenda for September 5 with Mr. Washburn and Ms. Burbine in attendance.

Update on 529/531 Country Way

Ms. Harbottle said that there is a voided common driveway special permit for the site as the special permit was not recorded in a timely manner. She said that Attorney Mike Hayes would like a vote of the Board that the special permit is void and a Site Plan Review is required. Ms. Harbottle said the project was originally submitted as a special permit, but only the Site Plan Review is required. She said the public meeting will not have to be advertised, but abutters will need to be notified. Chairman Pritchard asked if that changed the latitude of the Board. Ms. Harbottle said a special permit is stronger, but they are both handled the same way. She said that the site plan review has a shorter time frame and only needs a majority vote. Ms. Burbine offered that the Board should just get it done as the buyers are being held up. Chairman Pritchard confirmed that a Certificate of Occupancy is being held up. Ms. Harbottle said it was.

Accounting

Documents

- PO # 1801897 (\$17,102.50)

Mr. Bornstein moved to approve the requisition of \$17,102.50 to Horsley Witten for engineering peer review for Seaside at Scituate, Toll Brothers. Ms. Burbine seconded the motion. Motion was unanimously approved.

Minutes

Mr. Bornstein moved to approve the meeting minutes of 5/11/17. Ms. Burbine seconded the motion. Motion was unanimously approved with Mr. Bornstein abstaining.

Liaison Reports

Ms. Burbine said that the EDC is planning to meet on September 13. She said there are five applicants for two positions and all of the qualifications are excellent. She indicated that the CPC meets next month and there is an issue with the Maxwell property. She said the two parcels were put in one motion and one article and one parcel is not able to obtain clear title so it will void the article. Ms. Burbine said the article will need to be rescinded and then put back for the one lot. She also indicated that the North Scituate Playground is under construction.

Town Planner Report

Ms. Harbottle said that September 1 is her last day.

Ms. Burbine asked if Town Counsel was consulted on Ann Vinal. Chairman Pritchard said that his conclusion was that the use had to be by right and not a special permit. He said 50 foot frontage lots that aren't approved can't be approved by right. Chairman Pritchard said that the FOSD may not be as enticing if it is 14 lots versus 16. He offered that the FOSD bylaw could be modified at Town Meeting to say 50 foot lots are included. Ms. Burbine said that there has been talk of sewer for Ann Vinal. Chairman Pritchard said there is an obligation to look at it. Ms. Harbottle said that she did get an email that provisions should be made for sewer. Mr. Bornstein asked where the Dolan Wellfield extended to. Mr. Limbacher asked if the water withdrawal limit was increased.

Old Business and New Business

Documents

- Email to the Board dated 8/18/17 from Karen Joseph with agenda for 8/24/17
- Email to the Board dated 8/21/17 from Karen Joseph with amended agenda and items for the ANR off Hatherly Road (Goulston property)

These items were distributed to the Board electronically.

Mr. Limbacher moved to adjourn the meeting at 10:15 p.m. Ms. Burbine seconded the motion. Motion was unanimously approved.

Respectfully submitted,

Karen Joseph
Planning Board Secretary

Benjamin S. Bornstein, Clerk

Date Approved 2/8/18