

## **SCITUATE PLANNING BOARD    MINUTES    August 12, 2021**

Members Present: Ann Burbine, Chair; Patricia Lambert, Vice Chair; Rebecca Lewis, Clerk; Stephen Pritchard, Benjamin Bornstein 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: Select Board Hearing Room, Town Hall, 600 C J Cushing Highway, Scituate.

Chair Burbine called the meeting to order at 6:30 P.M. The meeting was being recorded for airing on local cable television and streamed live on Facebook.

### **Documents**

- 8/12/21 Planning Board Agenda

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

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### **Public Hearing – Special Permit Accessory Dwelling – 8 Jay Road**

#### **Assessor's Map/Block/Lot 34-20-15-0**

**Applicant/Owner: Arthur J. Jr. and Barbara C. Johannesen TR of the Johannesen Revocable Trust**

### **Documents**

- PDF 8\_Jay\_Rd\_Site Plan\_ADU
- PDF Application, Deed
- PDF JOHANNNESEN\_8\_jay\_rd\_ADU\_Permit\_11X17\_6.28.21
- PDF TC filed legal posting 8 Jay Rd
- PDF Transmittal
- Email dated 7.1.21 with Sewer Department Comments
- Email dated 7.6.21 with Building Department Comments
- DOC Draft Motion

Attendees: Kristin Collins, Applicant; Jason Beal, Architect

Ms. Burbine read the legal posting into the record.

Ms. Collins said she would be moving into her parent's home; her childhood home and her parents would move into the separate ACDU.

Ms. Burbine asked if there are two egresses to the building.

Mr. Beal indicated there is a separate entrance in the back of the ACDU and said they had discussed having a second entrance that would be through the primary home.

Ms. Joseph indicated there was a second egress on the second floor via a balcony; it will need to meet state building code.

The Applicant agreed to a second door on the first floor by the window facing the street. Ms. Collins pointed out the area on the floor plan where there would be a second doorway in the kitchen. This will be a condition.

There was discussion about the difference between an Accessory Dwelling and putting on an addition with a stove, etc. There is no difference it is an Accessory Dwelling and it is not allowed without the approval of the Board.; separate kitchens with stoves cannot be added.

All outdoor lighting will be down lighting so it does not spill over into the neighbors.

The parking is located in the current driveway; there is enough room for 4 cars front to back. Mr. Beal said there is triple the lot area so there is room for the parking and the family has discussed the issue and that is what they want.

Mr. Beal said the siding on the house will all be the same, it will look like an addition and all part of the same house; all clapboard siding.

Ms. Joseph said there were comments from Sewer Department and the applicant will need to pay \$8K and the information had been provided to the applicant.

Mr. Beal said the ridge height of the addition is the same as the original home.

There will still be 4 bedrooms and one will be in the accessory dwelling, the 7x7 storage room will be used for storage and will never be a bedroom. Ms. Collins said there is very little storage in the house and this will be used for a closet/storage.

Ms. Joseph indicated it meets the size requirements as it is 749 gross sq. ft., they are sharing the laundry space and adding a breakfast nook onto the primary dwelling. It looks to be conforming.

Ms. Burbine said please don't let anyone park on the street; it is a condition.

*Motion:*

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

1. On June 30, 2021 Artrie Johannesen and Kristen Collins applied for a special permit for an attached accessory dwelling on the property at 8 Jay Road.
2. According to the Town of Scituate Assessor's records and the deed, the property at 8 Jay Road is owned by Arthur J. Johannesen, Jr. and Barbara C. Johannesen as Trustees of The Johannesen Revocable Trust.
3. Based on a floor plan submitted by the applicant, the floor area of the proposed accessory dwelling will be approximately 749 gross sq. ft. and 653 net sq. ft. The application indicates this is ~~62%~~ (correction 32%) of the total square footage of the primary dwelling which is 2,283 sq. ft. according to the Applicant which includes an 855 sq. ft. addition and does not include the 749 sq. ft. accessory dwelling. The proposed square footage of the house will be

2,987 sq. ft. The Assessor's card indicates the net square footage of the existing home to be 1,383 sq. ft. This meets the size requirements of 530.2F of the zoning bylaw for accessory dwellings as the bylaw allows 750 sq. ft. or 40% of the total square footage of the primary dwelling, whichever is greater. The accessory dwelling is subordinate to the existing single-family home.

4. The Accessory dwelling unit will be a complete separate housekeeping unit and there will be only one accessory dwelling on the lot.
5. The property is in the Residential R-3 Zoning District. The proposed attached accessory dwelling structure meets all the required setbacks, building height and yard requirements for a primary dwelling.
6. The proposed accessory dwelling within a single-family home is proposed to be in a two-story addition located to the west side of the existing dwelling. Access will be via a new door with stairs to the rear of the accessory dwelling and through a balcony on the second floor and through a second door on the first floor of the accessory dwelling unit. The appearance of the accessory dwelling will be in keeping with the appearance of the primary dwelling.
7. The Site Plan for Accessory Dwelling for 8 Jay Road, Scituate, MA dated 6/28/21 by Morse Engineering Company, Inc. shows the location of the house with the proposed accessory dwelling addition and driveway. The plan shows there will be 4 parking spaces in the driveway. This appears adequate to provide two parking spaces for the primary dwelling and two spaces for the accessory dwelling, although car shuffling will be required. Ample parking appears to be provided.
8. The owners have submitted a signed, notarized statement that they will both be occupying the proposed accessory dwelling at 8 Jay Road.
9. The accessory dwelling will be serviced by Town water and sewer. DPW requirements for water and sewer connections will be met.
10. The application meets the standards of the Scituate Zoning Bylaw for an Accessory Dwelling Special Permit.

Mr. Pritchard second the motion; the vote was unanimously in favor.

Ms. Burbine moved to approve the Special Permit for an accessory dwelling at 8 Jay Road with the following conditions in addition to the standard conditions for accessory dwellings approved by the Planning Board after a public hearing on 12/17/15:

1. Except for any changes necessary to meet these conditions, any construction shall substantially conform to architectural plans by Jason E. Beal, A.I.A. Architect for Additions to the Residence of: Johannesen, 8 Jay Road, Scituate, MA dated 6/28/21 consisting 18 plan sheets of A2 – A19 A.D.U. Permit Set showing existing floor plans and elevations and proposed floor plans and elevations; Site Plan for Accessory Dwelling, 8 Jay Road, Scituate, MA dated 6/28/21 prepared by Morse Engineering Co., Inc.
2. The number of bedrooms in the accessory dwelling is limited to one in the location and size indicated on the floor plan submitted with the application.
3. A second means of egress shall be added on the first floor in the kitchen by replacing a window with a door or as otherwise approved by the Planning Department

4. No further expansion of the accessory dwelling floor area is allowed without further review by the Planning Board.
5. Upon occupancy of the accessory dwelling, the applicant shall provide a notarized affidavit that they are living in one of the dwelling units. A yearly certification that the owner occupies one of the dwelling units must be provided by March 1 yearly.
6. All requirements of the Board of Health, Building Department, Zoning Board of Appeals, Department of Public Works, Fire Department and other Town agencies must be met prior to occupancy of the accessory dwelling.
7. The accessory dwelling shall conform to all applicable standards in the building, plumbing, electrical, mechanical, fire and health codes and bylaws.
8. The sewer must meet all requirements of the DPW Sewer division including an \$8,000 connection fee to be paid.
9. The water connection must meet all requirements of the DPW Water Division for the accessory dwelling.
10. Any lighting installed shall be down lighting to not shed light on abutting properties.
11. Construction work shall not begin prior to 7:00 am weekdays and 8:00 am on Saturdays and shall cease no later than 7:00 pm or sunset whichever is earlier. No construction shall take place on Sundays or legal state and federal holidays. Construction includes idling of vehicles, delivery of materials to the site and all other construction activities.
12. Runoff from the proposed accessory dwelling shall not be increased from the property.
13. Erosion and sedimentation control devices shall be installed to prevent any erosion or sedimentation from leaving the site during construction. Silt sock shall be used as necessary.

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

**Form A – ANR Plan – 39 & 45 Pennfield Road**

**Assessor's Map/Block/Lot 44-2-6 M and 6 N**

**Applicant/Owner: Karen Spinella and Harold Messias Jr. and John and Linda Melville**

**Documents**

- PDF 21-116 FMA ANR
- PDF 39-45 land swap plan brd letter
- PDF Application for 39-45 Pennfield Road ANR
- PDF Con Comm Comment
- Jpeg 45 Pennfield
- DOC Draft Motion Form A 39-45 Pennfield
- DOC Transmittal 39-45 Pennfield Road - ANR

Attendees: Jeff Hassett, Morse Engineering

Mr. Hassett reviewed the plan.

- Plan is to reconfigure the lot line between the two properties
- Survey for 45 Pennfield found that house is not meeting setbacks and encroaching on the existing property line
- Neighbors have agreed to swap land so no changes to the land area and no impact on frontage

There was discussion about how the encroachment could happen; Mr. Hassett does not know, but offered the explanation that the line of occupation goes more similarly to where they are proposing the line. He said there was an addition put on 40-50 years ago and perhaps the land was not surveyed.

Ms. Lambert indicated this land was originally part of the Tilden Farm; it was part of Nathaniel Tilden's farm.

Ms. Joseph indicated it has frontage and access, although there is no driveway to the house; she said technically there is access and frontage and should be endorsed, there is a front door. She said the area is flat there is nothing to impede access so the plan should be endorsed.

*Motion:*

Ms. Burbine moved to endorse as Approval Not Required a Plan of Land in Scituate, MA, 39 Pennfield Road & 45 Pennfield Road, Assessor's Parcels 44-2-6N & 44-2-6M, stamped by Jason Scott, P.L.S. of Morse Engineering, Co. Inc. for applicant Joseph Spinella and owners Karen Spinella and Harold Messias Jr. and John C. & Linda J. Melville, Trustees of the Melville Family Living Trust dated July 13, 2021 as the division of the tract of land shown on the accompanying plan is not a subdivision because it shows a proposed conveyance or change in lot line which does not alter the existing frontage as required under the Scituate Zoning Bylaw.

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

### **Minor Plan Changes – Residential Compound Development – 485 Country Way**

#### **Documents**

- PDF Letter from Grady dated 7-30-21
- PDF Subdivision – Construction Phase Amendment -sh 10 Details
- PDF Subdivision – Construction Phase Amendment – sh 7 UTILITIES
- Email dated 7.26.21 from Water Division
- Email dated 7.20.21 from Kevin Grady
- Email dated 7.28.21 from Fire Department
- Email dated 8.3.21 from Kevin Grady
- DOC Report 8.2.21 Inspection John Chessia
- DOC Photos 8.21.21 John Chessia
- Emailed dated 8.3.21 from Water Department

Attendees: Kevin Grady, Grady Consulting; Andy Nader, Developer

Mr. Grady provided plans to the Board for discussion. He indicated he had worked to permit the development with the Merritt's and now it is in the construction phase with the Nader's, new developers and property owner. Going through construction they have found the need to make some modifications which require approvals from the Board.

He indicated there are 4 minor items to discuss:

- Item #1 - Water line
  - Water Department indicated they no longer require a looped water main
    - Requiring a single main and hydrant at the end of the road
    - Water main residential services are located at the end
  - Cuts construction cost
  - Added hydrant at the front of the road per the Fire Department
    - Originally one hydrant on the plan, now proposing 2 hydrants

There was discussion on why the Water Department is making the change from a looped line. Ms. Joseph indicated it is a change in philosophy; there are more places for things to go wrong. i.e. more break points at the connections and it does not create any difference in the water quality. There will be a hydrant at the end to allow for flushing. The proposed change has been agreed to by Fire.

Mr. Pritchard opined the change does not jive with what has been said about looped water lines; he does not think this makes sense. He questioned if it has anything to do with the length of the line. Ms. Joseph was not sure, she was told it is an internal philosophy change. She let the Water Department they cannot approve changes in the field without Planning Board approval on a conditioned project. She reiterated to them it is important the Water Department provide comments during the permitting process.

At this time this is what the Water Department wants and Fire agrees.

Mr. Pritchard said now the Town will have to come and flush the main periodically, it is not the homeowners that would need to flush it. He also said if there is a break in line especially at the beginning the homeowners at the end are not going to have any water until it is fixed; if it were looped it could be isolated until it could be fixed and still be able to supply water.

Ms. Joseph said this is what the Water Department says they want.

The Board said looped water mains have been required for years and would like to hear from the Water Department before signing off. The Water Department needs to come in and articulate why the change is being made.

Mr. Nader said if they have to wait for the Water Department to come and discuss the issue with the Planning Board the current schedule of his project would be negatively impacted; it would cause delays by up to 2 weeks. He said this is a not a request that they created.

Mr. Grady said there is a shut off to isolate the entire water main in the event of a break to protect the town water and the main out in Country Way. He said the services are located at the end to keep the water moving, there are no dead areas. He opined the concern could be that adding the duplicate line also adds duplicate potential failure points, even if it is isolated the same amount of work needs to be done to fix it.

Mr. Pritchard opined no one has articulated why the rationale has changed and if there is any criteria for it; is it because it is only 500' or because it is only 5 houses not 20 houses. He does not feel like the Board understands why the Water Department is changing it.

Ms. Burbine said it is not the applicant's fault, it is the Water Department and it does not seem fair to hold up construction. Mr. Pritchard said the approved plan is for a looped water line and there needs to be some better explanation for the change in philosophy.

There was discussion if the applicant could put in the looped water line per the plan and if waiting to next meeting on August 26<sup>th</sup> would really hold up the project that much. Mr. Nader explained where they are in the process and they are ready to move with the water based on the water departments design and approval; the line has been tapped in the original location and to do the loop would require the line be tapped again and the roadway opened again. The Board felt as though there was no choice and were frustrated the Applicant continued on without approval from the Board for the change; the looped line should have been installed because it was on the approved plan.

Mr. Grady said the project is on a tight construction schedule to get the first phase done to get paved and meet the seeding season and then start working on foundations and the timing is on track right now.

The Board opined there is really no option, but regardless the Water Department should provide explanation. There is not going to be much flow in this line and the Water Department may have to flush it frequently.

- Item #2 – relocate the outlet from the outlet control structure and infiltration basin  
1
  - Required to build a 15' road around the back of the basin for maintenance
  - Pipe coming out is creating a grading issue over the access road
  - Add a manhole and turn the outlet 90 degrees so they no longer have to cross the access path
  - Will be further from the wetlands
  - No out flow from the control structure, it was serving as an emergency overflow
    - No water from the 2, 10, 25- or 100-year storm, but it is set for the 100-year storm
    - If there is overflow, flows out as designed hits the manhole turns 90 degrees, hits the outlet control, the energy dissipator, the splash pad and would disperse down gradient toward the wetland down gradient
      - Disperses between the 62 and 61 elevations and goes through the 50' no disturb buffer before reaching the wetlands
- Item #3 – infiltration trench designed with a trapezoid weir, would like to ad a curb to give it a structure.
  - Mr. Chessia suggested the change to make easier for access and maintenance
- Item #4 – modify the water quality swale

- Cut down by 1.5 feet so there is no head backing up into the catch basin, flatten it out and lower the elevation, eliminate any issues for the basin.
- Will still plant as a water quality swale and water will still go through it before getting to the infiltration basin

Ms. Joseph indicated that Mr. Chessia has reviewed all changes and suggested some of these drainage modifications to make it easier for the maintenance and it does not cause any issues with the functionality of the system.

Mr. Bornstein asked for an update on the phasing of the project and when the applicant is trying to get foundations in the ground.

Mr. Grady indicated in November, but they can not start that phase until they get Planning Board approval that Phase 1 is done. Mr. Nader said they hope to start individual lot plans with the Building Department by end of September.

Ms. Joseph said the applicant understands the requirement that the basins have to be stabilized and seeded prior to putting the binder down and prior to doing the water testing that is required to go into Phase 2.

*Motion:*

Ms. Burbine moved to approve three minor modifications for the Residential Compound Development currently known as 485 Country Way being requested by Grady Consulting, L.L.C. in a letter dated July 30, 2021 and on Sheet 7 of 20 and 10 of 20: i) allowing the looped water line to be eliminated with the provision that a hydrant be installed at the beginning of the drive and end of the drive; ii) modification of the infiltration trench outlet weir detail by adding concrete curbing for accessibility and iii) modifying the Basin # 1 discharge location to be 90 degrees from the existing outlet with an added manhole so there is no conflict with the grading and access is provided. The Applicant is cautioned that plan changes should be approved prior to implementation. Additionally, a fourth modification has been requested to allow for the swale at the street end to be lowered to elevation 62 to allow for a clear hydraulic path to the infiltration basin.

Ms. Lewis seconded the motion; the vote was unanimously in favor.

**Discussion/Vote – Surety – 6 MacDonald Terrace  
Applicant/Owner: RJB Development, Bob Burwick**

**Documents**

- Email dated 7.15.21 from Bob Burwick
- Email dated 7.30.21 from Merrill Corporation
- Email dated 8.2.21 from Karen Joseph
- DOC Draft Motion form Surety

Attendees: Bob Burwick, RJB Development

Mr. Burwick indicated he submitted an estimate for approximately \$63K for drainage, parking, lighting, fencing, landscaping and signage. It was forwarded to Merrill Engineers, Consulting



Engineer, for review and was thought to be reasonable; a 15% contingency will be added per Ms. Joseph. The total for Surety to be \$75K.

*Motion:*

Ms. Burbine moved that the surety for 6 MacDonald Terrace for the Mixed-Use Special Permit in the Village Business Overlay District be set at \$75,000.00 based on the applicants' estimate for construction costs reviewed by the Town's consulting engineer Peter Palmieri and the addition of a 15% contingency.

Mr. Bornstein seconded the motion; the vote was unanimously in favor.

**Discussion – Surety Requirements – 48-52 New Driftway  
Applicant/Owner: Petro Realty Corp, Aaron Cutler**

Ms. Joseph indicated the item will be removed from the agenda; Bond is been obtained.

**Discussion - Seaside at Scituate - Construction and Drainage Issues – Toll Brothers**

**Documents**

- Jpeg Seaside 8.5.21
- Jpeg Seaside 8.5.21 2
- Jpeg Seaside 8.5.21 3
- Jpeg Seaside 8.5.21 4
- PDF Temporary Basin Letter
- PDF Gorman Rupp 3 performance curve
- PDF HydroCAD report (One Pump)
- PDF HydroCAD report (Two Pumps)

Attendees: Jeff De Lisi, Attorney; Dave Buckley, Toll Brothers

Mr. De Lisi indicated they are here to report on what has occurred since the last meeting.

Mr. Buckley recapped what has been happening on site since the last meeting to address issues with stabilization.

- Took a phased approach for working the site
- Phase 1 – concentrated on BMPs and items that would prevent silty water leaving the site
- Phase 2 - Focused on reducing the footprint of unstabilized soil
  - Focused on common areas
    - Area behind the duplex lots
    - Areas between buildings on Benjamin Lane, Thelma Way and Lois Ann
  - Installed about 72,000 sq. ft. of sod in common areas
  - Installed additional treatment swales on Tilden and Hatherly Road
  - Installed super slit fence to separate stabilized areas from unstabilized areas
  - Significantly reduced the footprint on site, easier to manage
  - Proceeding to fast track duplex lots, 3 out 5 have been stabilized

- Exterior of buildings has been completed on last two duplex building
- Tracking to be planted, sodded, etc. in September on duplex lots
- Installed second pump and upgraded pipe in area behind duplexes
- Proceeding with land around area behind Lois Ann Court, next major push to get area 100% completed

Ms. Joseph indicated a lot of work has been done in the last three weeks; the area off Lois Ann is next on the list as is the area by the Club House near basin E that needs to be fixed. They have committed to addressing those areas; all the other general areas have been stabilized.

Ms. Joseph indicated there are 7 building permits in the queue and recommends permits be released with the understanding Conservation still has to levy their fine and the conditions of the erosion control needs to stay maintained as it is now.

There was discussion about how long the work would take around Lois Ann; work needs to be done by August 30<sup>th</sup>.

Ms. Joseph said they also reviewed the single-family house on Hatherly Road near Tenth Ave, 144 Hatherly Road, the back yard has had some re-grading and created a swale and moved a roof drain to the other side of the house. Toll Brothers has committed to the giving a new as-built with micro-topo to be evaluated.

Ms. Joseph said there are still discussions going on regarding the puddling on Hatherly Road, working with Toll and DPW; the problem originated a long time, but a solution is being worked on.

Ms. Joseph recommended the building permits be released in the queue and still do occupancy permits, but at any time there is feeling things are not working all releases will be stopped. Occupancy permits were held, but it did not impact any occupancy because work was completed and the Board agreed a significant amount of work was done. Current conditions need to be maintained; Conservation agrees with the approach.

Ms. Burbine said the situation was untenable on the site and this is what it took to get their attention; the Planning Board did not hold up occupancy, Toll Brothers did; all this should have been done at the beginning. She said the Board would not withhold anything, so long as Toll Brothers keeps up their end of the bargain. They do not have the right to put their water on anyone else's property.

Mr. Pritchard said this is the new normal.

*Public Comment:*

Mr. Chris Roth resident at 140 Hatherly Road (aka lot 144 Hatherly Road), said he rented a home on Tenth Ave during construction of his home. He said he monitored and documented the progress since the foundation was put in. He said it had been explained to him that there is a high-water table. He saw water sitting on top of the foundation back in the winter. He opined it was too much water for the footprint of the front of the lot especially knowing that there are 60% wetlands to the rear and to the side; he said he knew something was wrong with the drainage, but he was new to the area. He said the condition has persisted, he appreciates the work done recently, but has not seen it in an actual storm condition, but it is progress. He appreciates the overhead elevations and the drainage

that has been re-routed; he feels bad for his abutting neighbor being affected by it. He appreciates the Boards' attention and Toll Brothers efforts and will continue to monitor the situation.

### **Discussion with Director of Planning and Development - Kyle Boyd**

Mr. Boyd introduced himself to the Board.

- Conservation agent in Tewksbury for 4 years and Town Planner for 2 years
  - Oversaw the Green Committee, CPC, Open Space Committee
- Coastal Management Officer in Scituate for past 2 years
- Became Direct of Planning and Development 4 months ago
  - Been Training new Coastal Management Officer; his time has been split between the two jobs
- Initiatives he has been working on since being in Scituate, carrying them over from Coastal into Director of Planning and Development
  - Downtown Harbor Sustainability and Resiliency Master Plan
    - MAPC grant funding, task force worked with business owners
    - Implementation recommendations with a resiliency in the harbor
  - Peggotty Beach Managed Retreat Resiliency Study
  - Working on a bill for a "buy back" program being submitted to House of Representatives
  - Coastal Vision Process – 2070 Vision Process to create cohesive vision
  - CRS – Annual reports to the National Flood Insurance Program, just finalized
  - 12 Home elevations – now to be handled by the Coastal Resource Manager
- Initiative as Direct of Planning and Development
  - Working with MEMA and Fire Chief going after Brick Grant Program
    - Conceptual design/development of the Harbor, \$300-\$400K
  - On Pier 44 Committee
  - Updating Hazard Mitigation Plan
    - All grant funding from the State is contingent upon the plan
  - Has not been involved too much with North Scituate on sewer
    - Waiting for clear direction from Jim and Kevin
    - Ready to apply for grants

Ms. Burbine said North Scituate needs sewer. Trillions of dollars potentially to be passed for infrastructure for all states; need something for sewer. Something needs to be done, we need Federal funds to help move forward.

Ms. Lambert said part of the infrastructure problem is when there is a major storm Scituate is seen internationally, people are aware that Scituate is struggling with climate change. We should be a perfect ecosystem for some university, etc. to come and say they would like to help the town manage the change.

Ms. Burbine also said that Front Street floods at every high moon tide, twice a day. There was discussion about the parking in the area; people who bought condo's done there 10-20 years ago and have no parking. There was discussion about parking regarding what used to be the movie theater and is now being turned into condos with parking. This is an issue that needs be resolved.

Ms. Burbine also discussed the idea of moving the Harbor Business District up the hill towards Hazel; there are some zoning issues that need to be taken care of in the Harbor. Ms. Joseph said a grant will be needed.

Mr. Pritchard said there is a lot of connection between that and all the other disparate plans out there; the long-term impacts need to be looked at with climate change, flooding, etc. He questioned if the downtown harbor resiliency recommendations tie into the longer-term Master Plan. He asked Mr. Boyd if he has read the Master Plan; the Board needs someone to lead with that plan so the recommendations can be implemented. The Master Plan is going to Town Meeting and needs to be the guiding document. Mr. Boyd needs to take the Master Plan and bring it into all elements of planning and development.

Mr. Boyd said he is working with John Clarkson, formerly of the Executive Office of Energy and Environmental Affairs, on combining recommendations from all of the plans and coming up with prioritization matrix and a draft action plan. Thus far they have created a packet that gives a two-page summary of each plan, now all the recommendations are being taken from all the plans and put into a matrix and will then be prioritized; not sure what the public process will be. Mr. Boyd indicated the Town applied to the State to come up with an implementation plan, that would have included the Master Plan, the Resiliency Plan, etc., but the Town was denied.

Mr. Pritchard said that is good and that is what the Master Plan does. The Board would like to see the matrix that Mr. Clarkson comes up with.

Mr. Boyd said he would be open to one of the Board members meeting with Mr. Clarkson and himself to help shape the process. He said they were so far along in the Coastal matrix the goal was to finish that and then add in the Master Plan and some other Economic Development Plans.

Mr. Pritchard said the Board's interest is in helping move the Master Plan forward and address the issues; the coast is a major issue, but also so is infrastructure, water and sewer, and addressing those at the same time and implementing the Master Plan.

Mr. Boyd said that he is ready to lead these initiatives, he already has the re-zoning of the harbor on his radar when it is time, MAPC recommended that in that in the Resiliency Plan and they will be ready to fund that when it is time to act. He said he is ready to write a lot of these grants and is happy to work with the Board to steer the priorities and make sure we have the capacity in-house to manage the grants. He discussed the possibility of a Grant writer.

Ms. Lambert said she heard Cohasset is moving ahead with sewer and adding sewer down main street; that is important for North Scituate. Mr. Boyd did not know and said he could find out. The discussion continued about sewer and surrounding towns of Hingham and Hull.

Mr. MacLean commented that if the Infrastructure bill passes there will be lots of money going to FEMA just for flood and the Town should definitely take advantage of the Brick program; he works for FEMA and would be happy to help with anything.

Mr. Boyd indicated that information he has heard is that there could be a big increase in rates for coastal homes and a big portion of money will be new interest in home elevations. Ms. Burbine asked if that is really best solution. Mr. Pritchard said the infrastructure still needs to be in the road.

There was discussion about the current “buy back” program and the incentive is really not there for current home owners, i.e. it takes a long time, may only get 75% of what the home is valued at. Mr. Boyd is working on the bill that will make it a more effective and efficient “buy back” program and gets homeowners’ the money they are looking for in a timely fashion.

Mr. Bornstein commented on how he sees the position of the Director of Planning/Development working with the Board and what the role is; the Board needs help with aspiration, big picture stuff and the guiding document is the Master Plan. The Board needs Mr. Boyd to be the bridge to coordinate with the rest of town hall and keep the Board in the loop and represent the Board. The Board will bring their opinions to him about taking the goals of master plan forward.

Mr. Pritchard suggested that there be a periodic check in, i.e. once per quarter, discuss where you (Mr. Boyd) are and stay connected, make sure people looking board enough into the future. Need to think about initiatives in a boarder sense.

Mr. Boyd said that is why the Town did the 2070 Vision.

There was discussion about meeting with both Mr. Boyd and the Select Board. Town meeting is October 26, 2021 and the Master Plan is on the Town warrant. Ms. Joseph discussed the schedule of upcoming meetings and decided to try and schedule the meeting with Select Board prior to Town meeting either August 26<sup>th</sup>, September 9<sup>th</sup> or September 23<sup>rd</sup>, shooting for August 26<sup>th</sup> meeting.

#### **Discussion timing and mode of meeting:**

The Board decided to continue with in-person meetings until further notice and would be prepared to go virtual. The Board will discuss at each meeting if the upcoming meetings will be in-person or remote. September 9<sup>th</sup> will be in-person unless State sets a different mandate.

Ms. Joseph let the Board know there will be a public hearing on September 9<sup>th</sup> for a Citizens Petition for Marijuana to allow for “Marijuana establishments” where a dispensary is allowed. This would allow for recreational marijuana not just medical.

#### **Minutes**

#### **Documents**

- Meeting minutes 7.22.21

Ms. Lewis moved to approve the meeting minutes for July 22, 2021.

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

#### **Accounting**

#### **Documents**

PO #2201349 (\$3,454.50), PO #2201313 (#1,320.00), PO # 2201268 (\$120.96) , PO #2201268 (\$65.52), PO # 2201274 (\$1,800.00), PO #2201389 (\$2,250)

Ms. Lewis moved to approve the requisition of \$3,454.50 to Horsley Witten Group for peer review services at Seaside at Scituate, for \$1,320.00 to Image Resolutions for printing of Zoning Bylaws,

for \$120.96 to GateHouse Media for legal ad for 23 Vinal Road, for \$65.52 to GateHouse Media for legal ad for 16 Mann Hill Road, for \$1,800.00 to Merrill Corporation for peer review services for 16 Mann Hill Road, for \$2,250.00.

Mr. Bornstein seconded the motion; a vote was taken and was unanimously in favor.

### **Liaison Reports:**

#### **CPC – reported by Ms. Burbine:**

- Select Board holding a public meeting about the east field on Border Street
- 90' baseball field on hold because location not determined
- Teak Sherman Garden request for \$41,500 for a fence, tree removal and to repair a bridge
- Historic preservation for a Gaelic/English Journal for \$2,400 on hold
- Bailey Ellis house restoration \$8K to fix water in the basement

#### **Select Board - reported by Ms. Burbine**

- Mr. Mirabito made a presentation for Sewer connection
  - Property that received and ANR by the Board on 626 CJC Highway, right next to town hall and the high school
  - Connection of 4 units to the pipe for sewer – connection would need to be made through the pipe at the High School
  - Discussion was continued as the Board needs consult with Town Counsel
- Ms. Burbine strongly opposed the connection
- DPW denied the connection

#### **Planning and Development – reported by Ms. Joseph:**

- Drew progressing
  - Potentially may put up a sign with rendering for the project
  - Ground breaking in September
- Seaside walk through today
  - Setting up meeting for review of landscaping
    - Need to place the 50 trees per the decision
- Town received Project Eligibility letter for Old Oaken Bucket Cottages – 40B
- Working on stormwater regulations
- Anticipate new projects coming in – 7 New Driftway
- New Bylaw books have been printed

### **Documents**

- Email to the Board from Karen Joseph dated 8.5.21 with meeting agenda, draft meeting minutes 7.22.21, materials for 8 Jay Road.
- Email to the Board from Karen Joseph dated 8.9.21 with meeting materials for 39-45 Pennfield Road, 485 Country Way, 6 MacDonald Terrace, 48 New Driftway, Seaside at Scituate
- Email to the Board from Karen Joseph dated 8.11.21 with meeting materials for Seaside at Scituate.

These items were distributed to the Board electronically.

Mr. Pritchard moved to adjourn the meeting at 8:30 p.m. Ms. Lewis seconded the motion; the vote was unanimously in favor.

Respectfully submitted,

Shari Young  
Planning Board Administrative Assistant

Rebecca Lewis, Clerk

Date Approved: August 26, 2021