

SCITUATE PLANNING BOARD MINUTES August 13, 2020

Members Present: Ann Burbine, Chairman; Benjamin Bornstein, Vice Chairman; Patricia Lambert, Clerk; Stephen Pritchard and Rebecca Lewis, the alternate seat was vacant.

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 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

- 8/13/20 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

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

Documents

- PDF 3804 Ann Burbine Ltr
- PDF 3804 CD 8-6-20
- PDF 3804 OM 8-6-20
- PDF 3804 SWP 8-6-20
- PDF PB Minutes 6.25.20

Attendees by remote access: Paul Mirabito, Ross Engineering Co., Inc.; Greg Tansey, Ross Engineering

Ms. Burbine indicated that nothing new was submitted to the Board and comments made from the last meeting had not been addressed. She opined there is too much being smooshed onto this piece of property; the proposal is sandwiching in three big houses with septic systems, riprap and a barn. She felt the applicant would be better off reworking the plan to have only 2 houses and removing the common driveway. She indicated the applicant does not want to have an easement and the Board is requesting one. She opined it is an overdeveloped parcel.

Ms. Lambert agreed with Ms. Burbine adding the Homeowner's Association (HOA) leaves a lot to be desired; she opined that she would prefer there be not so much lawn for backyards and it be left in a more natural state. She said it is a lot of house on a little bit of property.

Mr. Bornstein said he would like to hear of changes that have been made in this iteration and the rationale of not doing any easements as the Board has requested. He opined from a design and zoning perspective, it is a lot of housing and infrastructure on this property in the current form; maybe there could be less square footage or less disturbed land area; he opined the purpose of the common driveway is getting lost in the current plan.

Ms. Lewis agreed with Mr. Bornstein and wanted to hear what revisions have been made.

Mr. Pritchard also agreed and wanted to hear more about why recommendations from the Planning Board were not implemented; it is a very tight piece of property.

Mr. Mirabito indicated that lots 1 and 2 are twice the size of what is required in the zoning district, lot 3 is just over 20,000 sq. ft.; the reason for all the grading and disturbance is because of the Scituate Stormwater requirements, the septic systems are raised systems to meet the separation from ground water, but everything in the back is because of the stormwater requirements. He said this plan has been reviewed several times by the Town's Consulting Engineer and it meets all of the technical components as well the septic systems have been approved; he indicated there have been changes made to the plan and referenced a letter he provided dated 8/6/20. He indicated there is a revised Operations and Maintenance Plan (O&M) which takes into account comments from the last public hearing. He said the biggest issue in the comments from Merrill and the Board is a requirement for an easement in the rear of Lot 2; he indicated the houses need to be 30' from the rear property line the proposed homes are 100'-150' from the rear property line, they are also providing a vegetative buffer that is between 50'-55' in depth, the buffer strip would be marked in the field with plaques indicating the area is a no disturb zone. He indicated they are using the same technique as Curtis Farms to mark the open space; this cuts the backyard area for Lot 2 to roughly 45'-50' in depth for a backyard area. He said the large buffer in the back is not required and they have accommodated the Board. He went on to discuss why the applicant is opposed to an easement for Lot 2 saying it will be a problem when selling the property because it is across the backyard; he opined the easement is not needed because the stormwater management system needs to be maintained by each individual homeowner and who would the easement go to if there were an easement on the property; someone else would have the rights to the property.

Mr. Pritchard asked for some clarification regarding the responsibility of the homeowners and the maintenance of the stormwater; he questioned if it would not be the responsibility of all three homeowner's combined not individual homeowner's. Mr. Pritchard said the O&M Plan for the common driveway says all three homeowners are responsible for the maintenance not each homeowner. Mr. Mirabito said the common driveway agreement is only for Lots 1 and 2 and does

not serve Lot 3. He noted the Common Driveway agreement is a separate document from the stormwater and each homeowner will be responsible for the stormwater on their lots.

Ms. Joseph indicated she has not yet received a Common Driveway Agreement the only thing that has been received is an O&M Plan for all three lots. She further stated the new information was not submitted in a timely manner and the material has not been resubmitted for peer review as funds were just received this week. She opined the O&M is still not right and inquired about use of sand for permeable pavement.

Ms. Burbine opined there is still some work to do.

Mr. Mirabito said he outlined in his letter that the applicant does not feel there are any more technical issues to be made; the issues outlined in his comment letter from August 6th are issues that need to be discussed with the Board.

Mr. Mirabito went back to the easement discussion and said the owner of Lot 2 cannot grant themselves an easement over their stormwater system; easements on someone's lot are for use by someone else other than the owner of the particular lot. He opined if there was an easement it would be to the owner of Lot 1, the downhill lot, i.e. if the person on Lot 2 was not maintaining the stormwater and it was causing issues with Lot 1 then that owner could go onto Lot 2 and at their expense correct the situation; he opined that would not happen in the real world. He said the stormwater bylaw requires that each homeowner of each lot has to maintain their own systems. He said the system on Lot 2 is a recharge system that is also part of the lawn and is about 10"-12" in depth it will be a grass area and they have added 2 additional inlet ports. He said it is a recharge system for water coming off the house and some of the lawn area behind the house; the water stays on Lot 2 and does not go anywhere else. He opined the only problem they could foresee is if the owner does not mow the lawn on a regular basis and/or remove the leaf litter in the fall. There is no other maintenance needed for the system.

Mr. Pritchard opined that is not what was submitted. Mr. Pritchard read from the submitted O&M Plan and stated that he has not yet seen an HOA. Mr. Pritchard read the excerpt that all three homeowner's in the HOA are responsible for the system. Mr. Mirabito said he would re-review it as that is not the intent with three individual lot owners.

Mr. Mirabito addressed the comments about the site being over developed and opined it is not; he indicated the lots are more than twice the size that they have to be, the lots comply to the zoning requirements and they comply with the requirements for the stormwater management system, they are providing a 50'-60' vegetated buffer that is not a requirement, but was requested by the Board. He said they have to design according to the rules and regulations and they have done that with this property. He said the Board is taking it to the next step asking for a restricted area that is more than what is required to appease the neighbors. He said these plans meet all the rules and regulations.

Ms. Burbine said the plans might meet all the rules and regulations, but her opinion is it is too much and it is over developed.

There was discussion about not doing a common driveway; Mr. Mirabito said they did the common driveway to limit the number of driveways coming out onto Mann Hill Road, but the common driveway is very short; there are 2 driveways versus 3 driveways.

Mr. Mirabito was asked about the barn on the property and at this time it will either be removed or relocated; the common driveway goes around the barn someone could keep it and relocate it or it could be torn down. Once it is torn down it cannot be replaced because it does not meet the setbacks, it is a pre-existing non-conforming structure.

Ms. Burbine said they will disagree on this and there is still work to be done; the Board still needs the HOA and the O&M Plan needs to be consistent with what Mr. Mirabito has said.

Ms. Joseph indicated that the HOA and the Common Driveway Agreement could be one in the same document as they have similar requirement, i.e. no parking in the common driveway, maintenance responsibilities. She also discussed the visibility issues that were raised at the previous meeting; how much tree trimming has to occur.

Public Comment:

Ms. Shari Wasserman, resident at 12 Mann Hill Road, said she did not have any comments to add from what has been stated.

Motion:

Ms. Lambert moved to accept the applicant's request to continue the public hearing for the Stormwater Permit and Common Driveway Site Plan Administrative Review for 16, 18 and 20 Mann Hill Road until October 24, 2020 at 7:00 pm and to continue the time for action for filing with the Town Clerk until December 30, 2020.

Mr. Bornstein seconded the motion; a roll call vote was taken; the vote was unanimous in favor.

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

Ms. Joseph and Ms. Burbine offered to meet with Mr. Mirabito to review the project.

Discussion/Update from Coastal Resource Officer – Kyle Boyd

Documents

- PDF 20200729 Scituate 2070 Vision_DRAFT
- PDF Scituate Harbor Master Plan 8-7-20
- PDF Scituate-Harbor-Report 5-20-201

Attendees by remote access: Kyle Boyd, Coastal Management Officer; Elizabeth Cooper, Consensus Building Institute; Josh Fiala, MAPC

Mr. Boyd gave an overview of how the projects began – Vision Plan and Harbor Plan.

- 2018 Coastal Community Assessment was conducted
- Consensus Building Institute received a grant funded by the EPA
 - Interviews were conducted with Residents, Business Owners, Town Organizations and Committees
 - Strengths and weaknesses of being a Coastal Community
 - Interviews complied and provided recommendations
 - Resulting in 4 recommendations
 - Coastal Vision process lead by the community
 - Plans done for the future of the harbor
- Grants received to conduct the coastal vision process – 2070 Coastal Vision and Downtown Harbor Master Plan

Mr. Boyd opined one of his goals was to build the community and town interactions in regards to Coastal Planning; both processes had incredible emphasis on public outreach. The 2070 Vision is completed; a grant has been applied for to help fund a 10 year implementation plan. If the grant is received, the results of the Coastal Vision Plan, the Downtown Harbor Master Plan, the Peggotty Manage Retreat Feasibility Study and the Stormtide Pathways Grant will be pulled together to come up with a 10 year implementation plan; this will be a very important planning effort for the community. He said this is a community-led effort and there is community support.

Ms. Cooper works for the Consensus Building Institute a non-profit which provides facilitation services for a range of natural and built environment issues and has worked with many municipalities in Massachusetts. She discussed the Coastal Vision Plan in some more detail.

- Set out to create a community design resilient vision for the coast in 50 years
 - Create more coherent vision with all the different plans that are in the works
 - Becomes the beacon for planning and investment decisions for the coming years and decades
- Vision seeks to identify and address the challenges facing the coast due to intense storms, sea level rise and erosion
- Grant received in late Fall 2019
- Began engaging with the public in January 2020
 - January - February - on the ground engagements - neighborhood gatherings
 - March - April - online engagements and surveys - due to COVID
 - April held 2 community workshops
- After workshops created a DRAFT Vision
- Additional feedback on the DRAFT Vision was solicited in July
- Currently putting the final touches on the DRAFT
- Over the course of time, 125-260 people have been engaged in live meetings, virtual meetings, hundreds of people have been engaged in the online platform.
- Key components in the Vision
 - Beaches – beautiful, accessible, provide recreational opportunities and protection
 - Future of Harbor – gathering place for the community, tourist destination, businesses moved out of harm's way
 - Coastal development would have a mix of built and natural spaces on the coast with areas being safe and natural areas being connected to each other

- Community character maintained – classic New England small town, a year round and summertime destination adapting to changes while remaining true to the Town's legacy.
- Draft report has several components
 - Statement of the Vision
 - Description of Coastal Risks
 - Risks – coast is facing storm impacts, erosion, sea level rise, risks to infrastructure and property and funding challenges
 - Range of implementation considerations
 - 10 year implementation plan – applying for grant
 - Intensive 2 year process includes
 - Community Vision
 - Funding for the challenges the Town faces
 - Detailed action plan
 - Coastal Resilience strategy – broken down into four buckets
 - Accommodate – i.e. elevating structures
 - Defend – preventing water from reaching structures in the first place – i.e. seawalls, beach nourishment, etc.
 - Move – getting structures and people out of harm's way
 - No intervention – allow nature to take its course
 - Report provides pros/cons of each bucket and tee's it up for the decision making phase in the 10 year action plan

Comments from the Board:

Ms. Lambert said that she found the report to be “pie in the sky” and it was astonishing to her how First Cliff really is cut off if the bridge washes out. She said she knows the coast is eroding, but she is not sure how much we can keep up with it. She said one of the biggest challenges for her is how to attract other businesses besides restaurants to Scituate Harbor.

Mr. Bornstein did not have any specific questions on the plans, but said the Planning Board is re-doing the town wide Master Plan and the coast is an important component of the master planning process. He wants to make sure that the work on the coastal issues is included in the Planning Board Master Plan process; some of the information in the Visioning Plan/Harbor may supersede what the Board has been working into the Master Plan. Working with Mr. Boyd as the liaison will be very important to integrate these reports into the overall Master Plan and that some of the recommendations from these reports can be used to update and change some of the zoning, which is the eventual goal of the Master Planning process. He said he is impressed with the level of public process that was done.

Mr. Pritchard said he is fully on board with the components of the Visioning Plan, beaches, future of the harbor, etc. but, they are what the town would like to continue to have and maintain; he asked how much the reality and the science play into what is feasible. He gave the example of the amount of sea level rise that is likely in the next 50 years and asked how likely is it that the Town will be able to preserve those things, not just from a physical and engineering perspective but also from an economic perspective. He opined the town has essentially no commercial tax base, how can the homeowner's in Scituate continue to fund extremely expensive interventions. He is trying to understand where the 10 year implementation plan is going. He would like to hear what the thoughts are on the challenges that we face trying to hold onto the visions.

Ms. Cooper responded that she hopes the vision resonates and that the four components resonate. She said all the components are achievable, but they can't all happen in all places all the time, there will need to be some prioritizing and trade-off making to figure out where Scituate should have beaches in the future and what investment decision are going to have to made to prioritize any of the values, i.e. the commercial tax-base. She indicated they have been coordinating with Harriman on the Master Plan and sharing information; she noted that they did highlight to Harriman the need/opportunity for alternative sources of tax revenue and where in the town that might happen. She opined what the Vision Plan aims to do is take the things "you want" as key considerations, to keep in mind as the Town determines how to rank priorities and where the town wants each of those things to happen. She said they did not do any cost analysis of different measures, but they tried to give information to assist in making the decisions of what to defend, adapt and let go, but they did not provide recommendations on what the decisions should be. The 10 year implementation plan is action working towards the 50 year action plan. They recommended that all the actions that would happen in the 10 year plan would be for long-term gains.

Mr. Boyd added that from a planning perspective they were tasked to come up with a cohesive community vision; it may seem "pie in the sky" but he said he can't emphasize enough how important it is to have the community on board with a vision; he said that is what we have now. Now the hard work is really going to have to take place; the hard questions will have to be asked and answered. He indicated the 10 year implementation plan is a grant process that will be a more intense process. The vision may be broad but they needed to come up with the vision to move forward.

Mr. Pritchard said he is on board with the Vision and commended the work done, but what are the realistic doable actions given the tremendous stress climate change has to meet the visions. There may be components of the vision that are just not doable. He is trying to understand how far they took it and what is left to be done; but the work done is good.

Mr. Boyd said that in the 10 year plan there are somethings that right now are not doable from a policy standpoint, but they will recommend in the 10 year plan what can happen and will prioritize the things that can happen right away and come up with steps on how to accomplish items that are harder accomplish. He provided some examples. The next phase of the process will look at those items in more depth; it will look at what needs to happen and why it can't happen. The Town is applying for this grant with Coastal Zone Management (CZM); we are the pioneers for the State. He said they hope to identify the issues that hard are to accomplish for every community; policy may need to change.

Ms. Burbine also commended the work done.

Mr. Fiala from MAPC spoke regarding Scituate Harbor. He indicated their study did drill down to some potential approaches to resiliency in the harbor, i.e. a coastal barrier in the harbor, the edge of the bulkhead surrounding the perimeter of the district, something on land in terms of fortification. He said they have been looking at both the pros/cons of each approach with the community and have gotten support for an approach that is mostly on the edge of the Scituate Harbor Business District. He indicated they have been able to make recommendations that would help the town incrementally build up resilience. He said it is not all one big project, but they are looking at things that could be done in near term, i.e. backflow preventers on outflows in the district, longer-term projects looking at Cole Parkway and how the perimeter flood protection can be improved, zoning recommendations –voluntary migration uphill if the business district were expanded. He said in the report there are

more details, but the overall is consistent with the Vision. He said MAPC has also been talking with the other consultants the town is working with, i.e. Harriman for the Master Plan.

Mr. Pritchard asked if there are any experiences up and down the coast where people have tried to tackle this by moving inland and uphill and has it been successful. Mr. Fiala said it has been floated more as an idea, there are less solid examples, even nationally, where districts have started to implement and relocated businesses, etc. He opined that as the long-term plan is setup it is reasonable to set up the ability for people to do it voluntarily through zoning, but it is up to the individual property owner and real estate market around the district.

The Board thanked everyone for the information.

**Continued - Public Hearing – Site Plan Administrative Review and Special Permit for Density and Tandem Parking in the Village Center and Neighborhood District – Greenbush Village Center Subdistrict – Greenbush Gateway District (GDG-GVC) - 18 Ford Place
Assessor's Map/Block/Lot 53-05-22
Applicant: Don McGill
Owner: JB Scituate LLC**

Documents

- PDF 8.7.20 Letter to Scituate PB

Attendees: Don McGill, Applicant; Robert Galvin, Attorney

Ms. Burbine indicated the discussion for tonight is solely in regards to the public benefit; she referenced Mr. Galvin's letter with a proposal of a \$15,000 cash donation for the benefit of a bridge in the conservation area by the Herring River.

Board Comments:

Mr. Bornstein said he would like to know how the valuation was determined.

Mr. McGill said Mr. Galvin has spoken mostly with Conservation about what they want to do, but he spoke with his engineer and based on what he thought Conservation was looking for came up with a figure.

Mr. Galvin added the Planning Board had let him know there was a project at Constitution Park that might needed some more funding or some improvements. He spoke with Ms. Walkey, Conservation Agent, and she suggested it might be better to contribute to a trail project where they may need a bridge; it is a trail bridge not a vehicle bridge. He said Mr. McGill and his engineer would go out and evaluate the cost, but the project is a few years from being completed and the cost is more around \$300,000. The applicant and his engineer looked at how much it would cost to put a foot bridge in over a stream and this is the figure they came up with \$15,000.

Ms. Joseph indicated that she walked the area with Frank Snow, Amy Walkey, Sean McCarthy and Penny Pipes and the bridge would need to be fairly wide and a path would need to be made to get to the bridge; this is not something that could be done tomorrow, it is several years away. She said they thought a monetary contribution for the density bonus would be the best thing; if it could not be used for the pathway there are items in the park that need to be addressed and are equally as

important. She indicated the benefit has to occur for Greenbush, but neither project is shovel ready to go.

Mr. Galvin opined that if they made the monetary contribution the Board would not have to deal with some of the other ordinary considerations, i.e. ensuring payment, how things are constructed, a timeframe, the money would be available to the Town as soon as the town was ready to do it. The applicant's only request is that the money not be due before there is any type of occupancy permit on the first unit, but the applicant commits to giving the money and will ultimately provide it when the Board sees fit.

Mr. Pritchard commented that the idea is to provide actual on-site or off-site infrastructure improvements. He is concerned that \$15,000 might never really deliver anything. He said that whatever the Board decides even if it is the \$15,000 for some specific project the Board needs specifics on the project, a written description, cost estimate, sketch plan, etc.; this is the first time the Board has been through this process and should set expectations that all the requirements in the bylaw should be followed/provided. He opined he would want the project spelled out, including the specific timeframe for completion, list of permits that are required all of which are a part of the overall requirement for public benefit. He does not want to cut any corners, because this sets the expectation and precedent for what is expected from the public benefit.

There was discussion if the proposed project is three years out are there other infrastructure improvements in the area that could be done, i.e. lighting upgrades, sidewalk upgrades.

Ms. Joseph indicated she asked DPW for infrastructure projects or other projects that need to be done in Greenbush that could qualify for a public benefit by being in an approved plan, etc. and she got no response. She approached Conservation, but unfortunately, the projects are a couple of years out so a monetary contribution was suggested.

Mr. Pritchard said he is okay considering a monetary contribution, but the expectations and what the money is going towards needs to be clearly defined.

Ms. Burbine added the trails project has been going on for years; it has been a money situation or lack thereof. She opined Conservation would at some point be coming back to CPC for funding. The main bridge is around \$300K and likely not to happen any time soon, but the area can be cleared it can be made more walkable. She opined if the Board were to put a monetary donation into a fund that is dealt with by Conservation and the approval of the Planning Board the Board can make sure the funds go where they should. Ms. Joseph said that Conservation does already have some money for the park, around \$60,000, but it is not enough to do anything in Constitution Park yet.

Mr. Pritchard asked again if there is any infrastructure that could be done that is immediately adjacent to the property that would provide a benefit to the local neighborhood. Ms. Burbine said there are already streetscapes with brick sidewalks and decorative lights that exist on Ford Place. There was continued discussion if there was another area nearby in the Greenbush area that could benefit to extend the brick walk, add the additional lights, etc.

Ms. Burbine suggested that the Board decide on the monetary value they would accept and then work on where it could be used. Mr. Pritchard was opposed to this and suggested the Board should figure out the work that is to be accomplished and get the costs to decide on the dollar amount. Ms. Burbine said we are not at that point. Mr. Pritchard said he is trying to get to the point.

The discussion continued and it was suggested that across from Dunkin' Donuts there is a park and maybe there could be some benches, etc. that could be done there. Ms. Joseph said she would go back to Conservation and request more detail. She said there is a public benefit that has to happen for this development. Mr. Pritchard said he just wants to see it materialize, since in the past it has not; the new bylaws spell it out clearly, get it on paper and there should be an option for the project that after a defined timeframe if nothing happens there should be an alternate public benefit to ensure that occurs.

Mr. Galvin said the applicant would earmark the money in any way needed that it be spent on the project and if a timeframe elapsed and it wasn't spent the applicant would not have any objection or place any restriction that it could not be spent on another project.

Mr. Pritchard said he appreciates that, but money is not enough. He referenced Section 580 of the bylaw and the description of the public benefit; if the money is intended to go to a public benefit then give a written description, the significance to the town, the cost estimate, a sketch of the plan; he feels the Board is leaving it nebulous and he does not want to do that.

Ms. Joseph said between now and the next public meeting she will work with Conservation to find out where the money would be spent and to come up with the parameters in the bylaw and get some of the stuff in writing and the applicant could provide some graphics.

She asked if the Board is okay with \$5,000/unit for a public density bonus; she opined the Board needs to discuss that aspect.

Ms. Lambert said no.

Mr. Galvin tried to argue it is only two units requiring a density bonus; he noted the MacDonald Terrace development behind that has five units and did not have a density bonus under the old bylaw. He also said they have done a redesign of the building after meeting with Design Review Committee. It is the fourth time the building has been redesigned, they have paid for extensive peer review more than anyone else; it is a 10,000 sq. ft. site. He opined the Board will really like the work that has been done. The applicant will be back to DRC on September 2nd. It is a modest project, but it provides diverse housing for the area, the trail makes the most sense for a public benefit.

Ms. Burbine said the Board has to figure this out, the monetary aspect. Ms. Lambert has already stated she does not find \$5,000/unit to be enough. Mr. Bornstein said he had looked for some metrics to help in his preparation for this meeting. He said he has a hard time picking a monetary value without more information; he is more on the side of Mr. Pritchard. Mr. Bornstein said he could be fine with the amount, but it is somewhat nebulous for the project; it is like the chicken and the egg.

Ms. Burbine said this needs to be made a little more concrete; work needs to be done with Conservation to come up with some numbers. This will be discussed again at the September 24th meeting.

Mr. Galvin said the area near the Dunkin' Donuts could probably accept some benches now; the applicant would be willing to do that now preliminary to the building of the trail system. Ms. Joseph

said it could use benches and the paved portion to the existing trail needs improvement so it is more handicapped accessible right now.

Ms. Burbine suggested the applicant and his engineer come up with a plan to make the area near Dunkin' Donuts more handicapped accessible, add some benches and make the place look more attractive. Mr. Bornstein recommended a site walk with Conservation to get more direction and a rough scope of work with a ballpark estimate.

Ms. Joseph said she would work with Conservation, Frank Snow and Amy Walkey, to schedule a site walk and refine the scope of the project to the beginning part of the park. The applicant will make themselves available and Mr. McGill will have his engineer down there next week.

No public comment.

Motion:

Ms. Lambert moved to accept the applicant's request to continue the public hearing for the Site Plan Administrative Review and Special Permit for Density and Tandem Parking in the Village Center & Neighborhood District – Greenbush Village Center subdistrict – Greenbush Gateway District (GDG-GVC) for property located at 18 Ford Place until September 24, 2020 at 7:00 pm and continue the time for action until October 30, 2020.

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

Form A – ANR Plan - 143 & 145 Border Street
Assessor's Map/Block/Lot 6-2-9 and 9A
Applicant/Owner: Lion's Head Trust, J. Maxwell Bleakie, Trustee

Documents

- PDF 16-068 LC ANR Plans 8.3.20
- PDF ANR Application
- PDF DOC 430941 CERT 93748_7_20_1998
- Email to Karen Joseph from Deb Keller dated 8.7.20
- DOC DRAFT Motion
- Email to Karen Joseph from Deb Keller dated 8.6.20 – Certificate of Trustees
- DOC Transmittal 143 and 145 Border St – ANR
- PDF Tax Document

Attendees by remote access: Doug Aaberg, Merrill Engineers; John Bleakie, Property Owner

Mr. Aaberg presented the plan and discussed the key sheet. He indicated the property is owned by Lion's Head Trust and they are proposing to divide the property into three buildable lots, Lots 15, 16 and 17 and small wedge Lot 14 which is anticipated to be sold to the abutting lot, the Smiths. He indicated all the lots created have a minimum of 100' on Border Street all the lots are 100' wide. The rest of the sheets have more detailed maps which have traverse lines and information for Land Court. All the lots have buildable area even though the Board's endorsement does not mean there is compliance.

Ms. Joseph indicated the triangle piece of land is the piece the Board saw in January that was being given to the abutter to fix an encroachment. The Town had the right of first refusal and the Board refused for 61A. The applicant is trying to separate the house lot, there is access on Border Street, and there is a common driveway that has been there for 20 years, all the land is in 61A, but does not affect if the Board endorses the plan. Ms. Joseph recommends endorsement.

There was discussion about the lots. Lot 16 has a pre-existing house on it; access is via a common driveway shared with the Smith lot. Lot 15 is not a buildable lot as it is difficult to get to through the wetlands. The Board is not making a determination if the lots are buildable or not.

Motion:

Ms. Lambert moved to endorse as Approval Not Required a Plan of Land 143 and 145 Border Street Scituate, MA being a division of LC Plan 19784 D & G stamped by Douglas L. Aaberg, P.L.S. of Merrill Engineers and Land Surveyors for applicant/owner Lion's Head Trust, J. Maxwell Bleakie, Trustee revised dated 8/3/20 as the division of the tract of land shown on the accompanying plan is not a subdivision because every lot shown on the plan has frontage of at least the distance presently required by the it Scituate Zoning Bylaw on the public way of Border Street.

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

Discussion – Senior Center - Parking Monitoring Plan

Documents

- DOC DRAFT letter on parking monitoring plan
- PDF Scituate Senior Center – Parking monitoring plan

Ms. Joseph indicate she had sent the Board a DRAFT letter regarding the inadequacy of the parking-monitoring plan for the Senior Center.

The Board all agreed on the letter.

Ms. Burbine moved all those in favor of sending the letter.

Ms. Lambert 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

Minutes
Documents

- Meeting minutes 7.23.20

Ms. Lambert moved to approve the meeting minutes for July 23, 2020.

Ms. Burbine 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

Accounting
Documents

PO #2101068 (\$412.50), PO #2101045 (\$62.50), PO #2101044 (\$645.00), PO # 2100510 (\$4,562.50), PO #2101043 (\$152.88), PO # 2101042 (\$168.00), PO #2101111 (\$2,396.00), PO #2101225 (\$937.50), PO #2101223 (\$745.00)

Ms. Lambert moved to approve the requisition of \$412.50 to Merrill Corporation for peer review of 16, 18-20 Mann Hill Road Stormwater/SPAR Common Driveway, for \$62.50 to Chessia Consulting for stormwater peer review of 36 Barker Road, for \$645.00 to Chessia Consulting for peer review of 18 Ford Place, for \$4,562.50 to Harriman Associates for consulting services for the Master Plan, for \$152.88 to GateHouse Media for legal ad for 18 Ford Place, to \$168.00 to GateHouse Media for legal ad for 14-16 Old Country Way, for \$69.74 to Schwaab Inc. for office supplies, for \$2,396.00 to Horsley Witten for peer review services for Seaside at Scituate Phase 2, for \$937.50 to Merrill Corporation for peer review of 61 Border Street stormwater, for \$745.00 to Horsley Witten Group for peer review of 14-16 Old Country Way

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

Liaison Reports:

CPC – reported by Ms. Burbine:

- Repair of stone wall on Country Way just beyond the Egypt Garage heading to North Scituate – project going away
 - Too many issues – who owns it, is it in the public right of way
- Mordecai Lincoln - working on signing the P&S

Street Acceptance - reported by Ms. Lambert:

- Hatherly Cove – told the road is a common driveway, private in perpetuity – stated in the HOA
- Hillcrest Road – behind the Barker Tavern
 - Dirt road, residents want to pave it
 - Residents going to investigate paving the road themselves
 - Driveways go out to Ridgefield
- Committee discussed - Deer Common and Studley Farm

Master Plan- reported by Mr. Bornstein:

- Scheduling meeting for the Advisory Committee

Planning and Development – reported by Ms. Joseph:

- Toll Brothers – asking for Surety Reduction
 - Letter has been sent out for Peer Review
 - Walking the Site after August 24th
- Drew under construction hopefully by end of the year
- Busy with projects in Greenbush

Documents

- Email to the Board from Karen Joseph dated 8.7.20 with meeting materials for 18 Ford Place, Senior Center, 143 & 145 Border Street, and 16, 18-20 Mann Hill
- Email to the Board from Karen Joseph dated 8.7.20 with meeting agenda for 8.13.20
- Email to the Board from Karen Joseph dated 8.10.20 with meeting materials for 143 & 143 Border Street and Harbor Master Plan
- Email to the Board from Shari Young dated 8.11.20 with meeting minutes from 7.23.20

These items were distributed to the Board electronically.

Mr. Burbine moved to adjourn the meeting at 8:49 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

Respectfully submitted,

Shari Young
Planning Board Administrative Assistant

Patricia A. Lambert, Clerk

Date Approved: August 27, 2020