

**SCITUATE PLANNING BOARD    MINUTES    October 27, 2016**

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

Others Absent: Alternate member, Gerard Wynne and Ms. Laura Harbottle, Town Planner.

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

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

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

**Documents**

- 10/27/16 Planning Board Agenda

ACCEPTANCE OF AGENDA: Ms. Burbine moved to accept the agenda. Mr. Taylor seconded the motion and the vote was unanimous in favor.

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**Public Hearing – Scenic Road – 489 Country Way  
Assessor's Map/Block/Lot 32-007-015 & 21  
Applicant/Owner: K & E Construction**

**Documents**

- Application and Scenic Road Plan #489 Country Way Scituate, MA by Grady Consulting, L.L.C. dated August 30, 2016
- Transmittal to departments dated 10-3-16
- Email from Laura Harbottle to the Board dated 10/26/16 with above information

Kevin Grady and Bradford Merritt were present. Mr. Grady indicated this same lot received a scenic road permit in June 2014; however there were delays due to a change of lot lines and probate issues. Mr. Grady indicated that the driveway is located 70' north of where it was to go before and there is no real stone wall out there except for remnants and no trees in the right-of way will be disturbed. Mr. Grady showed the Board the location of the previous driveway and reiterated that there are barely remnants of a stone wall existing and there is no significant aesthetic wall along the whole frontage. Mr. Merritt said there were not enough stones to rebuild a wall. Chairman Pritchard said the curb cut is fine and that he hopes the wall in front of the small detention basin can be maintained. Mr. Grady was asked if the electricity will be underground. Mr. Grady indicated that a utility pole will be brought into the property as the builder wanted to go above ground for cost reasons.

Ms. Burbine moved to close the Scenic Road Act public hearing and to approve the application for removal of approximately 16 linear feet of remnant stonewall in connection with the construction of a proposed 12 feet wide driveway for a new single family home at 489 Country Way, Assessor's Parcel 32-007-015 & 21, for applicant K & E Construction. No new stonewall is proposed; however, if elements are still there, then the stone should be repurposed to enhance the remnant wall. No trees over 3" caliper in the scenic roadway right of way will be removed as shown on the Scenic Road Plan 489 Country Way dated August 30, 2016 prepared by Grady Consulting, L.L.C. The applicant will notify the Planning Board when construction commences and when the driveway is fully completed. No additional stonewall shall be disturbed for utility installation without another

Scenic Road hearing and permission of the Planning Board. This approval is conditional on all federal, state and local permits being obtained. Mr. Limbacher seconded the motion. Motion was unanimously approved.

**Mixed Use Special Permit – 50 Country Way – Review/Approve Alternative Design for Replacement of Wetherbee House**  
**Assessor’s Map/Block/Lot**  
**Applicant/Owner: Greenbush Station LLC – Peter Genta**

**Documents**

- Letter from Wendy Fronteiro dated 10-26-16
- Building A Existing and Proposed Wetherbee West Elevations A- 5a, Building A Proposed Wetherbee Elevation, Section A-5, Building A Elevation A-6, Building A Sections A-8 all dated 10-26-16
- Email to Wendy Fronteiro and Laura Harbottle dated 10-20-16 with Building Elevations
- Email to the Board from Laura Harbottle dated 10-26-16 with above noted material
- Email to the Board from Karen Joseph dated 10-27-16 with signed letter from Wendy Fronteiro dated 10-26-16

Peter Genta, Greg Grant and Jim Sandell were present for the applicant. Mr. Sandell indicated that the Board asked Wendy Fronteiro and his team to clarify concerns of the existing Wetherbee House and to resolve issues to make the building historically appropriate. He indicated the applicant will be reconstructing the Wetherbee House due to structural issues associated with a commercial building and it will be rebuilt in a like manner to what is there. Mr. Sandell said the existing building was measured with a laser and the measurements are documented in the existing building elevation which is adjacent to the proposed elevation and via photographs. He indicated that Building A becomes the face of the development and it will sit closer to the street than currently exists. He said the first two floors will contain a combination of retail and office and the third floor is residential. He said the new driveway comes in pretty level and there will be a different perspective of the building. He indicated that both he and Ms. Fronteiro agreed that the historic elements of the façade are the first and second floors and the arcade.

Mr. Sandell said that they agreed that the first and second floors should be replicated along with the roof around. He said they are unable to locate any old photographs of the building. He said the proposed roof pitch is 12 versus 10 as it makes the third floor usable. He said the plan they inherited had residential units on the third floor with the first and second floors as mixed use. He indicated that the height is needed on the third floor for usable space and the height is shown in the sections for the modular construction of the remainder of Building A. Mr. Sandell said that the Wetherbee House would be “stick” built and they concluded the 12 pitch roof was necessary to have the same height on the building that Paul Ford did. He said that he Ms. Fronteiro discussed that she would let the Board decide on the roof.

Mr. Sandell reported that he had two conversations with Doug Smith of the Historical Commission. He indicated that Mr. Smith thought the design was fine; however he said there were a couple of historical purists on the commission who had a problem with reconstruction. Mr. Limbacher asked that given the style of the house, would it be unreasonable to expect 10 or 12 pitch. Mr. Sandell indicated it wouldn’t as the gable end will be wider with the same pitch. Ms. Burbine indicated she is not a fan of dormers, but had no issues as the dormers were included in the original approval. Mr. Limbacher concurred. The Board indicated the dormers will remain and they like the use of natural

materials and the 3 ¾” clapboard exposure and the window sashing as identified in Ms. Fronteiro’s letter. Chairman Pritchard clarified the 18’-4’ elevation on the face is from finish floor to the bottom of the soffit. Mr. Sandell said the drawings sent to the Board dated October 26 Sheet A-6 has the correct dimension. Mr. Taylor said he has no issues and is glad the building will be natural materials. Chairman Pritchard said that if the Board was starting from scratch, he would want to see all Ms. Fronteiro’s recommendations held. He said that he is comfortable that the product of the Wetherbee House will be as close as it can be.

Ms. Burbine moved to find the reconstruction of the Wetherbee House as shown in elevations by Carr Lynch & Sandell dated 10/26/16 proposed to replicate the existing structure at 50 Country Way is historically appropriate based on a report by Wendy Fronteiro, R.A. dated 10/26/16 with the following provisions:

- The dormers will remain as proposed;
- Roof pitch will remain as 12/12;
- The height of the façade wall will be 18’-4” from finish floor elevation;
- The slope of the roof pitch for the porch will be as proposed for 2/12;
- Historical materials as recommended by Wendy Fronteiro, R.A. on 10/26/16 will be used including 3 ¾” clapboard exposure; and
- The replacement window sash will be as proposed.

Mr. Limbacher seconded the motion. Motion was unanimously approved.

**Form A – vacant land off Summer Street  
Assessor’s Map/Block/Lot 17-4-28  
Applicant/Owner: The Stewartia Realty Trust**

**Documents**

- Application, deed and Plan of Land in Scituate & Norwell, MA showing a Division of parcel: 17-4-28 Vacant Lot off of Summer Street dated 10/17/2016 stamped by William J. McGovern, PLS of Morse Engineering Co., Inc.
- Assessor’s Field card and compiled Assessor’s Map with approximate location of the lot
- Transmittal to departments dated 10-20-16 draft
- Email from Laura Harbottle to the Board dated 10-26-16 with above information
- Email from Karen Joseph to the Board dated 10-27-16 forwarding Water Dept. correspondence
- Email from Patrick Gallivan dated 10/27/16 on status of wetland line

Greg Morse was present for the applicant. He indicated that he submitted a Form A for the property and resubmitted a new plan late this afternoon. Ms. Joseph indicated to Chairman Pritchard that the new plan was received at 4:43 pm this afternoon. Mr. Morse indicated that if it becomes necessary he would withdraw the plan.

He said the large property of 11 acres is proposed to be divided into three ANR lots. He said all of the lots have 100’ of frontage and all comply with the lot area. He indicated that he had not included the building envelope, but put that on the new plan. He said he also added a note that “no work on the locus shall commence until such time as the wetland line is approved by the Scituate Conservation Commission.” He indicated that he is before the Conservation Commission on a Notice of Intent for two of the lots in November. He said other plans have been endorsed in the past

which do not have a confirmed wetland line. He said no construction is proposed on lot 3 at this time.

Ms. Burbine indicated there is no water available in the street. Mr. Morse said the lots will be serviced by private wells. Ms. Burbine said she feels it is in everyone's best interest for the application to be withdrawn so the Board knows where they stand with the Conservation Commission. Mr. Morse said it would not be a problem to withdraw the application.

Ms. Burbine moved to accept the applicant's request to withdraw the Approval Not Required a Plan of Land in Scituate & Norwell, Massachusetts Showing a Division of Parcel 17-4-28 Vacant Lot off Summer Street prepared by William J McGovern, P.L.S. of Morse Engineering Co., Inc. for applicant The Stewartia Realty Trust dated October 17, 2016 with revisions through October 27, 2016. Mr. Taylor seconded the motion. Motion was unanimously approved.

### **Discussion – Revised Layout – Roach Field Parking**

#### **Documents**

- Roach Field Parking Lot proposal dated October 2016 with CPC application
- Email from Laura Harbottle to the Board dated 10/26/16 with above information

Dan Fennelly was present for Scituate Little League. He passed around copies of the new proposal which the Board had received via email. He said the Board's previous advice was taken and the existing parking lot has been reconfigured to hold 19 cars and a new back lot in right field has been configured to hold 20 cars without any major tree clearing. He indicated the lots will still be graded gravel and closed in the winter. He said the batting cage will be moved to left center field. Mr. Fennelly said the solution gives the Little League parking for 40 cars and no clear cutting so it is a better solution for the neighbors. He indicated the island in the front will be preserved and there is a dormant stream that they will seek input from the Conservation Commission on. He said they have added money for a survey and a 20% contingency to the cost for a more realistic number. Mr. Fennelly said Taylor Billings of the Police Department thought the location for the entrances was good. Chairman Pritchard asked about the cost of the optional path from the lot to the dugout. Mr. Fennelly said it will be inside the fence and there will be a paved connection to the street. He said Mr. Billings also looked at that location. He said they will put no parking signs by the entrance and exit of the existing lot so that cars don't block the driveways. He indicated railroad ties two deep will demarcate the edge of the parking area. Mr. Limbacher suggested that Little League may want to put up some funds as it shows a willingness to complete the project. Mr. Fennelly said that there will likely be additional expenses that the League will pay for.

Ms. Burbine offered that the CPC really liked what was done on the Dog Park and she suggested the following motion:

The proponents of the Roach Field are to be commended for devoting time and energy to a project which will benefit residents of the Town of Scituate. The new design is an improvement over the first design. At the same time, this site will require maintenance, is in a location with traffic volume and limited sight distance as well as number of issues that need to be addressed.

I move the Planning Board is in support of the proposed Roach Field with the following recommendations:

1. A Site Plan Review must be approved by the Planning Board prior to the start of construction. This should address the issues and concerns identified below.
2. Stormwater analysis is required.
3. In order to establish safe conditions for traffic on Beaver Dam Rd and exiting the site, sight distances must be provided. Sight line documentation in accordance with AASHTO requirements must be provided prior to the start of construction. The applicant should check with the DPW on whether a new curb cut permit will be necessary.
4. The entity responsible for maintenance and repair of the field and its parking facilities should be identified.
5. The entity responsible for the water bill, turning off the water in times of drought and controlling water use must be identified. Water lines and spigots and lighting and lighting fixtures shall be included on the construction plans identified in condition 1.
6. The parking and accessible route and required signage must meet all requirements of the ADA and the Scituate Commission on Disabilities.
7. Approval from the Traffic Rules Committee must be provided to the Planning Board prior to submission of the construction documents indicated in condition 1.
8. Entry design may require buffering.
9. A filing must be made with the Conservation Commission.

Mr. Limbacher seconded the motion as modified as written above. Motion was unanimously approved.

## **Accounting**

### **Documents**

- PO # 1704327 (\$125.00), PO # 1704325 (\$500.00), PO # 1704324 (\$656.25), PO # 1704323 (\$375.00), PO # 1704322 (\$718.75), PO # 1704321 (\$851.31), PO # 1704320 (\$562.50), PO # 1704319 (\$437.50), PO # 1704318 (\$656.25), PO # 1704515 (\$175.32), PO # 1704518 (\$347.50), PO # 1704519 (\$316.25), PO # 1704541 (\$222.50), PO # 1704615 (\$5,017.05)

Ms. Burbine moved to approve the requisitions to Amory Engineers, P.C. of \$125.00 for engineering review for the completion of Kimberly Estates, \$500.00 for engineering peer review for the Stormwater Permit for 93-97 First Parish Road, \$656.25 for engineering peer review for the Stormwater permit for 182-186 First Parish Road, \$375.00 for engineering peer review for the Stormwater permit for 260 First Parish Road, \$718.75 for engineering peer review for the Stormwater permit for 602 First Parish Road, \$851.31 for engineering review of the Mixed Use Special permit for 21 – 23 Ford Place, \$562.50 for engineering peer review for the Stormwater Permit for 6 Prospect Ave, \$437.50 for engineering peer review for the Stormwater permit for 11 R Elm Park and \$656.25 for engineering peer review for the Stormwater Permit for 489 Country Way; \$175.32 to Laura Harbottle for reimbursement for hotel and parking expenses at the SNEAPA Conference; \$347.50 to Kenneth Duval for a refund of excess engineering peer review funds for 11 R Elm Park; for \$316.25 to Peter Zaccardi for a refund of excess funds for engineering peer review for 182- 186 First Parish Road; \$222.50 to Chris Cento for a refund of excess funds for engineering peer review for 6 Prospect Ave. and for \$5,017.05 to K & E Construction for a refund of their

Stormwater bond for 55 Gilson Road. Mr. Limbacher seconded the motion. Motion was unanimously approved.

Ms. Joseph indicated that under the Municipal Modernization Act, the Board may designate one member and a back up to sign bills. The bills would still be approved at the meetings. The Board voted unanimously to appoint Ann Burbine and backup Richard W. Taylor to sign bills effective November 7, 2016.

### **Minutes**

Ms. Burbine voted to approve the meeting minutes of 10/13/16. Mr. Taylor seconded the motion. Motion was unanimously approved.

### **Liaison Reports**

Chairman Pritchard reviewed the new meeting dates for the remainder of the year – November 10, December 1 and December 22.

Ms. Burbine reported that the CPC is receiving applications for a board walk for Peggotty and Egypt Beaches as well as shade structures for them too. She indicated that trash receptacles for the beaches with the Sea Scituate Logo are also being pursued. Ms. Burbine also indicated that the North Scituate Beach Association wants to do a pocket park. She said the EDC did not meet in October, but will meet November 9.

Chairman Pritchard indicated Ms. Harbottle sent him a note about the discussion of sewer at the Selectmen's meeting. He indicated the decisions are complex as it relates to capacity. He said the report indicates that the Selectmen could be up for moving North Scituate higher on the sewer priority list and that new development brings in a \$14,000 fee. He reported that there was some sentiment among the Selectmen that the 'little guy' should be able to tie into sewer before new development. Ms. Burbine said that the North Scituate area would only be in the business area. She said there is a force main in the MBTA tracks; however, the area could need a package treatment plant. Chairman Pritchard indicated the real issue is capacity. Ms. Burbine indicated people are beginning to question water and sewer use. She said there has been a lack of maintenance in the Town over the years which is why water mains are being replaced and new public safety, library and middle school buildings are all being constructed simultaneously.

### **Old Business and New Business**

#### **Documents**

- Email to Board dated 10/21/16 from Karen Joseph with agenda for 10/27/16 meeting and meeting minutes from 10/13/16.
- Email to the Board dated 10/26/16 from Karen Joseph with amended agenda for 10/27/16 meeting.
- Email to the Board dated 10/27/16 from Karen Joseph with amended II agenda for 10/27/16
- Email to the Board dated 10/27/16 from Karen Joseph with links to Board and Committee Handbook and training

These items were distributed to the Board electronically.

Mr. Limbacher moved to adjourn the meeting at 9:06 p.m. Ms. Burbine seconded the motion. Motion was unanimously approved.

Respectfully submitted,

Karen Joseph  
Planning Board Secretary

Ann Burbine, Clerk  
11/10/16  
Date Approved