

**Scituate Planning Board, June 27, 2013**

TOWN OF SCITUATE MASSACHUSETTS

SCITUATE PLANNING BOARD

MINUTES

June 27, 2013

Members Present: William Limbacher, Chairman; Stephen Pritchard, Vice Chairman; Robert Vogel Eric Mercer and Robert Greene, Alternate Member.

Members Absent: Richard Taylor.

Others Present: Ms. Laura Harbottle, Town Planner.

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

Location of meeting: Selectmen's Hearing Room, Town Hall.

Chairman Limbacher called the meeting to order at 7:35 P.M. He announced the meeting was being audio recorded and asked if there were any other recordings being taken. The meeting was being recorded for airing on the local cable television station.

Documents

- 6/27/13 Planning Board Agenda

ACCEPTANCE OF AGENDA: Mr. Mercer moved to accept the agenda. Mr. Pritchard seconded the motion and the vote was unanimous in favor.

Continued Public Hearing and Scenic Road Public Hearing - 305 Country Way  
Flexible Open Space Special Permit & Definitive Subdivision Plan & Scenic Road Hearing  
Assessor's Map/Block/Lot 37/2/2 & 37-8-13R

Applicant/Owner: Douglass Sheerin & Kristen deGaravilla

Documents

- Revised waiver list from Morse Engineering dated 6/6/13
- Revised Definitive Flexible Open Space Development Plan Sheets 1 – 11 dated 6/6/13
- Revised Conventional Density Sketch Plan Sheet 1 dated 6/6/13
- Revised Stormwater Report, Long Term Operation & Maintenance Plan and response to comments by Morse Engineering dated 6/6/13 7 Survey Computations dated 6/5/13
- Draft deeds dated 6/4/13 and Homeowner's Association Trust dated 6/7/13
- Chessia Consulting Services LLC revised Engineering Review Letter dated 6/20/13
- List of Comments Received dated 6/20/13
- Background/Staff Recommendations by L. Harbottle for 6/27/13 Planning Board meeting
- Comment from DPW dated
- Scenic Road Hearing Application and Plan dated 6/6 +7/13
- Email from Jim DeBarros to L Harbottle dated 6/13/13
- Email from Richard Judge, Fire Chief to L Harbottle dated 6/20/13
- Email from Lisa Bertola dated 6/21/13
- Email from Bill Krussell dated 6/24/13
- Revised conventional density plan dated 6/24/13 w/letter dated 6/25/13 identifying changes
- Email from Police Chief Stewart
- Comment from DPW dated 6/27/13

Chairman Limbacher indicated that this was the continuation of a public hearing for a Flexible Open Space Special Permit and Definitive Subdivision Plan. He indicated the Scenic Road/Public Shade Tree hearing for

the project was being opened tonight and he read the legal ad. Chairman Limbacher indicated Bob Greene will not be a voting member as he missed the first and second hearings. He said Richard Taylor will be the fifth member and will need to do a Mullin Certification as he is not present. Chairman Limbacher said that with only 4 voting members present, the applicant may want to consider if any votes should occur as a 4/5 vote is needed.

Greg Morse, a registered professional engineer with Morse Engineering, Attorney Mike Hayes and Doug Sheerin were present for the applicant. Mr. Morse indicated the revised plans dated 6/6/13 were based on peer review engineer John Chessia's first review and Planning Board comments. He said the conventional plan depicts 3 house lots all of which meet zoning. He said setbacks, frontage, lot width and lot area all comply with zoning. A revision to the plan was made on 6/24/13 to include the other information Mr. Chessia requested in his letter including grading. Mr. Morse said the drainage basin was approximately 8,500 sq. ft. for the 3 lots. Mr. Morse said the Flexible Open Space Plan has a drainage basin of 5,500 sq. ft. and complies with the 150 foot no disturb zone. No work is being done in the 150 foot area, except the barn and house have been removed.

Mr. Chessia indicated there is a wall shown in the right of way which is not allowed on a conventional plan. According to the subdivision regulations, walls must be outside the right of way. He said the layout was very tight as the wall needs footings and indicated that the Board should decide if the conventional plan is acceptable. He pointed out a second wall and said the Board should decide if the wall will impact the 150 foot buffer. He indicated that otherwise the plan could be built. Mr. Vogel questioned if the footing could be put toward the road side. Mr. Chessia indicated that DPW would need to make that determination as the road could be put up for acceptance. Mr. Pritchard said that in order to be a Town road, town requirements would need to be met or else a betterment assigned. Chairman Limbacher clarified that the Road Acceptance Committee asks what needs to be done to bring a road up to current subdivision standards and this needs to be done by the homeowners or by the Town with betterments. Ms. Harbottle indicated that Town Meeting has accepted some roads that don't meet the standards.

Ms. Harbottle indicated that the Flexible Open Space bylaw is a special permit that is discretionary. The Planning Board determines the number of lots realistic for the property. She indicated in some ways the conventional plan meets the letter of the law; however, the layout is right on the 150 foot no disturb line. She questioned if the layout really could be built without disturbance. She indicated that Lot 1 has a 3 foot strip that connects its front piece with its backland. She questioned if someone would buy a lot with that shape and suggested the Board consider the issue. She also asked the Board to consider if Lot 3 was realistic as there is not much space on the lot and to meet septic separation requirements  $\frac{1}{4}$  of the house would need to be on a slab.

Mr. Mercer indicated he was not happy with the plan. He does not like the work being close to the property lines and on top of the 150 foot buffer and does not like the gerrymandering of the lot lines. Mr. Vogel said he sees what everyone else sees and that it may meet the letter of the zoning bylaw as a paper exercise to achieve the FOSD plan which is less invasive. He wanted to defer judgment, but indicated he had no grounds for objection at this time under the circumstances. Mr. Pritchard concurred with his colleagues. He was concerned that the wall could not be built without disturbance to the 150 foot buffer. He indicated that the issues Ms. Harbottle raised have merit and will defer judgment. Mr. Greene said he was not a fan of rattails. He asked about the driveway to lots 2 and 3. He said there was not a lot of room to work and the rattail was shoehorned in to abide by the bylaw. Chairman Limbacher indicated this was a difficult piece of land. He thinks the Board is struggling with what could be built and what is better. He said the Board has a great deal of discretion and it will need to decide if this is a conventional plan that will yield 3 lots.

Mr. Morse said he understands the Board's concerns. He said the conventional is not the preferred layout. He said they are proposing the FOSD and the concerns disappear with that plan. Ms. Harbottle expressed concern that the plan shows a common drive off of the cul-de-sac. She said that was not allowed. Mr. Morse said he would remove it in the next revision. Mr. Pritchard asked about the difference in drainage basin sizing. Mr. Morse said the numbers were calculated for the FOSD plan with the hammerhead and additional

pavement runoff added to the conventional for the cul-de-sac. Chairman Limbacher asked for comments from the public before the Board moved from the conventional plan. Mr. Pritchard said he would like to hear about the FOSD Plan to be able to compare the alternatives. Mr. Mercer concurred. He said he was willing to accept that the conventional plan is theoretical, but he isn't willing to commit to 3 lots yet and wanted to see the FOSD. Mr. Pritchard agreed and said he was not willing to commit to 3 lots.

Mr. Morse said the FOSD was reconfigured since the last meeting to take out a large piece of the lot area of Lots 2 and 3 from the 150 foot buffer area. He said all the lots were reconfigured and the advantage of the FOSD plan is that it preserves 2.5 times what is required to be saved as open space. He said that a site distance easement was added to Lot 1 and that no trees or walls offsite on other properties would be impacted. He said the survey traverse, iron pins and closure calculations were some items added. Mr. Morse said that he met with Deputy Murphy of the Fire Department who said the hammerhead and hydrant locations were acceptable. He indicated there was adequate water and pressure flow and these tests were witnessed by the Water Division.

With respect to site distance, Mr. Morse said Country Way has a posted speed of 30 mph. AASHTO requirements for stopping distance at that speed is 200 feet which is provided. Mr. Morse said as a major street, the 85% for speed is also used for stopping distance. The 85% speed is 40 mph, thus 305 feet of site distance would be required and is provided. He said some trees in the right of way will be removed to comply with the site distance and that no trees on abutting properties will be required to be removed. Mr. Morse indicated a sidewalk was added since the last meeting and it will connect to the future Country Way walk which should help lower speeds on Country Way. Mr. Morse said the water system will be internally looped. He said all the lots have individual driveways and natural vegetation is maintained along the lot lines. He said Lots 2 and 3 each have a backyard now. Mr. Morse said the detention basin is longer and skinnier and has a berm around it. He said the basin is graded at 4:1 slopes inside and out to comply with the Water Resource Protection District requirements. He said the comments Mr. Van Lenten and Mr. Krusell made about the slopes was incorrect. Mr. Van Lenten said he would be happy to show the 4 spots where slopes over 25% are exceeded. Mr. Van Lenten also indicated that the bylaw says that stormwater runoff can't be discharged to undisturbed areas. He said the project is on fill so water flows to the undisturbed area. Mr. Morse disagreed saying that the cape cod berm along the road traps the water and sends it to the basin. He said the top of the berm ties into grade and absorbs surface runoff. He said the slope to grade can be 3:1 as it is associated with a road.

Mr. Morse indicated the road will be 16 feet wide and the waiver request for pavement thickness has been eliminated. He said a Landscape Plan has been added with street trees and arborvitae to shield the neighbors. He said the 150 buffer will be restored to natural vegetation. Chairman Limbacher asked how close to the 150 no disturb buffer is the work. Mr. Morse indicated erosion control is placed at the 150 foot line and graded up to that. He said a straw wattle is proposed, but a silt fence could be added. He said the road is 15 feet at its closest point to the buffer that will be seeded with new grass. Mr. Morse said there will be a stabilized construction entrance and erosion barriers at the limit of work. He said there will be temporary soil stockpiles and a temporary sediment basin and swale to it during construction. Mr. Morse said that with the FOSD plan the applicant is asking that the road width be reduced to 16 feet which is comparable to other projects approved. He indicated the reduced runoff and the preservation of 283,000 sq. ft. of open space to be deeded to the Town are benefits of the project.

Chairman Limbacher asked if the road could be shifted east if they didn't put a sidewalk in. Mr. Morse indicated it could shift 3 to 4 feet. Mr. Pritchard asked if the west side of the road will be maintained and if there was going to be anything physically there to delineate the no disturbance area. Mr. Morse said the area would go back to a natural state and that bounds would delineate it. He said the applicant may entertain putting cedar posts. Chairman Limbacher asked Steve Bjorklund how it was done for Tilden Estates. Mr. Bjorklund said the back corners were delineated. Mr. Morse indicated all the work is outside the 100 foot buffer zone to wetlands.

Mr. Chessia indicated that the Board has considerable discretion with a Flexible Open Space Plan. He said

the large area given to the Town will be a bonus, but the street appearance will change. He indicated a major comment of his is that the applicant has no control over the neighboring property and this may impact the site distance easement. He indicated the drainage drywells do not work for the roof drainage as designed. He was concerned that no testing in the road or in the basin has been witnessed by the Planning Board. Mr. Chessia said it is very important for the Board to know this data. He also indicated that he would like to see the temporary erosion control measures designed as the site is in a sensitive area and it makes the job easier during construction.

Chairman Limbacher indicated it was 8:30 pm and a continuance would be needed. Mr. Mercer moved to accept the applicant's request to continue the time for action for the Definitive Subdivision Plan, Flexible Open Space Special Permit and Scenic Road Hearing for Fred's Way at 305 Country Way until August 28, 2013. Mr. Vogel seconded the motion. Motion was unanimously approved. Mr. Mercer moved to accept the applicant's request to continue the public hearings for the Definitive Subdivision Plan, Flexible Open Space Special Permit and Scenic Road/Public Shade Tree hearing for Fred's Way at 305 Country Way until July 25, 2013 at 8:30 pm. Motion was seconded by Mr. Vogel. Motion was unanimously approved. Chairman Limbacher indicated comments on the conventional and flexible can be discussed at the next meeting as the fifth voting member will be present and a determination may be able to be made.

Continued Public Hearing – Accessory Dwelling Special Permit – 12 Salt Marsh Hill Drive  
Assessor's Map/Block/Lot 55/2/3B

Applicants/Owners: Susan and Gregory Smith

Documents

- Transmittal to Town Depts. on Accessory Dwelling Special Permit 12 Salt Marsh Hill Drive
- Application and supporting materials for Accessory Dwelling for 12 Salt Marsh Hill Drive
- Floor Plans and Architecturals for 12 Salt Marsh Hill
- Conservation Commission Comment
- Board of Health Comment

Public Hearing – Modification to Special Permit Conditions #3 & #4 – Flexible Open Space Development –  
Greenfield Estates

Documents

- Signed Greenfield Estates Flexible Open Space Special Permit dated 9/30/2003
- Request to modify conditions 3 & 4 of Greenfield Estates Special Permit dated 5/30/13
- Recorded Declaration of Covenants and Restrictions dated March 30, 2004
- Recorded Homeowners Association Trust dated 11/24/2003

Chairman Limbacher indicated that the hearing was a continuation of the public hearing for the accessory dwelling at 12 Salt Marsh Hill Drive and a public hearing for the modification of the Flexible Open Space Special Permit for Greenfield Estates. Chairman Limbacher read the legal ad for Greenfield Estates. Greg Smith and Eileen Scotti were present for the applicant. Mr. Smith indicated he would like to create an accessory dwelling for his mother-in-law in his house.

Ms. Harbottle said that when the subdivision was first approved the applicant wanted restrictions to limit the footprint of homes and the height. She indicated peoples' needs change over time and an accessory dwelling has been requested. In order to have an accessory dwelling, the first step in the process is for the special permit for the subdivision to be modified. She indicated that will take away the obstruction for the Planning Board to approve an accessory unit. She indicated it would apply to the 4 homes. She said it would not take care of any deed restriction issues as that is not a problem of the Town.

Mr. Vogel asked if there was a homeowner's association and if people from the group are present. Phil Santiano, developer of the subdivision and homeowner, was present. He said he has no issue with the Smith's adding on to their home. He said he does have an issue with changing the wording for size and height as it is recorded wording. He said he wanted to protect his views and the views from the existing homes. He said his chief concern is the height so that views are not impacted. Mr. Vogel asked Mr. Smith if the height of his house would change. He said it would not. Bob McCarthy of 8 Salt Marsh Hill said he had

no issues with the proposal. Larry Niland of Ridge Hill Road asked about the size when the house will be finished. Mr. Smith said it will be 3,996 sq. ft. Mr. Niland said that during the public hearing the public was assured that the homes wouldn't be more than 2,800 sq. ft. Mr. Smith indicated that 2 homes are already more than 2,800 sq. ft.

Chairman Limbacher indicated that the deed restriction was ignored or the Board was ignored. Mr. Pritchard said that changing the condition won't affect the deed restriction. Mr. Mercer concurred saying one set of restrictions the Town imposed and the other runs with the land. He indicated the court and tenants can be asked to change the deed restrictions. Mike Hayes said that would be expensive and all 4 homeowners would need to be in agreement. Ms. Harbottle indicated having the Board change the conditions this is the first step in the process. Mr. Vogel said that 3 out of 4 homeowners have expressed support. Mr. Mercer said the Board could do its part as long as the height is not exceeded. Mr. Santiano said the house at 7 Salt Marsh Hill is designed to be low and he does not want to see it potentially able to be higher. Mr. Niland said he had no issue with an in-law, but doesn't see why the old decision needs to be thrown out. Ms. Harbottle indicated that the accessory dwelling situation was not thought about at the time. Mr. Santiano said that nobody wanted "McMansions" at the time and some people including people present now wanted size restrictions. Ms. Harbottle indicated the original special permit decision contained nothing on height; height must be in the covenant.

Mr. Mercer moved that the Planning Board approve the following modifications to the Flexible Open Space Development Special Permit for the Greenfield Estates subdivision:

- 1) Modify the first sentence of Condition 3 to state: The total number of residential dwellings within the subdivision shall not exceed four (4) except for accessory dwellings subject to approval of the Planning Board.
- 2) Eliminate Condition 4 which required the footprint and upper stories not to exceed 2,800 sq. ft. and to record this restriction on each lot.
- 3) Add " and the height, as defined in Section 200 zoning bylaws of the Town of Scituate, of any structure shall not exceed 25 feet."

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

Chairman Limbacher read into the record the statement that Robert Greene has completed a Mullin Rule Certification for reviewing evidence and testimony at the 5/23/13 hearing on the accessory dwelling. He missed the one hearing session and is eligible to vote as the Mullin certification has been filed with the Town Clerk. Steve Bjorklund asked the chair if the Planning Board needs to modify the restrictive covenants as well as the special permit for the subdivision. Mike Hayes indicated it was up to the property owners as it was not part of the approval. Mr. Mercer moved to make the following Findings of Fact concerning the accessory dwelling at 12 Salt March Hill Drive.

1. According to Town of Scituate Assessor's records, the property as 12 Salt Marsh Hill Drive is owned by Susan and Gregory Smith.
2. On April 10, 2013, Susan and Gregory Smith applied for a special permit for an accessory dwelling proposed to be attached to the existing single family dwelling at 12 Salt Marsh Hill Drive.
3. According to the Assessor's Records, the floor area of the primary dwelling is 2,649 sq. ft. The floor area of the accessory dwelling as shown on the plan is 939 sq. ft. With an addition of 432 sq. ft. the primary dwelling will be 3,996 sq. ft. The new accessory dwelling will be 24% of the primary dwelling with the addition which is less than the 40% maximum in the bylaw. It meets the requirements of 530.2F for accessory dwellings.
4. The site plan shows a driveway and a garage for the primary dwelling. This appears adequate to provide two parking spaces for the accessory dwelling and ample parking for the primary dwelling.
5. The property is located in the Residential R-2 zoning district on a lot of 19, 406 sq. ft.

6. The applicant has submitted a signed, notarized statement that she will live on the property.

7. The application meets the standards of Scituate Zoning Bylaw Section 530 for an Accessory Dwelling Special Permit.

Motion was seconded by Mr. Pritchard. Motion was unanimously approved.

Mr. Mercer moved to approve the Accessory Dwelling Special Permit for 12 Salt Marsh Hill Drive with the following conditions:

1. The applicant shall meet all requirements of the Building Department, Board of Health, Department of Public Works, Fire Department, Water Department and other town agencies.

2. Except for any changes necessary to meet these conditions, any construction shall conform to the plans entitled 12 Salt Marsh Hill Site Plan L100 by OCO architecture::design, Hingham, MA dated 4/10/13 and architectural plans dated 3/10/13 by OCO architecture::design consisting of nine sheets A000, A100, A101, A102, A201, A202, A203, A301 and A401.

3. The property at 12 Salt Marsh Hill Drive shall contain a maximum of two dwelling units, the existing dwelling and the accessory dwelling as proposed. The footprint, number of bedrooms and/or square footage shall not be increased without prior approval of the Planning Board.

4. The owner of the property shall reside on the property as long as it contains an accessory dwelling unit.

5. The Planning Board will require an on-site inspection for conformance to the approved plans and these conditions prior to a Certificate of Occupancy being issued for the accessory dwelling.

6. No on-street parking shall be permitted.

7. The accessory dwelling special permit is approved subject to a modification of the Flexible Open Space Special permit being filed at the Registry of Deeds for the modification of conditions 3 and elimination of condition 4 and the additional condition as enumerated earlier.

8. The owner shall provide an attested copy of this decision to the Planning Board office with a check for \$76 within 30 days of the date of filing the decision with the Town Clerk or resolution of appeals, whichever is later. For decisions which must be recorded in Land Court, an additional \$20 shall be included in the check to cover mileage to Plymouth.

9. This Special Permit shall lapse within two years from the date of its issuance unless substantial use or construction has commenced prior to that time in accordance with MGL Chapter 40A, Section 9.

10. The Planning Board reserves the right to review compliance with this special permit at any time. This Special Permit shall terminate if the use is not in accordance with this decision and its conditions.

11. At the request of the Planning Board, an affidavit shall be provided that either the primary or accessory unit is owner occupied.

12. At each transfer of ownership of the property, a new affidavit that the owner resides on the property shall be provided to the Planning Board.

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

Site Plan Administrative Review – 101 Front Street

Assessor's Map/Block/Lot 50-5-1

Applicant: Yogurls Frozen Yogurt LLC dba CreYo Frozen Yogurt Bar

Documents

- Application and supporting documents including Floor Plan and Reflected Ceiling Plan and existing space plan for proposed frozen yogurt bar
- Transmittal to town departments dated 6/19/13
- Mock up of sign
- Comment from Board of Health dated 5/21/13
- Plan view of parking and dumpster
- Email from Kim Mallios to Karen Joseph on parking spaces

Kosta Havales and James and Sandi Stefos were present for the applicant. Mr. Havales indicated that the applicant has a CreYo Frozen Yogurt business in Marshfield and they would like to expand and bring one to Scituate. Chairman Limbacher confirmed with the applicant that the plans are the same as the application. He indicated that this was a Site Plan Administrative Review and thus a majority vote is needed. Mr. Havales said the location is the old Flowers and Festivities spot. He said there will be 16 seats with some tables. He indicated they would like to have a couple tables out on the sidewalk similar to some of the other businesses on Front Street. Ms. Harbottle said that the sidewalk is not the jurisdiction of the Board, but of the Police Department. Mr. Havales said there would be no change to the front façade. The Board reviewed the sign design and thought it would blend in with those in the Harbor.

Mr. Pritchard asked about the mechanical systems and water usage. Mr. Havales said they were the same as existing and they would be using a rolling refrigeration system. He said all the materials were going to be delivered so water consumption would not be increasing. Mr. Havales said they are looking to open for Heritage Days. Chairman Limbacher questioned the amount of seating. Mr. Havales confirmed it is 16 inside. Mr. Pritchard asked about parking. Parking will be on Front Street and in Cole Parkway. Ms. Harbottle indicated the parking on Otis Place is for the apartment tenants. Mr. Vogel confirmed that deliveries will be using Front Street for access. Ms. Harbottle suggested talking to other adjacent property owners for their delivery schedules so too many deliveries are not occurring at the same time.

Mr. Mercer moved to approve the Site Plan for YogurIs Frozen Yogurt LLC dba CreYo Frozen Yogurt Bar, 101 Front St., Property Owner Spyros & Kim Mallios, Restaurant Owner Kussiani Stefos, as shown on a Proposed Floor Plan & RCP for CREYO Frozen Yogurt Bar by OCO architectural design dated 6/13/2013 at scale of 1/8" = 1' submitted with the application and attached to this decision, with the following conditions:

- 1.The restaurant shall meet all requirements of the Board of Health.
- 2.The applicant or property owner shall provide the Scituate DPW a letter stamped by an engineer regarding the adequacy of the sewer pipes to serve the uses in the building.
- 3.The restaurant hours of operation shall be restricted to a maximum of 11AM to 11 PM. Seasonal accommodations shall be allowed within the maximum range.
- 4.The restaurant's total number of seats shall not exceed 16.
- 5.The restaurant requires four parking spaces. Parking shall not be allowed in the lot off of Otis Place as this is parking required for the residential dwellings of 99 – 105 Front Street.
- 6.Screening for the dumpsters serving the building shall be maintained.
- 7.Loading/deliveries shall be provided in a manner so delivery trucks will not block streets, thoroughfares or parking lots.
- 8.Hand-carved sign as submitted shall be used as signage for this restaurant.

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

#### Accounting

#### Documents

- PO # 13008238(\$52.00), PO # 13008123(\$ 60.38), PR # 13009138(\$126.40), PR # 13009189(\$150.00)

Mr. Mercer moved to approve the requisition of \$ 52.00 to Karen Joseph for mileage reimbursement, for \$

60.38 to WB Mason for office supplies, for \$126.40 to Laura Harbottle for mileage reimbursement and \$ 150.00 to Westongraphics for mounting the sea level rise graphics. Mr. Vogel seconded the motion. Motion was unanimously approved.

#### Minutes

Mr. Mercer moved to approve the 4/25/13 meeting minutes. Motion was seconded by Mr. Pritchard. Motion was unanimously approved.

#### Town Planner Report

Ms. Harbottle indicated progress is being made on the Economic Development Commission's Market Study and the Open Space Plan. She indicated that the Planning Staff and Conservation staff met to discuss peer review on projects that are common to both departments. She said she is trying to prevent double review and double billing on some large projects. Ms. Harbottle informed the Board that there are drainage issues with 248 Old Oaken Bucket Road. The slopes are different from what was on the approved Stormwater plan causing some drainage issues for an abutter. She indicated that a Stormwater Permit for 61 Border Street will be on the agenda next time. She indicated the site has ledge and Amory is doing the peer review. She said it will be a public meeting and not a public hearing. Mr. Mercer said he had been doing some background investigating for medical marijuana. He said he read several documents and suggests the Board may want to have an informational meeting with the Police Dept., the schools and the Dept. of Health and traffic people. He said the state regulations are very strict. He said dispensaries, agricultural growing and transporting of the product all must be items considered.

#### Old Business and New Business

##### Documents

- Background and staff recommendations dated 6/21/13 for the meeting on 6/27/13
- Deer Common Construction Report #1
- Emails from L Harbottle to Tony Dinanno on Commercial Building on the Riverway project dated 6/10 and 6/19/13.
- A response by Citizens for Alternative Wireless Solutions in Scituate to the proposed cell tower at 361 Tilden Road

These items were distributed to the Board electronically.

Mr. Vogel moved to adjourn the meeting at 9:33 p.m. Mr. Mercer seconded the motion. Motion was unanimously approved.

Respectfully submitted,

Karen Joseph  
Planning Board Secretary

Richard Taylor, Clerk