

SCITUATE PLANNING BOARD MINUTES June 9, 2016

Members Present: Stephen Pritchard, Chairman; William Limbacher, Vice Chairman; Richard Taylor, Clerk, Ann Burbine, Robert Vogel and new Alternate member Gerard Wynne.

Members Absent: None.

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, 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

- 6/9/16 Planning Board Agenda

ACCEPTANCE OF AGENDA: Mr. Limbacher moved to accept the agenda without the 17 New Driftway parking discussion. Ms. Burbine seconded the motion and the vote was unanimous in favor.

Public Hearing – Accessory Dwelling Special Permit – 12 Blanchard Road Assessor's Map/Block/Lot 55/6/6 Applicant/Owner: David Raphel

Documents

- Application and plans dated 4/27/16
- Transmittal to departments dated 4/27/16
- Email from Albert Picardi dated 5/23/16
- Email from Patrick Gallivan dated 5/24/16
- Email from Laura Harbottle to the Board dated 6/3/16 with the above materials
- Board of Health no comment dated 6/3/16

Dave Raphel said that he wanted an accessory dwelling special permit to build a garage with an apartment above. Ms. Harbottle said the accessory dwelling would be 705 sq. ft. and be on the second floor of the proposed garage. She indicated it was in the FEMA floodplain and will need to be constructed according to proper building regulations. She said there are wetlands on site and the applicant is aware that he needs to file with the Conservation Commission. Ms. Harbottle said it meets the size requirement and there is plenty of parking on the site.

Chairman Pritchard asked if the property was on town sewer. Mr. Raphel indicated it was. Chairman Pritchard asked about water. Ms. Harbottle said that the water department determines if a separate meter is required.

Mr. Taylor clarified that the asphalt driveway will be extended to the garage and asked if there would be a small attic. Mr. Raphel said there would be an attic. Mr. Taylor said that it meets the guidelines. Mr. Limbacher concurred. Mr. Vogel asked about stormwater. Ms. Harbottle said it would be addressed under the Conservation Commission. Ms. Burbine said she was good. Chairman Pritchard asked if there were two means of egress. Mr. Raphel said there were.

Mr. Taylor moved to make the following Findings of Fact concerning the accessory dwelling at 12 Blanchard Road:

1. According to Town of Scituate Assessor's records, the property at 12 Blanchard Road is owned by David C Raphel. The property is located in the Residential R-3 Zoning District and 2016 FEMA AE 12 Zone and contains 15,701 sq. ft.
2. On April 27, 2016, David Raphel applied for a special permit for an accessory dwelling in a proposed detached garage at 12 Blanchard Road.
3. Based on a floor plan submitted by the applicant, the interior floor space of the proposed accessory dwelling will be approximately 705 sq. ft. It meets the size requirements of 530.2F of the zoning bylaw for accessory dwellings.
4. The plan shows the dwelling to have a paved driveway and there will be a new two car garage. This appears adequate to provide two parking spaces for the accessory dwelling and ample parking for the primary dwelling.
5. The owner has submitted a signed, notarized statement that he will live on the property.
6. The property is serviced by town sewer and water.
7. Exterior stairs to the accessory dwelling are on the side or rear of the house.
8. The application meets the standards of the Scituate Zoning Bylaw for an Accessory Dwelling Special Permit.

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

Mr. Taylor moved to approve the Special Permit for an accessory dwelling at 12 Blanchard Road with the following conditions and 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 conform to the plans entitled Raphel Garage 12 Blanchard Road, Scituate, MA by Custom Home Designs dated 4/13/2016 Sheets A-1 Concept Design Floorplan, A-2 Concept Design Exterior Elevations, A-3 Foundation, Section & Right Side Elevation and Proposed Garage Plot Plan 12 Blanchard Road by Land Planning, Inc. dated 4/22/16.
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. Construction shall meet all requirements of the National Flood Insurance Program. A subsurface leaching drywell system shall be provided to handle roof drainage from the proposed garage unless the Conservation Commission requires roof drainage to be handled in another manner.
4. The standard conditions for accessory dwellings approved by the Planning Board on 12/17/2015 shall be conditions of this decision and shall be included for recording at the Registry of Deeds.

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

Minutes

Mr. Taylor voted to approve the meeting minutes of 5/12/16, 5/25/16 and 5/26/16. Mr. Limbacher seconded the motion. Motion was unanimously approved by the members present at each of the respective meetings.

Accounting

Documents

- PO # 1608468 (\$1,365.00), PO # 1608588 (\$265.32), PO # 1608605 (\$250.00), PO # 1608606 (\$375.00), PO # 1608607 (\$343.75), PO # 1608625 (\$82.23)

Mr. Taylor moved to approve the requisition of \$1,365.00 to Merrill Corporation for engineering peer review for 105 Hatherly Road, for \$265.32 to Gatehouse Media MA for legal ads in the Scituate Mariner for 105 Hatherly Rd and 12 Blanchard Road, for \$250.00 to Amory Engineers, P.C. for engineering peer review for 7 Blanchard Farm Lane, for \$375.00 to Amory Engineers, P.C. for engineering peer review for 28 Otis Place, for \$343.75 to Amory Engineers, P.C. for engineering peer review for 4 Jericho Lane and for \$82.23 to Schwaab Inc. for ink and a nameplate for the new member. Ms. Burbine seconded the motion. Motion was unanimously approved.

Liaison Reports

Mr. Vogel reported that at the Design Review Committee (DRC) Meeting on 6/7/16 that a new design was presented for 93- 97 First Parish Road. He indicated it was mission/arts and crafts style, but it didn't resonate with the DRC or the abutters. He indicated they talked about a potential design that looks like a colonial with a barn and shed for parking. He said the DRC continued the discussion until 7/12/16. He indicated that the sign at the Harbor Medical Building was not installed as approved and the owner is going back to the sign manufacturer to see how it can resemble what was approved.

Ms. Burbine said that the EDC is working on visioning for Greenbush as things are moving with the microbrewery and other sites. The visioning will be presented to the Board of Selectmen in the future. She indicated that the wayfinding signs will be discussed at the Traffic Rules Committee on 6/14/16.

Mr. Vogel reported that he went to the Commission on Disabilities meeting. He said if signs are to be seen from the pedestrian point of view, then blind people should be considered. Ms. Burbine suggested a braille plaque could be put lower on the sign post.

Town Planner Report

Ms. Harbottle indicated that the MAPD conference was excellent. She said an update was given on legal cases and the executive director of the Cape Cod Commission spoke on issues that could be implemented if zoning reform passed. She said there were some sessions on ethics and design. She also indicated that the Town has not heard back from the Attorney General on the Stormwater General Bylaw, but an answer must come by the end of July. She said work is occurring on

updating the Open Space Plan and that the Board will see it and be asked for input at the appropriate time.

Public Hearing- Residential Compound Development

Assessor's Map/Block/Lot 39-6-16, 16A & 17

Applicant: Diamond Development Realty Trust

Owner: Diamond Development Realty Trust/Bertha & William Brady c/o John Y Brady

Documents

- Application for Residential Compound Development Special Permit received 4/26/16
- Stormwater Report for 101, 103,105 and 107 Hatherly Road dated 4/22/16 by Ross Engineering
- Special Permit Plan A Residential Compound Development at 101, 103 and 105 Hatherly Road in Scituate, MA dated 4/22/16 with revision through 5/19/16 by Ross Engineering, Sheets 1-11
- Pre and Post Watershed Plan for 101, 103, 105 Hatherly Rd dated 1/14/16 by Morse Engineering
- Transmittal to departments dated 4/26/16
- Letter from DPW Water Superintendent Sean Anderson and revised letter dated 6/6/16
- Memo from Town Planner on compliance with Section 610 2 D of the zoning bylaw
- Engineering peer review letter from Merrill Engineers revised dated 5/17/16
- Cover letter from Ross Engineering dated 5/25/16 with revisions outlined
- Email from Laura Harbottle to the Board dated 6/3/16 with above materials
- No comment on sewer from Board of Health dated 6/3/16
- Email from Al Elliott to Laura Harbottle dated 6/6/16
- Revised engineering peer review by Merrill Corporation dated 6/7/16
- Email from Larry Nadeau dated 6/7/16
- Conservation Commission Comment 6-8-16

Mr. Steven Bjorklund represented Diamond Development Trust before the Planning Board. He said the site at 101, 103 and 105 Hatherly Rd. was greater than three acres. Diamond Development had filed for a special permit for a Residential Compound Development. This was a unique way to develop with relatively low impact on the land. One requirement is to have four times the area required by the lots, which is in this case is 120,000 sq. ft. for three lots. A minimum of 20,000 sq. ft. is required for each lot, and each does that. The development is not subject to State stormwater standards, but will meet those standards. The fourth lot was approved by the ZBA as a 50' special permit lot.

There is presently a single family home on the site, which is in poor shape. It will be replaced with a higher quality dwelling. There is wetland on the property, and drainage flows from the Marion Rd. side to the east side of the property. A sight distance triangle is shown on Sheet 8. Sheet 7 shows a detail of improvements to drainage in Hatherly Rd. The SWPPP plans would cover erosion control so a separate plan of this will not be needed.

Peter Palmieri of Merrill Associates, the Planning Board's consulting engineer, concurred there was no increase in post-development stormwater over pre-development. There was also no adverse impact on abutting properties under conditions of the 100 year storm. Mr. Palmieri said there should be 2' shoulders with a 20' wide road to avoid a steep drop off. In this case the road or driveway was proposed to be 18', and will have 2' shoulders. A separate Erosion and Sedimentation Control Plan

should be provided to the Planning Board before the plan is approved so they can review it, and don't have to search for it as construction is ready to start.

Steve Pritchard asked if the Board members had questions. Mr. Vogel asked if there would be a vehicle for shared responsibility for the detention basin and driveway. Mr. Bjorklund said there would be a Homeowners' Association similar to that of a Common Driveway. Richard Taylor asked if there would be an easement for the detention basin. Mr. Bjorklund responded that he has agreed to a restriction that would prohibit any structures aside from the retaining wall. Mr. Limbacher asked what standards the road would be built to. Mr. Bjorklund responded that it would be built to the standard of a Common Driveway.

Mr. Anthony Antonello asked for information about how the sewer connections were approved. He believed, based on his prior experience, it would require a sewer extension, rather than connections. He did not believe it was possible to approve the sewer based on only having 40' of frontage over upland for the entire development. This would not be sufficient to install the road. Mr. Bjorklund said all permits had been obtained from the DPW. He would be responsible for replacing the original sewer pipe into the development from 1976. There was considerable discussion on this issue.

Mr. Pritchard asked how the wetlands would be protected during construction. Mr. Bjorklund said erosion controls would be in place throughout the construction process. The Board agreed it was important to obtain an Erosion and Sedimentation Control Plan or the equivalent. They agreed it was important to have underground utilities. They requested copies of the sewer permits issued by the DPW to better understand the existing and proposed sewer situation.

Mr. Taylor moved to accept the applicant's request that the Public Hearing for 101, 103 and 105 Hatherly Road Residential Compound Development Special Permit that was duly posted and advertised in accordance with MGL Ch. 40A Section 9 and Scituate Zoning and General Bylaws be continued until June 23, 2016 at 8:30 pm in the Selectmen's Hearing Room at Town Hall, 600 C J Cushing Hwy and the decision be filed with the Town Clerk by July 15, 2016. Mr. Vogel seconded the motion. Motion was unanimously approved.

Discussion – Drainage calculations reflecting construction revisions – Blanchard Farm Estates

Documents

- Letter from Amory Engineers dated 5/19/16 on drainage calculations received May 11, 2016
- Email from Greg Morse to Laura Harbottle dated 5/20/16
- Email from Laura Harbottle to Adam Brodsky of Drohan, Tocchio & Morgan dated 5/20/16
- Letter from Adam Brodsky dated 5/24/16
- Email from Laura Harbottle to Board dated 6/9/16 with photo of arborvitae planted on Lot 8 and letter from Morse Engineering with new calculations for Lot 8 and entire subdivision

Bob Vogel recused himself and went into the audience. Attorney Bill Ohrenberger and Greg Morse were present on behalf of Welby Builders. Attorney Ohrenberger said the arborvitae are planted and the site is all loamed and seeded. Mr. Morse said a letter of correspondence from Mr. Tom Quinn on Whittier Drive indicated that the garage on Lot 8 Blanchard Farm Estates was switched from a front entry to a side entry garage. He indicated that Mr. Quinn expressed concern on additional drainage to his property and headlight glare. Mr. Morse said since the last meeting, he did a drainage analysis and the arborvitae and lawn have been planted. He indicated the driveway

itches toward Blanchard Farm Lane and has a cape cod berm installed at the outer edge to make sure the water drains to the street. He said that he has submitted two letters; the first one in April which showed the approved subcatchment area for Lot 8 which depicted the entire roof and back area to drain to the rear of the property and the front yard was to drain to the street. Mr. Morse said the as-built shows the front of the roof now drains to the street and the back drains toward the rear of the property. He said the side entry garage drive drains to the street so there is less surface area and less impervious area than originally approved going toward the Quinn property. He said in April he did not quantify rates or volume.

Mr. Morse said the second letter in May includes an analysis of Lot 8 in two ways. He said Appendix A shows the hydrocad calculations for the 2, 10, 25 and 100 year storms. He indicated that the calculations show less rate and volume going to the Quinn property for those four storm events. Chairman Pritchard asked if it went to the swale at the rear of the property and then down the stone wall versus to the Quinn property. Mr. Morse said that was correct. He then indicated that Appendix B provides calculations for the 2, 10, 25 and 100 year storms of water that goes to the stormwater basin. He indicated he updated the calculations with actual as-built information thus far. He said the detention basin was designed with a volume of 32,900 versus 32,600 as constructed - it is within 1% of the volume. Mr. Morse said the impervious cover was slightly greater by 2,000 sq. ft. total, but the road was 1,000 sq. ft. less for a net difference of 754 sq. ft. from the design which equates to 1.6%. He indicated he used as-built outlet elevations and the as-built basin volume and ran the calculations for the four storm events and found that the rates were less than or equal to what was designed. He said he submitted pictures today.

Pat Brennan of Amory Engineers, the town's consulting engineer, said he reviewed both submittals and found there is less area and less impervious area going to the Quinn property so there should be less stormwater. He said more water is now being routed through the detention basin resulting in better water quality. Mr. Brennan said he is comfortable with the larger analysis.

Ms. Harbottle said there needs to be transparency with the margin of error in the drainage calculations. She said she first heard from Mr. Quinn in January about stormwater concerns to his property, the grading and the garage being relocated to the side. She said she has been working to try to resolve the issue since. She indicated she sat with Mr. Morse this morning to review the amount of impervious surface differences and if the calculations just dealt with Lot 8. She said the whole subdivision has been reanalyzed and it looks like everything will be fine.

Ms. Burbine said she went to the site and saw that the arborvitae had been planted, the grass was planted and there was a swale by the stone wall. She said it wasn't much different than before. Mr. Morse said he house has been recently completed and is not occupied. Attorney Ohrenberger indicated that Mr. Morse has provided the required certification under condition 41.

Tom Quinn of 30 Whittier Drive said with the approved subdivision plan there were elevations approved and he would like to know what the Planning Board has to say about that compared to what was built. Chairman Pritchard asked Mr. Morse if there was a difference. Mr. Morse said it was not drastically different. Mr. Quinn said the corner closest to his property was supposed to be elevation 63 and is now elevation 68. He said there was no application to modify the plan and there was no application with the drainage calculations. Attorney Ohrenberger said this is not a provision of the subdivision control law but a function of the stormwater bylaw. He said the stormwater has been complied with and certified by the Town's Engineer. Mr. Taylor said that it was previously

discussed that the home locations are tentative. Mr. Morse concurred and said that is why the Board put in condition 41 which requires the engineer to certify that the drainage is not altered.

Mr. Quinn said that Mr. Morse quoted condition 41, but has said nothing about condition 40 which says the septic system grading has to be reviewed to make sure it doesn't impact drainage. He also indicated that condition 41 says the engineer needs to certify to elevation change and that is a concern to him as it is inaccurate as 63 versus 68 is significant to him. Chairman Pritchard said the Board has already heard that issue and the town's engineer has reviewed the calculations. Attorney Ohrenberger said a certification has been signed by the engineer. Chairman Pritchard said that performance of the stormwater design from the approved plan to the as-built is what is being looked at and he did not hear that there would be problems in that area other than performance may be better in that area that Mr. Quinn was concerned about. Mr. Taylor said that the elevation does not need to be exact, but needs to perform within the drainage calculations. Mr. Quinn asked for someone to state on the record that the change was insignificant. Mr. Brennan said that the houses and grading are shown on a definitive plan to show where the drainage is to go after the houses are built. He said the grading won't match exactly nor will the houses as buyers will have different plans than the approved plan. He said the essence of what is on the plan is what the Board is concerned about. Chairman Pritchard asked if a 1% change was insignificant. Mr. Brennan said the change here is insignificant as it is improving the situation to the abutting property as less water is going there under the as-built condition than approved.

Ms. Burbine said that it seems like Mr. Quinn was saying he was concerned about the height of the house when the level of the grading is the issue. Mr. Brennan said that in order to have a side entry garage the entry needs to be flat so the slope has been shifted backward, but it is the same slope. He said that some water that was to go to the slope is now going to the road. Ms. Burbine asked if she was correct in understanding that adding five feet to the back corner has no impact on the drainage calculations. Mr. Brennan concurred indicating more water goes to the street. Ms. Burbine surmised that there is no impact from the elevation of the house to the stormwater runoff. Mr. Morse agreed and indicated that the foundation was actually built 3" lower than the design. Mr. Brennan reiterated that the soil was just shifted in location. Mr. Quinn offered that it increased the peak flow which is significant. The Board indicated that it was stated it was an insignificant amount.

Ms. Harbottle suggested the Board make a finding on the report and need for enforcement. Mr. Taylor moved that the Planning Board find that, based on the As-Built Stormwater Calculations for Lot 8, Blanchard Farm Estates by Morse Engineering Co., Inc. dated May 11, 2016 and the review of this report by the Planning Board's consulting engineer Pat Brennan of Amory Engineers, Inc. dated May 19, 2016, that there is no additional negative impact from stormwater on the properties on Whittier Drive and no need for enforcement to address the change in driveway or garage entrance locations under the Subdivision Rules & Regulations or Stormwater Bylaw. Ms. Burbine seconded the motion. Mr. Limbacher said he wanted to reference both the 4/19 and 5/11 letters and include a statement that there is no additional negative impact for the existing development. Ms. Burbine second the revised motion that the Planning Board find that based on the As-Built Stormwater Calculations for Lot 8, Blanchard Farm Estates (7 Blanchard Farm Lane) by Morse Engineering Co., Inc. dated April 19, 2016 and May 11, 2016 and the review of this report by the Planning Board's consulting engineer Pat Brennan of Amory Engineers, P.C. dated May 19, 2016, that there is no additional negative impact from stormwater on the properties on Whittier Drive based on the as-built development of Blanchard Farm Estates and no need for enforcement to address the change in driveway or garage entrance locations under the Subdivision Rules and Regulations or Stormwater Bylaw. The motion was unanimously approved.

182 First Parish Road – Scenic Road and Stormwater Violations

Documents

- 6/7/16 letter from Laura Harbottle to Bethany Versoy

Ms. Harbottle indicated that she spoke with the owner of 182 First Parish Road and also sent a letter. She indicated to the Board that the site was clear cut and that First Parish Road is a scenic road and there was a stump and appearance of an end of a stone wall by the stump which is about three feet in back of the sidewalk. She said the letter requested that the site come in for a permit under the Scenic Road and Stormwater Bylaw. She asked if the Board wanted to pursue any fines for the scenic road as it was in a very visible location and fines have been part of the bylaw since it was enacted 15 years ago.

Mr. Vogel asked if the Historical Commission was involved in scenic roads after they are approved. Ms. Harbottle indicated they were not. Mr. Vogel said he thinks something substantial needs to be done, but ignorance will probably be claimed. Mr. Pritchard said he was tired of hearing the ignorance complaint for every scenic road application and this is well across the line and he is in favor of a fine. Mr. Limbacher agreed. Ms. Burbine said she was appalled and Mr. Taylor said he was surprised.

Mr. Steve Bjorklund was present and suggested that the Board get a plan as to exactly what was there before a fine is issued. Ms. Harbottle said she looked at plans in DPW and DPW said the stone wall was the boundary. She said the stump was three feet off the sidewalk and the Board could ask DPW to go out and tell us where the line is. Ms. Burbine and Mr. Limbacher agreed to the fine. Chairman Pritchard asked about the date of the fine. The Board decided to make it June 6, 2016 when the violation was first noticed until the permit is addressed.

Mr. Taylor moved that the Planning Board find that the owner of 182 First Parish Rd. has violated the state Scenic Road Act, Town of Scituate Scenic Road Bylaw and Town of Scituate Stormwater Bylaw, and further that the Planning Board formally request that the property owner obtain a Stormwater permit and request a public hearing under the Scenic Road and Public Shade Tree Act as applicable, and that the Planning Board issue fines of \$300.00 per day for violating the local Scenic Road Bylaw for a period starting June 6, 2016 until such time as the issue is resolved. At the same time, the site must be stabilized to prevent any erosion or runoff. Ms. Burbine seconded the motion. Motion was unanimously approved.

50 Country Way – Mixed Use Special Permit in the Village Business Overlay District – Selection of Historic Preservation Consultant to preview report on Wetherbee House and determine if a modification is necessary

Documents

- 50 Country Way Structural Assessment dated 4/8/16 by LeMessurier Consultants, Inc.
- Letter dated 5/31/16 from Jim Sandell of Carr, Lynch, Sandell on new elevations for Building A
- Plans entitled 50 Country Way Scituate, MA with seven plans including Site Layout Plan, Building A approved and revised elevations, Building B approved and revised elevations and Building C approved and revised elevations
- 50 Country Way Mixed Use Special permit dated 5/29/15

- Emails from Laura Harbottle to the Board dated 6/3/16 with above materials
- Email to the Board from Laura Harbottle dated 6/6/16 with a proposal by Odeh Engineers for evaluation of the Structural Assessment dated 4/8/16

Jim Sandell of Carr Lynch Sandell was present with new owners of 50 Country Way, Peter Genta and Greg Grant of Greenbush Station LLC. Mr. Sandell said he has been retained to take the next steps for 50 Country Way. He showed the Board the plans that were approved and indicated he would like to go over the modifications as his client wants to move ahead in the design process. Mr. Sandell said the owners intend to use modular construction where the units are built off-site in a warehouse and picked up, transported and placed on-site. He said the construction quality is great, the costs are even, but the construction time is half as long so there would be fewer disturbances to Morning Glories. He said the scope is the same as what was approved, the public walkway is the same and the parking is the same.

Mr. Sandell said that the changes associated with the box construction are on the elevations and are for the better. He said the third floor changes will make construction easier for the shed dormer. He said they are changing some roof pitches and knee walls in the inside to make the floor space more usable.

He indicated they retained a structural engineer to do an analysis of the existing building that was to be moved as part of Building A. Mr. Sandell said they found the first floor sills and floor joists rotted, the main carry beams need support so to move the building they would need to be reframed. He said the walls are damaged in the sheathing due to the vinyl siding so there could be mold and the roof is framed with 3 x 4's and it would not pass the structural codes today. He said they propose to replicate the building as it is not feasible to move it. He said the reconstruction will match the exact details and would be better for the mechanical and electrical systems. He said it would be box built, but the difference would not be noticeable. Mr. Limbacher said he was confused as Mr. Sandell said that the difference would not be noticeable. Mr. Sandell clarified that the floor to ceiling height would be different on the interior, but the building would look the same from the exterior. He offered that the building is open if the Board and its consulting engineer want to view the findings.

Mr. Sandell said the other change is that that the air conditioning condensers would not be inset into balconies, but be located on the roof above the third floor with screening that would visually look like a widow's walk. He said each unit would have a condenser. Chairman Pritchard asked about noise. Mr. Sandell said the units would be state of the art and noise would not be an issue. Mr. Sandell also said there will some changes to the support and ventilation of the elevators and the ventilation would occur through what looked like to be a chimney box. Mr. Vogel asked about heat. Mr. Sandell said it would be hydronic air heated. He said each unit will have a 3' x 6' space with a hot water heater. Mr. Vogel asked about the venting louvers as he was concerned they would be visible if not carefully designed. Mr. Sandell said they are testing right now as to the best location for those. He said the units will be shipped to the site on large trucks with lead and follow vehicles.

Chairman Pritchard asked if the buildings would visually look flat due to the box construction. Mr. Sandell said they would look exactly like the sketches. The Board concurred that the "box" buildings looked better than the original design. The owners indicated the exterior will be a clapboard look material. Mr. Sandell offered that the usable space would be about 200 sq. ft. less than the original design.

Mr. Vogel asked if the phasing is changing due to the box construction. The owners said it would not. He said there would be about four weeks between the foundations for the buildings. Chairman Pritchard indicated the phasing was specific to make sure Building A was completed which is the major public benefit for the project. Mr. Limbacher said it makes sense to do the back buildings first, but the condition exists. The owners said the commercial tenants will be interspersed with the retail so that should help attract a retail tenant. Mr. Sandell said they are aware that 50% of the first floor of Building A must be retail.

Mr. Limbacher summarized that the exterior of the building will look the same and the interior will be slightly different. Mr. Taylor remarked that it is ironic that the barn is now proposed to be saved and the house torn down. Chairman Pritchard indicated the Board needs to pick a structural consultant. Ms. Harbottle said she received one proposal which sounds very reasonable despite reaching out to other consultants. She said the consultant would visit the building as part of his scope of services.

Ms. Burbine asked if the phasing could be changed now. She said Mr. Morse had a detailed letter on the phasing. Ms. Harbottle said that in the Morse phasing, buildings B & C were to be done first with framing before building A was started. Mr. Vogel said all three foundations could be done first. Mr. Genta said he would like to do Building B first as it is largest, then C then A. He said the trades would work in C and A simultaneously. Mr. Vogel said there would be concerns from the Building Department if cranes were on site and a building was occupied. Mr. Genta said that all heavy construction will be completed prior to seeking any occupancy permits.

Ms. Harbottle asked the Board what they wanted to do with the historic assessment. Ms. Burbine asked if they should do it if the building will look the same. Chairman Pritchard said part of the public benefit was to preserve the structure and he is not comfortable in letting it go. He said it is not the same as preserving the historic structure. Mr. Limbacher said it is the Morin property again. The owners said they can use a different product on the outside to make it look exactly the same. Mr. Sandell reiterated that the first floor needs rebuilding and the roof isn't to code and will need to be redone. Chairman Pritchard asked what the public benefit will be. Ms. Burbine said the building will look preserved. Mr. Limbacher said he is reticent to say that it is a public benefit and now it is not. He said the study closes that loop should there be inquiries. Mr. Vogel agreed and said it was short money to do the study. Chairman Pritchard agreed and said this was the one thing they wanted to be sure about. Mr. Taylor agreed.

Mr. Taylor moved that the Planning Board approve the use of Odeh Engineers for an amount up to \$5,000 to review the Structural Assessment of the antique Wetherbee house at 50 Country Way, to determine whether the building can realistically be reused as part of a mixed use development. Mr. Limbacher seconded the motion. Motion was unanimously approved. Mr. Taylor moved that the Planning Board find the revised plans and elevations presented on June 9, 2016 at the Planning Board meeting are consistent with what was originally proposed and per Condition 23 of the 50 Country Way Mixed Use Special Permit approved by the Planning Board, a letter will be released to the Building Department on receipt of stamped plans. Mr. Vogel seconded the motion. Motion was unanimously approved.

Request Fern properties to provide information on rear detention basin, Benjamin Studley Farm

Documents

- Email chain from John Niland and Laura Harbottle dated 5/23, 6/1 and 6/2/16
- Email from Al Loomis of McKenzie Engineering to Laura Harbottle dated 6/2/16
- Email to Board from Laura Harbottle dated 6/9/16 with photos of rear basin taken 6/1/16, email to Amory from D Keller of McKenzie Engineering dated 9/2/15, photos from J Niland sent 5/23/16, McKenzie Engineering Group rear basin infiltration function letters dated 8/26/15 and 9/28/15

Ms. Harbottle indicated that there is water in the upper detention basin and some abutters are very concerned. She said she is following up the issue with McKenzie Engineering. The Board indicated they would like the owners to come into a meeting.

Old Business and New Business

Documents

- Email to Board dated 6/3/16 from Karen Joseph with agenda for 6/9/16 and meeting minutes from 5/12/16, 5/25/16 and 5/26/16.
- Email to the Board dated 6/3/16 from Laura Harbottle with Coastal Erosion Flyer and meeting materials for 6/9/16 except for 50 Country Way
- Email to Board from Karen Joseph dated 6/7/16 with 6/9/16 amended agenda
- Email to Board from Laura Harbottle dated 6/7/16 with materials for 6/9/16 meeting

These items were distributed to the Board electronically.

Mr. Taylor said he is interested in writing articles on the Planning Board for the Scituate Mariner and would like to discuss it on July 28.

Mr. Vogel moved to adjourn the meeting at 10:55 p.m. Mr. Limbacher seconded the motion. Motion was unanimously approved.

Respectfully submitted,

Karen Joseph
Planning Board Secretary

Richard Taylor, Clerk
6-23-16
Date Approved