

**Scituate Zoning Board of Appeals
Meeting Minutes
August 17, 2017**

TOWN OF SCITUATE
TOWN CLERK

2017 SEP 22 AM 8:51

RECEIVED

PRESENT: John Hallin, Chairman, Sara Trezise and Anthony Bucchere.

The Scituate Zoning Board of Appeals held a public hearing on August 17, 2017 at the Scituate Town Hall located at 600 Chief Justice Cushing Highway, Scituate. The meeting was called to order at 7:00 P.M.

First Application: Craig S. Valdez/ Commonwealth Realty Services Inc. of 58 Woodworth Lane, Scituate, MA requests a Special Permit/ Finding pursuant to Section 810.2 and 470.6F of the Scituate Zoning Bylaws, and/or M.G.L. Ch. 40A, Section 6, and/or any other relief the Board of Appeals may grant to allow reconstruction of a single family dwelling on a preexisting, nonconforming lot at **164 Turner Road, Scituate, MA (Assessor's Map 46, Block 14, Parcel 15).**

Representing the Applicant: John Spink, Professional Engineer, John Spink Designs. Mr. Hallin explained that he must recuse himself from hearing the application as he is a direct abutter to the property. Without a quorum present the Board cannot vote on the application and therefore must continue the hearing to the September 21, 2017 meeting. No discussion of the application was allowed in the absence of a quorum.

Mr. Bucchere moved to continue the hearing to the September 21, 2017 meeting. Motion seconded by Ms. Trezise. All in favor, unanimous.

Second Application: Stockbridge II Realty Trust, Pierre Coll, Trustee, of 20 North Park Avenue, Plymouth, MA 02360 requests an insubstantial modification to the Comprehensive Permit issued on or about February 10, 2003 and most recently modified on April 20, 2017 for the elimination of the clubhouse, and for new decks on the units, and for footprints of a lesser area for the property at **96 Stockbridge Road, Scituate, MA**, previously referenced as 90 Stockbridge Road, Scituate, MA, also being identified as **Assessor's Map 054, Block 2, Parcels 28-A and 28-C**, both portions of former Assessor's Map 054, Block 2, Parcel 28.

Representing the Applicant: Attorney Adam Costa and Jim O'Brien of Dakota Partners.

Attorney Costa explained how 40B zoning regulations distinguish between substantial and insubstantial changes to a comprehensive permit. The proposed modifications are not within the definition of substantial changes, thus no public notice was required. Conversely, the recent hearing for change of housing tenure qualified as a substantial change and as such required a public hearing and more extensive review process. Mr. Costa further explained the first proposed modification is for the removal of the clubhouse originally approved on the plans. Dakota Partners considered the financial feasibility and marketability. It was determined clubhouses are becoming less popular in suburban communities as a result of residents having access to other amenities off sight. Additionally, the cost of construction, heating/cooling and subsequent maintenance is passed on to residents through association fees. This additional cost adversely impacts marketability.

At present the plan is to replace the clubhouse with green space. An additional benefit of the proposed clubhouse elimination would be improved drainage calculations as a result of less run

off, less surface area and less asphalt. A continuation of the landscaping shown on the plan would be carried through around the corner.

Ms. Trezise asked if consideration of a playground had been given.

Mr. O'Brien stated final amenities have yet to be determined. A further request for a minor modification is expected following further finalization of plans.

Mr. Bucchere asked if the sale price of units was expected to increase or decrease as a result of this proposed change after consideration of cost offsets.

Mr. O'Brien stated it was anticipated the association fees would be reduced; the purchase price may reflect a linear adjustment.

Mr. Costa added the affordability of affordable units would improve with the reduction of association fees.

With no further questions or comments from the Board Attorney Costa proceeded to explain the second proposed modification as being the addition of decks to the units. The revised plan reflects a reduction of less than 5% in size from the approved plan and includes dimensions of units and decks shown.

Mr. O'Brien informed the Board of the planned November 1, 2017 closing on construction financing with site work slated to commence shortly thereafter. Bank financing has been secured. Ideally construction would begin during the spring of 2018. The original phasing plan remains in place, and approvals from the Fire Department have been received.

The Board expressed support of the proposed modifications.

Ms. Trezise moved to find the changes as described within the correspondence submitted August 10, 2017 by Attorney Costa and shown on the revised site plan dated August 3, 2017 submitted with the request for the modification be deemed insubstantial. Motion seconded by Mr. Hallin. All in favor, unanimous.

Minutes presented for approval.

Mr. Bucchere moved to approve July 20, 2017 minutes as submitted. Motion seconded by Ms. Trezise. All in favor, unanimous.

Mr. Bucchere moved to adjourn. Motion seconded by Ms. Trezise. All in favor, unanimous.

Meeting adjourned at 8:00pm.

Respectfully Submitted,



Anne M. Kelly