

**MEETING MINUTES  
BOARD OF SELECTMEN  
April 4, 2017**

Present: Martin J. O'Toole, Chairman, Maura Curran, John Danehey, Shawn Harris

Patricia Vinchesi, Town Administrator

Mr. Vegnani was not in attendance.

The Meeting was called to order at 7:00 p.m.

**Acceptance of Agenda**

**Ms. Curran made a motion to accept the agenda for April 4, 2017, Second by Mr. Harris, all in favor. Unanimous vote (4-0).**

**WALK INS** – Donna Bangert, Chair of the Beautification Commission, 108 Captain Peirce Road came in this evening to provide the Selectmen an update on Ship Shape Day. The past 50 years of Ship Shape Day was organized by the Beautification Commission and still is today. People were asked to bring their own bags back then. Town volunteers picked up the trash. Paul Young was a big supporter and donated \$870 for ship shape day and supported the effort for years. The cleanup used to be focused on the harbor area. In the 1980's the commission purchased push brooms for the harbor merchants. Today bags and gloves are supplied by the Beautification Commission and bags are picked up by the DPW over a 3 day period picking up over 3 tons of trash. The Ship Shape Day now is over a 2 day period Saturday and Sunday. Trash on the beaches and wetlands is a priority area to be cleaned up. April 29<sup>th</sup> will be ship shape day and the Beautification Commission is looking to continue 50 years of support. Grades K-8 will participate in a poster contest with prizes awarded and posters will be put here in town hall. Supplies will be distributed from 8 a.m. to 1 p.m. on April 29<sup>th</sup> at town hall. Coffee & doughnuts and at 11 a.m. Nona's will provide ice cream to volunteers. People can clean up anytime over the weekend of April 29<sup>th</sup> from Saturday to Monday morning. Community service hours will be offered to high school volunteers. The website is <http://www.shipshapeday.info>

Tom McCusker, 50 Gannet Pasture Lane, is concerned about the condition of Henry Turner Bailey Road and the sign the Chamber of Commerce has up. He is requesting that the sign be either repaired or removed. It is the main entrance way to the town and something should be done to clean up the area on route 3A. Mr. Danehey said the Chamber of Commerce owns the sign and are talking about future plans. Mr. Danehey will check with the Chamber to ask what the plan is for the sign.

## **REPORT OF THE TOWN ADMINISTRATOR**

### **1. Public Facilities Update**

Monday April 10<sup>th</sup> the library will start to transition from the Scituate Harbor Community Building. The temporary library will be closed for 3-4 weeks and the estimated open date is June 1<sup>st</sup>. The building is amazing.

Next week we will plan for public tours of the Public Safety Complex.

May 13, 2017 the EDC will be holding a public meeting about visioning for the Greenbush area.

## **SCHEDULED ITEMS:**

### **Outdoor Entertainment Permits @ 0 Common Street, Steve O'Brien**

1. July 8, 2017 Live Band 2 pm – 11 pm for Wedding with 125 people and a DJ.

**Move to grant an outdoor entertainment permit for a live band for Steve O'Brien located at 0 Common Street on 7/8/17 from 2 pm to 11:00pm. Motion by Ms. Curran second by Mr. Danehey Unanimous Vote (4-0)**

2. August 19, 2017 Live Band 2 pm – 11 pm for Magical Moon Foundation Fundraiser with two live bands and expects about 300 people.

**Move to grant an outdoor entertainment permit for a live band for Steve O'Brien located at 0 Common Street on 8/19/17 from 2pm to 11:00pm. Motion by Ms. Curran second by Mr. Danehey Unanimous Vote (4-0)**

**3A/First Parish Intersection**, Al Bangert, Director, Special Projects & Jeff Parenti and Jeff Bandini of Nitsch Engineering

The purpose of this topic is to review with the BOS preliminary concepts for improving pedestrian safety and traffic flow at the intersections of (1) Route 3A at First Parish, (2) Route 3A at the High School entrance drive and (3) First Parish Road at the Middle School entrance drive. The result of this review will provide guidance for further work.

The completion of the new Gates Middle School is projected to increase vehicle and pedestrian traffic on the Town Hall/School campus significantly. We expect that this increase will lead to increased frustration by residents, traffic delays on Route 3A and increased number of vehicular accidents. The School Superintendent and the Town Administrator jointly commissioned Nitsch Engineering to develop conceptual-level solutions for this problem.

Nitsch has developed two types of solutions, signaling and rotaries, to improve pedestrian, bicycle and vehicular safety in the area of the School/Town Hall campus.

Concept 1 - The solution is to modify the layout of the two intersections and install new coordinated signals.

Concept 2A - A hybrid solution is to install a roundabout on Route 3A at First Parrish and a signalized intersection at the High School entrance drive.

Concept 3 - Install two roundabouts on Route 3A, one at First Parish Road and the second at the High School entrance drive.

Ms. Curran asked that Nitsch Engineering become familiar with the project on route 3A in Cohasset that is well into the design phase to see what the impact would be on these plans and how they are handling the traffic. Mr. Harris asked at what point Mass Highway becomes involved. Mr. Bangert said Mass Highway requires roundabout design as part of the planning. Until we get to the permitting level of engineering Mass Highway does not get involved. Mr. Bangert said we are only in the conceptual engineering phase. On a conservative basis this will run \$2.2M for the two rotaries, it would be approximately \$1.1M for the signalized solution. The Hybrid solution is estimated at \$1.8M. Mr. Danehey said it is interesting but is concerned that the hybrid would not work. Mr. Harris said he thought the Greenbush roundabout would not work but it does work. Ms. Vinchesi asked the engineer to discuss the land taking and the cost estimated associated with that. There was not a land survey so we do not have the exact amount of land required. Land taking costs were not included in the estimates and it is hard to say at this point.

The advantages to this proposal:

- ☐ The Roundabout solution: Offers the advantages of improved traffic flow, reduced air pollution, reduce traffic accidents (frequency and severity) and improved pedestrian safety, separated bike lane adjacent to Town Property, new sidewalks. (Cost impact to be determined.)
- ☐ The Signalized solution: Offers the advantages of easier construction and improved pedestrian safety, new turn lanes on 3A, minimal land use, new on-street bike lanes, new sidewalk. (Cost impact tbd.)
- ☐ The Hybrid solution: Offers the advantages of improved traffic flow, reduced air pollution, reduce traffic accidents (frequency and severity), improved pedestrian safety, new sidewalks. (Cost impact tbd.)

Funding for this proposal:

This conceptual engineering phase was funded 50/50 by the Middle School project and the Town Facilities budget. Funding for the final design and permitting has not been established. The objective is to complete the engineering and permitting so as to have a “shovel-ready” project and seek state funding for construction.

The Selectmen thanked Mr. Bangert and Nitsch Engineering for their work on this project.

**Scituate Administrative Code** Creation of Department of Planning & Development and Director of Planning & Development as outlined in the Scituate Town Charter Section 5-1(b) and 5-3

Ms. Vinchesi said that this is an article on the town meeting warrant. Under the charter the board is allowed to propose to Town Meeting changes to the organizational structure of the town. The creation of this department involves a change of organization. This is a public hearing so that

residents can come and discuss this proposal with the board. The Conservation Commission and the Planning board voted unanimously to support this. The Economic Development Commission has scheduled an upcoming vote. Patricia Lambert, 14 Alexander Place asked where this position would fall. This position would report to the Town Administrator with Building, Conservation and Planning reporting to this position. Ms. Curran said there is a real need to have a cohesive plan to bring these departments together especially with all the growth and the amount of development that is happening in our town. Mr. Danehey said this is a position that has been discussed for years and there are so many projects going on in town and this position will tie this all together. This position will deal with planning in a very comprehensive way. There are a lot of layers of complexity that have to be dealt with in our community. Mr. O'Toole said he has been back and forth on this and does not support this position. Mr. Harris said this would help streamline processes across departments. Ms. Curran said most of our committees for the betterment of our town are all volunteers. We need a professional to bring this vision all together. Ben Bornstein, 99 First Parish Road asked if the planning board would remain as such. Mr. Danehey said yes that would not change. The Planning Board members are elected positions. Darryn Campbell, 57 Acorn asked if this position was in other towns. There are over 100 towns that have this position. Ms. Curran read a list of local towns that have this position. A big component of this position is for economic development. Steve Bjorklund, 38 Ladds Way is against this position at this point in time. Mr. Bjorklund said that help is needed in Board of Health, Planning, and Conservation at the ground level not a new senior position. Ms. Vinchesi proposed this in the budget and she has conversations with developers in town and this is very much needed. We increased funding in Conservation and Planning in the FY18 budget for additional resources. Ben Morstein 99 First Parish Road wants to incorporate resiliency and sustainability to the job description. Ms. Vinchesi and the Selectmen felt this is an excellent idea to add to the job description. No vote was necessary for this item.

**Scituate Housing Authority** Vacancies with members of the Scituate Housing Authority: Jill Caffrey, Tamara Durante candidates

Ms. Curran said there was a change in the law that requires a joint appointment to fill vacancies until current regulations are passed. Tammy Durante, 73 Pratt Road is married with twin boys and has been a resident for 24 years and works for a company in information & security. When the opening was presented Ms. Durante was very impressed and understands there are gaps in compliance. She has a lot of experience dealing with major projects. Ms. Durante has not had an opportunity to attend a Scituate Housing Authority meeting to date. Jill Caffrey 21 Baileys Causeway, Scituate has been a life-long resident and has a long successful career in real estate. Ms. Curran said these are two phenomenal candidates. The name needs to be entered into nomination. Entertain nomination for the first term that expires in 2018. Mr. Coulter would like to recommend Jill Cafferty for the remainder of the term. Mr. O'Toole closed nominations. Open nominations for the vacancy to expire in 2020. Mr. Coulter nominated Tamara Durante. Mr. O'Toole closed nominations.

**Move to approve the interim appointment of Tamara Durante to the vacancy on the Scituate Housing Authority (for the term otherwise set to expire in 2020) until the 2018 Annual Town Election or until another person is qualified.**

**Roll Call Vote Scituate Housing Authority:**

**Mr. Stephen Coulter - yes**

**Mr. Jon Duane - yes**

**Roll Call Vote Board of Selectmen:**

**Mr. O'Toole - yes**

**Ms. Curran - yes**

**Mr. Danehey - yes**

**Mr. Harris – yes**

**Move to approve the interim appointment of Jill Caffrey to the vacancy on the Scituate Housing Authority for the remainder of the term otherwise set to expire in 2018, or until another person is qualified.**

**Roll Call Vote Scituate Housing Authority:**

**Mr. Stephen Coulter - yes**

**Mr. Jon Duane - yes**

**Roll Call Vote Board of Selectmen:**

**Mr. O'Toole - yes**

**Ms. Curran - yes**

**Mr. Danehey - yes**

**Mr. Harris – yes**

**Town of Scituate – Opt-in to MGL Ch. 90 Sec 17C Modern Municipal Speed Limit**

**Change**, Chris Bagley, Chairman, Traffic Rules & Regulations (TRRC), Officer Taylor Billings, Scituate Police Department, TRRC and Sean McCarthy Town Engineer, TRRC

Mr. Bagley reviewed the letter from the State of MA and Governor Baker's letter regarding the recent passage of Sections 193 and 194 of Chapter 218 of the Acts of 2016 regarding changes to the Speed Limit Regulations under Chapter 90, Sections 17 and 18 that was signed by Governor Baker on August 9, 2016. The new statutes become effective on November 7, 2016. Officer Billings said there is a lot of leverage within the Town. There are over 500 street and 37 of them are regulatory speed limits that are posted. About 90% of the roadways in town will fall under this category. Densely populated streets and school zones will be reduced to 25 mph. Speed limits are a quality of life issue. This will improve the safety of the road ways in town. This was reviewed with Chief Stewart and Deputy Chief Thompson who are both in support of this recommendation. There are streets that don't have speed limit signs posted. With this Municipal Modernization Act we can drop the speed limit from 30 to 25 town-wide. The local officials make the decision and purchase the signs. The signs will be on the main roads coming into town. Mr. Harris gave Front Street as an example of a 30 mph speed limit and that is too

fast. Ms. Curran asked that Officer Billings work with the public to educate everyone. Ann Burbine, 10 Pennycress Road, intersection of Branch, Curtis & Country Way there is no speed sign and she feels it should be 30 mph. Out of the Village on Gannet Road the speed limit is 40 mph but there is no sign. People fly through North Scituate and signage and enforcement is the main issue. There is no sign coming into North Scituate Village. Martha Cook, 3 Acorn Street, said the Cushing School neighborhood is very busy and people drive too fast and do not stop at the stop signs. It should be a school zone in this area. Legal signs at all four elementary schools are very much needed in our community. Darryn Campbell, 57 Acorn Street, lives in this same neighborhood and he does not feel comfortable letting his kids walk on the street. Chantel Kelleher, 35 Aberdeen Drive wrote a letter that was read by Darryn Campbell to the Board of Selectmen in support of these traffic speed changes. Bethany Kenneway, 8 Vinal Ave. has been working with Traffic Rules and Regulations over the past couple of years on this speeding issue. Officer Billings said this would be a tiered approach; the first dropping the speed limit to 25 mph. We are waiting for more guidance from the State of MA regarding parameters for the drop in speed limit. Jen Goeghan, 65 Common Street is in support of this change around the Jenkins area and all the school areas as well as the town in general. Many groups wrote letters of support and have signed petitions. Joanne O'Brien 113 Arborway said there is a blind curve and the cars fly in that neighborhood with a lot of young families and this is much needed. Mr. Harris asked Officer Billings to put the electronic speed sign up in that neighborhood. Steve Petrowski 225 Hatherly Road said 40-45 mph is what he sees and it is a speed way coming down the road. Suzanne O'Brien, Briar circle supports this change and there are a lot of young families. The safety of the children is paramount and is in support of this change. Signage is needed to let people know what the speed limit is. Mr. Danehey is in support of speed tables in certain areas of town. Mr. Danehey said the sidewalk priority list needs to be updated as well. Mr. McCarthy said there are several towns on the south shore that have the speed tables.

**Motion to have the Engineering Department install the appropriate signage reflecting the speed limit change and have the Town of Scituate Traffic Schedule reflect the statutory speed limit of 25 MPH in thickly settled and business districts. We further vote that the Town of Scituate opt in to Sections 193 and 194 of Chapter 218 of the Acts of 2016. Motion by Ms. Curran Second by Mr. Harris Unanimous Vote (4-0)**

**Toll Brothers Project, Bill Ohrenberger, Attorney**

Dave Bauer, Division President of Toll Brothers, Dave Buckley, Senior Project Manager and Kevin Klein, Engineer, Stantec Consulting Services, Inc. were also in attendance. Toll Brothers is planning to hold a public informational meeting at the Barker Tavern on April 20th. After review the group will proceed to the Planning Board, Conservation Commission and other groups to submit plans. Mr. Bauer said there is a high demand for over 55 communities. Previously this was viewed as a 90 home project but now it will be 142 unit and 10 single family homes on the perimeter of the property. It will have clubhouse, pool, amenities and we hope the town will view this as a real improvement from where we were. This will be a net tax surplus project to the town. Some images of the town home building were presented to the Selectmen along with some floor plans. These are geared to single level living with the option for second

floor with a loft and guest bedroom. There are 61 square foot units up to 2600 square foot units. It will be whatever the customer selects to be built. The baby boomers are entering into the empty nester phase and looking to get away from maintaining their property and want a comprehensive lifestyle and are looking for a new social phase. Examples are Pine Hills, Metheun, Bolton and they are all geared to this vision. It is not a south shore specific market but there is strong demand in the south shore area. This is the entire project in the same footprint as before. Mr. Ohrenberger said there are a lot of opportunities for open space amenities. The majority of homes will be two bedroom homes. There are 10 fewer bedrooms than were previously approved. The overall septic requirements are less with this proposed plan. This does not bump or move anyone in prioritization for sewer and has a minimal impact on our schools. Ms. Curran asked if part of the process would be to clean up the entire area and Mr. Bauer said he plans on it. Ms. Curran and Mr. O'Toole are pleased to see this change. Mr. Danehey requested sidewalks would be included. Mr. Harris said this will be determined. The average house value will be \$560,000 a small ranch would be in the high \$400,000 range and the upper end is hard to predict since it is where the customer wants to take it. Best estimate for time table is about 30 homes a year for building. Toll Brothers are not spec builders; they build to suit each customer. Ann O'Brien, 5 Turner Road asked if there were any more wetlands. Ms. O'Brien is an abutter. Mr. Bauer said they would go through this with the conservation commission to clearly determine where the wetlands and buffers are located. This will be an extensive process. Bill Schmid, 33 Egypt Beach Road, speaking as a private citizen is dismayed with this change from 90 to 142 plus 10 homes. What all of a sudden happened to make this change after all the permits were granted and is another permitting process required with the new plans. Mr. Ohrenberger said we do not have permits yet from Conservation, Building or Planning. Ms. Vinchesi said the board approved a development concept with 90 homes for sewer. The reason that Toll Brothers is here tonight is the concept has changed even though the net sewer requirements are less. This is why they are here at the Selectmen's meeting to update the board since the 2014 presentation and present to the board their current plans and requirements. Mr. Bauer said they had invited all the neighbors to hear about the project and there will be a new meeting for people to attend for an update to the project. Mr. Harris remembered attending that meeting and there were a lot of residents there. Ann Burbine, 10 Pennycress Road finds 55+ is rather discriminatory and it is important to keep a mix of young and old together. There is a need in this town for 2 bedroom homes in the \$350-\$450 range for first time home buyers. We need young families to have the necessary energy to keep the town going. It is not just the infrastructure of sewer and water, it is the infrastructure of public safety. Mr. Ohrenberger said he understands Ann's point. There will be 800,000 workers who will not be moving and they will be empty nesters. Mr. Schmid asked what the impact would be to property values of more densely populated town houses on the surrounding property values. Mr. Bauer said he was not prepared to provide numbers but from his experience a higher end product would be brought to the market and addressing a property that is in need of clean up, it would be

an improvement to the property values. Mr. Schmid said this project will be going on for a long time. Mr. Bauer said there are tradeoffs to consider. You could end up with projects half built if you build and then sell. The Toll Brothers business model is to build to what is sold and permitted. Ben Bornstein, 99 First Parish Road, said this town is suffering from a land shortage and land is at a premium. This sight is very unique because is in the residential overlay district and means a lot to the people that live here. It will have implications to the people that live here. Ms. Vinchesi asked on behalf of Mr. Vegnani if the bathrooms at Egypt Beach and fields for the community are still being planned. Mr. Ohrenberger asks if the board could approve and vote the change in concept in development. Ms. Burbine said as a member of the planning board that a 55 and over community should not be voted by the Selectmen and this is the job of the Planning Board. Ms. Vinchesi said the Board of Selectmen's purview is for the sewer capacity. Kevin Klien said the numbers were submitted for the sewer capacity. Mr. Ohrenberger said the sewer capacity is less than the original plan. The purpose of this meeting was to update the board on the sewer capacity needs and inform the board of the change of plans. Mr. Ohrenberger would like a formal vote to be taken on the April 18<sup>th</sup> agenda. Ms. Vinchesi said we would add this to the April 18<sup>th</sup> meeting agenda. Patrick Gallivan, Conservation Agent invited the group in for an informal discussion prior to filing. Mr. Ohrenberger will call Mr. Gallivan to arrange this.

**Emergency Sewer Connection** Parcel ID #28-22-4 This item was removed from the agenda. See the March 29, 2017 Selectmen meeting minutes for more information.

**Sewer Betterment Deferral** Parcel ID 14-1-49-0

**Move to grant a sewer betterment deferral for current year taxes for parcel id 14-1-49-0. Motion by Mr. Harris Second by Mr. Danehey Unanimous Vote (4-0)**

### **NEW BUSINESS:**

1. **Acceptance of Donation** from Scituate Health Services to Scituate Police Department

**Move that the Board of Selectmen accept a donation from Scituate Health Services in the amount of \$800 to the Scituate Police Department for the purchase of tourniquets. Motion by Mr. Harris second by Ms. Curran Unanimous Vote (4-0)**

2. **One Day Liquor Licenses**

- a. Taylor Made Bartending, SMC, 4/15/17 1 pm – 4 pm for bridal shower

**Move to approve a one day wine and malt license for Taylor Made Bartenders for a bridal shower at the Scituate Maritime Center on 4/15/17, 1 - 4pm. Motion by Mr. Danehey Second by Mr. Harris Unanimous Vote (4-0)**

- b. Taylor Made Bartending, SMC, 4/22/17 1-4 pm for bridal shower



**Move to approve a one day wine and malt license for Taylor Made Bartenders for a bridal shower at the Scituate Maritime Center on 4/22/17, 1 - 4pm. Motion by Mr. Danehey Second by Mr. Harris Unanimous Vote (4-0)**

**3. Board & Committee Appointment**

- a. Jack Whittaker – Democrat Town Committee

**Move to appoint Jack Whittaker as the Scituate Democrat Election Warden for a term of one year or until a successor is named. Motion by Ms. Curran Second by Mr. Danehey Unanimous Vote (4-0)**

**OTHER BUSINESS:**

1. Correspondence – No correspondence for this meeting

2. Approval of Meeting Minutes

**Move that the Board of Selectmen approve the meeting minutes for the March 29, 2017 meeting. Motion by Mr. Danehey Second by Mr. Harris Unanimous Vote (4-0)**

Mr. Danehey asked if the board would support the invitation to the Irish consulate to attend the Easter Rising ceremony. The Selectmen said that was fine to send the invitation.

The Council on Aging Red Sox party was a nice time and a good take yesterday.

Adjournment and Signing of Documents

**Move that the Board of Selectmen go into Executive Session to consider the purchase, exchange, lease or value of real property. –Ellis Property and to discuss strategy with respect to collective bargaining if an open meeting may have a detrimental effect on the bargaining position of the public body. – DPW**

**Motion to move into executive session by roll call vote.**

Roll Call Vote:

Mr. O'Toole - yes

Ms. Curran - yes

Mr. Danehey - yes

Mr. Harris - yes

The Selectmen adjourned the open session and moved into executive session at 9:32 p.m.

Respectfully Submitted,

Lorraine Devin, Recorder

## LIST OF DOCUMENTS FOR APRIL 4, 2017 BOARD OF SELECTMEN MEETING

- Agenda
- Upcoming meetings and events
- Outdoor entertainment permit Steve O'Brien
- Route 3A and First Parish Rd Traffic intersection presentation
- Scituate Administrative Code creation of Department of Planning & Development and Director of Planning & Development
- Scituate Housing Authority Vacancies
- Town of Scituate opt in to MGL Ch. 90 Sec. 17C – 25 MPH speed limit
- Toll Brothers project update
- Sewer betterment parcel ID 14-1-49-0
- Acceptance of donation from Scituate Health Services
- One day beer and wine application Taylor Made Bartenders
- Democratic election worker appointment Jack Whittaker
- Board of Selectmen Minutes for March 29, 2017 for approval

Board of Selectmen Meeting Minutes for April 4, 2017

BOARD OF SELECTMEN

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Martin J. O'Toole, Chairman

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Anthony V. Vegnani, Vice Chairman

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Maura C. Curran, Clerk

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John F. Danehey

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Shawn Harris