

SCITUATE PLANNING BOARD MINUTES January 23, 2020

Members Present: Ann Burbine, Chairman; Stephen Pritchard, Vice Chairman; Patricia Lambert, Clerk, Benjamin Bornstein, William Limbacher and alternate member Rebecca Lewis.

Others Present: Karen Joseph, Town Planner; Shari Young, Planning Administrative Assistant.

Members absent:

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 Burbine called the meeting to order at 7:00 P.M. The meeting was being recorded for airing on local cable television.

Documents

- 1/23/20 Planning Board Agenda

ACCEPTANCE OF AGENDA: Chairman Burbine indicated there was a posted agenda. Ms. Lewis seconded the motion for the posted agenda and the vote was unanimously in favor.

**Continued - Public Hearing – Stormwater and Site Plan Administrative Review Common Driveway - 16, 18-20 Mann Hill Road
Assessor's Map/Block/Lot 27-7-9
Applicant/Owner: Estate of Patsy Jo Terrell**

Documents

- Doc DRAFT Motion

Motion:

Ms. Lambert moved to accept the applicant's request to continue the public hearing for the Stormwater Special Permit and Common Driveway Site Plan Review for 16, 18 and 20 Mann Hill Road until March 26, 2020 at 7:00 pm and to continue the time for action for filing with the Town Clerk until April 13, 2020.

Mr. Pritchard seconded the motion; the vote was unanimously in favor.

Interview Design Review Committee – Christopher Coogan

Documents

- Doc 2020 Questions for Candidates – DRC
- PDF CV.scituate.drc - Coogan

Attendees: Christopher Coogan, Scituate Resident

Mr. Coogan gave a brief background of his work and life history.

- Resident a 9 New Field Ave., recently back in town from South Carolina (SC)

- Formerly lived in Hingham
- Born and raised in Providence Rhode Island

Q: Why do you want to be on DRC?

A: A way to get involved with community; has always been part of the community was a Providence Police officer and worked his way into real estate management. Realized the two jobs were similar in the fact that both deal with managing expectations and personalities; it is about being part of the community being able to give something back.

Q: Are you familiar with Design Review Committee? A: Yes

Q: Have you been to any of the meetings? A: No

Q: How do you feel that your background and experience will help the Design Review Committee?

A: First started in real estate in SC with Lan Tech Development, specifically southern community services; managed a property that was the 13th largest town in SC. He was the review chairman, accepted the plans, made recommendations, ran meetings with architects, developers and heard arguments of and for the residents and large commercial builders that were building in the community.

Q: Looking through work experience you picked it up after it had been developed?

A: No, came in at 75% completion maybe less and when he left they were about 90% completed.

Q: Are you familiar with historic aspects of the town and issues maintaining historic aspects of the town?

A: No, not in the minutia of the problems; just what you see through the Ledger, wickedlocal, and talking and listening to people around town.

Ms. Lambert said that she is concerned that Scituate is losing its quaintness to big developments. She asked Mr. Coogan how do you maintain the historical aspects when there are these large projects that have been undertaken in town, i.e., Toll Brothers, new project on Driftway, or Country Way.

A: Need to put conditions on them to conform; if done properly with the idea of being sustainable and fitting into an established community then you can achieve something good. That is why he chose Scituate because it is/should be the quintessential New England seacoast town.

Q: Can you explain your Mt. Pleasant work and explain the role that you had; you were reviewing plans from developers for master community; what were the standards of review?

A: First wave of development had to pass town ordinance; they had a master development and had to have a master community association which had its architectural review guidelines. When he came aboard, the project was mostly developed and he was more or less enforcing, marking up plans, etc. for weekly reviews.

Q: Can you give an example of a controversial development and how it was addressed?

A: CFO of Uno Pizzeria was developing on Park Island, a gated coastal community. First submission came in with a very state of the art building, modern, very much steel and glass, i.e. building going up on Third Cliff, kept going back and forth, but ultimately they did not accept the criteria and moved on.

Q: What developments or projects in town to you think could have been done better and that you think have been done well?

A: Toll Brothers, it is too much particularly with issues in the area with brown water, the pressure and usage on the system. He thinks it will only get worse not get any better. He said he did not think he could effectively answer the question; flipped the question to be what he would like to do or see out of North Scituate and how it should be made and developed in a manner that should be more welcoming, more family oriented, more walking oriented, keep people there from the train, i.e. have a cocktail, a restaurant, do something with the strip mall where Dribbles is; it is an eye sore but viable businesses are there. North Scituate is something that would be on his personal agenda to do something better with.

Q: Have you been to any meetings held about North Scituate?

A: No, he said his lesson came from getting his tires done and a friendship with a business owner there.

Informal Discussion – PJ Steverman Inline Skate Rink – Anna Shea

Documents

- PDF Contribution list 190928
- PDF CPC Application Updated 191010
- PDF Photos of Rink Current Condition 190928 Compressed File
- PDF Support Letters 191203

Attendees: Anna Shea, resident at 138 Hollett Street and representative for the Friends of Recreation.

Ms. Shea indicated to the Board that she is working to get the PJ Steverman Inline Rink repaired and back into a usable condition. She provided the Community Preservation Committee (CPC) application she has submitted to the Board. Currently there is a donation for \$10,000 for maintenance and up keep.

Ms. Burbine indicated that she asked Ms. Shea to come to the Board so everyone knows what is going on; there is nothing changing other than the rink, i.e. no additional parking. Everything is the same except it will be new.

Mr. Pritchard commented it does look like it is in disrepair and asked who owns the rink? Ms. Shea indicated it was gifted to the Town in 1996; Town owned and the Town is responsible for maintaining it. He is concerned about the maintenance once it is restored. Ms. Shea said there is \$10,000 going into a fund to maintain the rink; it will either be DPW and/or an outside contractor. She opined there should not be too much maintenance with the materials they are planning to use; tiles vs. a solid surface.

Rink was built in 1997.

Friends of Recreation have fundraisers to help support any future needs; golf tournaments and hockey tournament.

Ms. Lynda Steverman resident at 228 Beaver Dam Road indicated that about 10 yrs. ago they had raised money from the golf tournament to do some repairs; resurface and paint the rink. She said it is like anything that was built 24 years ago - it needs standard repair, paint, etc. It has had a lot of use and it is in disrepair because of the amount of use it has.

There was discussion about the total estimated cost of repair; \$315k. According to the Recreation Department it is the most used facility; hockey team, lacrosse team, gym and the Donatos use for a hockey clinic in the summer. If it was in better condition could probably use it for profitability/fundraisers.

Ms. Shea would like a letter of support from the Board. The Board was impressed that she had a plan for maintenance.

Ms. Lambert said her only concern is who makes sure the \$10,000 goes to where it is supposed to go. Ms. Shea said the Town would hold the money in a fund that is only for PJ's Rink and will only ever be used for that. The Board opined that it a critical component.

The Board is in support of the project; the Board is also in support of a dedicated maintenance fund to be used for the rink only.

Informal Discussion with Historic Commission – Doug Smith

- **Adoption of Planning Board Policy for Public Benefit of a project involving Historical Structures**

Documents

- Doc Historic Consideration
- Doc Draft Motion Form Historic Preservation
- Email to Karen Joseph from Doug Smith dated 12.1.19
- Doc Draft Motion Form Historic Preservation 2

Attendees: Doug Smith, Chairman Scituate Historical Commission

Ms. Burbine indicated tonight's discussion is about adopting a historical preservation policy with the Planning Board; projects come in with a building that is proposed to be for the public benefit/good and then it does not turn out as intended, i.e. Curtis Estates - 90 Ann Vinal Road.

Mr. Smith discussed what makes something historic and what does historic preservation look like; it can get widely interpreted if there is a special permit. He opined there may be a way to provide some guidelines and structure to the application of a special permit where there is potential for historic preservation. Those applying for the special permit would know exactly what they are required to do for historic preservation and to maintain the public benefit. The proposal suggest that following the guidelines and standards of a house on the National Register of Historic Places be the base; very high bar – use of materials, craftsman ship, workman ship, etc. would clearly identify what is expected to the person applying for the special permit.

Ms. Joseph indicated that after the first discussion about the policy it seemed the Board wanted there to be stronger requirements in terms of reviewing building permits and occupancy permits to make sure all the guidelines are being followed through on; if the National Register is the guidelines would be steep.

A draft of the proposed policy was provided to the Board and Mr. Smith.

Mr. Smith noted he had not had a chance to review with the members of the Historical Commission and would like to prior to the Board taking a final vote. He did indicate that Scituate has no historical districts in town and that language should be revised from the proposed policy.

Mr. Pritchard indicated that last time the Board had discussed what kind of information would need to be submitted if an applicant was proposing some historical preservation as a public benefit with a special permit, i.e. photos, description of existing structure, historical significance, information from Mass Cultural Resource Information Center, narrative and detailed description of proposed work, then it would be sent to the Historical Commission for review prior to the first public meeting; the Board wants the Historical Commission's opinion first to determine if there is historical value; after it is determined if there is historic value the applicant would have to do a full work up to be submitted.

The process done for the Weatherbee House at 50 Country Way was discussed; it was a historical replication. It was discussed that peer review would be needed and the Board could make recommendations to the applicant on who to use, but it would be up to the applicant to submit the plan. The Board would then need a peer review or the Historical Commission to provide guidance on the submittal.

Mr. Smith indicated that if the Board required a project to be on the National Register of Historic Places, original/certain materials would need to be used, i.e. cedar shingles vs. asphalt, wood siding vs. aluminum.

Scituate does not have any stringent historic regulations or guidelines; but it does have a demolition review bylaw. There are no historical districts so there are no real protections. Mr. Smith indicated there are two types of districts, National Register District and Local Historic District, and the Local Historic District is much more stringent. Norwell Center is National Historic District; Hingham has several Local Historic districts. Ms. Burbine indicated years ago people tried to put a historic district on Stockbridge Road area, but there were not enough historic homes. Mr. Smith said sometime the National Historic District is perceived as providing more protection than it actually does; he gave an example of Hingham where it did work well with the train. Ms. Burbine indicated that North Scituate was able to use the same advantage as Hingham.

Mr. Smith discussed his view of using the National Historic Register standards and said that is up to the Board if they want to use those standards, but the Board would want to be certain of the public benefit and what goes in is what comes out. He indicated the standards are too loose and not serving anyone well.

Mr. Pritchard said clear guidelines need to be given; the Board could maybe waive some guidelines if they wanted. Mr. Smith agreed, but did say if you make the guidelines too stringent applicants might not bother. It could be at the discretion of the Planning Board.

There was discussion about timing and not making too cumbersome; the Board could put a 21 day review period for the Historical Commission to get back to the Planning Board. Timing could be affected if an applicant had to hire a consultant.

Ms. Lambert asked Mr. Smith if he thinks the bar is set high enough for historical preservation or does it not exist. Mr. Smith opined it does not exist. He gave the house at 90 Ann Vinal Road as an example; they were to preserve the house, but there were no specific guidelines given.

Ms. Lambert asked why we don't have any historical districts. Mr. Smith said they have identified 14, but there is a lot of cost to submitting an application and the time of the process. The charge of the Historical Commission has been about inventory; first need the inventory and get all the pieces in place before doing work for districts.

Mr. Bornstein said he is in full support of this for the review of public benefit as an option for special permits; he is also in support of putting teeth into our zoning bylaw for all historic houses or establishing districts and setting some level of standard that could be integrated in zoning and planning for the long-term.

Ms. Burbine said she agrees with everything that has been said, but her concern is the Board needs to make this legitimate; need someone to keep an eye on what is being done. It could be peer review where the Board asks for funding from the applicant to have a third party review and inspect what is happening, the burden would be on the Board to manage the consultant. Mr. Smith indicated the Commission is happy to partner with the Board.

Ms. Lewis agreed that guidelines and someone to oversee the work would be great.

Public Comments:

Ms. Andrea Hunt resident at 66 Mann Lot Rd said what is being discussed is a proponent coming in and asking for special permit, but as a resident of the town she would like to see some type of district so that the town itself even with town owned property could do something to protect our area. She said there was lot of arguing and discussion about the national historic areas around the old Gates School, Lawson Tower, Unitarian Church in that area and when issues were brought up and it was talked about getting the Gates building on the registry it was dismissed; it was said to be of historic significance yet none of the rules and regulations were followed in the planning of the senior center. She said it is a shame that the Town is not held to the same standard that a proponent that is coming in is; we need to have standards and do something to save our historic areas so they are not encroach upon with large buildings that don't fit.

Mr. Pritchard said that would take a zoning change, not something the Board could do. The Board can address project-by-project by setting up a policy.

Ms. Hunt said that if someone wanted to go into the Gates School and make it Senior Housing there are not rules and regulations to stop that from happening if the Town were to sell it.

Mr. Pritchard said that is the point he was trying to make; the Board can't stop that, it would have to go to a Town Meeting vote to create a special district or districts for those kinds of things. He opined he would defer back to the Historic Commission to create those.

Mr. Smith indicated that a National Registry District does not need a Town Meeting vote, but a local historic district does need a Town Meeting vote and would create a local historic district commission that would have to establish the guidelines.

Mr. Smith indicated the next meeting for the Historic Commission is on the 30th and he will then provide feedback and get it back to the Board.

Mr. Pritchard also commented with regard to the proposed policy where it mentioned that the Building Commissioner or the Historic Commission need to take action it should be re-written the Planning Board will make the decision on a permit and it would be expected that the conditions of the decision would be carried out by the Building Commissioner.

Ms. Joseph recapped what the Board is looking for something tied to the building permit, on-going inspections during construction, no occupancy permit and something about surety. The Board is fine with collecting surety.

The discussion will be continued to another meeting and Mr. Smith will come back.

Mr. Limbacher asked how the demolition bylaw is working. Mr. Smith said they have seen some success with it. Mr. Limbacher said he mentioned it because it should maybe be tweaked at the same time this policy is being discussed. Mr. Pritchard said the difference is this is policy not a regulation bylaw. Mr. Smith said the demolition regulation is more about prevention versus this policy which is about the opportunity to do something different and help get a permit; it is then up to the Planning Board to determine if the merits of the project for public benefit work with issuing a permit, i.e. the Board could approve six parking spaces versus eight.

Ms. Jennifer Kuhn, resident at 20 Carrie Litchfield Lane, said she did not get a handout so she is not really sure of what is being discussed; it was on the agenda but there is no handout. Ms. Joseph indicated she would provide her the information via email.

**Continued - Public Hearing – Special Permit – Common Driveway & Stormwater – 443 – 461
Chief Justice Cushing Highway
Assessor's Map/Block/Lot: 47-2-26A to 26J
Applicant: David MacCready
Owner: Seven H. Trust**

Documents

- PDF 1 Site Plans
- PDF 1 Stormwater Report
- PDF 1 Summary of Revisions
- PDF 19180-PB Review Report, 441-463 Chief Justice Cushing Highway, 1-15-20
- PDF ANR
- Doc DRAFT Motion 4th Continuance
- PDF Site Plans
- PDF Stormwater Report
- PDF Summary of Revisions

Attendees: Greg Morse, Morse Engineering; Vin O'Brien, Attorney

Mr. Morse began by reviewing revisions from the last plan.

- Applicant has made two rounds of revisions and responded to peer review comments
- Building location rotated on lots 1 and 2
 - Increased buffer
- Created 40' buffer along entire lot line; originally was 20' buffer

- Reduced length of driveway on lots 1 and 2 by approximately 50'
- Building on lots 1 and 2 are now 65' from the lot line; originally were 30' setback
- Revisions to the drainage system
 - Originally more of an overland flow into rain garden system
 - Pavement areas now have a cape cod berm directing to a deep sump catch basin then to a forebay before getting to the raingarden
 - Lots 7 and 8 have a catch basin into an oil particle separator then into raingarden
 - All compliant with 90% Total Suspended Solids (TSS) removal in accordance with Water Resource District
- Septic system – moved more than 400' away from Tack Factory Pond
- Merrill comment letter have responded and made revisions requested
 - Added inverts to downspout leaders and drywells
 - Added table identifying number of infiltrators on each lot
 - 100% of roof runoff is directed to subsurface recharge chambers
 - Increased sizes of temporary construction basins on the down gradient sides of each of the driveways and included additional detail
 - All inverts of the depressions will have flared end sections
 - Added cape cod berm standard details on driveways

Ms. Joseph indicated new plans were submitted early this week, but not peer reviewed because of insufficient time; two comments also received late one from Water Resources Committee (WRC) and one from abutter Robert Chessia.

- WRC comment
 - DPW, Water department and WRC agree that Tack Factory Pond although classified as a tributary it is a surface water supply and should be treated as such
 - Provide the amount of impervious cover of the dwellings and roof infiltration system that remain in the 400' buffer area
 - Move the swale at the edge of lot 8 out of the 400' area
 - Ms. Joseph commented that the applicant had been asked to move everything out of the 400' buffer area at the last meeting – that request has not been done
- Mr. Robert Chessia, resident at 9 Stearns Road letter asked for results of the mounding analysis for the roof drywells and would like it submitted if not already

Ms. Joseph indicated that photos from Ms. Butler were submitted with water sitting at the surface of the site and were forwarded to Mr. Morse. Mr. Morse said he spoke with Ms. Butler about where the photos were taken; photos were taken at the bottom of the hill from her property to the opposite side of the stone wall. He indicated the water shown is all in the do not disturb zone and they are not adding water to it.

Mr. Morse addressed the comment letter from the WRC and the 400' setback. He believes that the Board had requested that the septic system be moved outside the 400' setback and they have moved it outside that set back. He said that within the 400' set back there are no state or town regulations that prevent cutting, roof area or grading and the real set back is only 200'. He said they complied with what was asked at the last meeting to move the septic outside the 400' setback, they were not asked to move the building, the grading, etc. He pointed out the 400' setback line on the plan. He

said the town of Scituate has a 150' do not disturb zone to a tributary edge of the reservoir; they greatly exceed that 150' do not disturb zone.

Mr. Morse indicated that 100% of the roof area is being recharged into drywells.

There was discussion about what information the WRC is looking for; WRC asking for the impervious cover of the dwellings and roof infiltration systems that remain in the 400' buffer. Mr. Morse said the WRC has one regulation with respect to impervious land area, if a lot exceeds more than 15% of an impervious area there needs to be recharge on anything beyond that; all lots are under the 15% area, all are 2 acre lots and provide recharge throughout the site; they are in compliance and have previously documented the information to WRC.

Ms. Joseph indicated that she has been providing all materials to the WRC.

Mr. Palmieri, towns consulting engineer, indicated they have not had a chance to review the revised plans submitted this week; they did review the response letter, but cannot say comments have been satisfactorily addressed because they have not yet reviewed the plans.

Mr. Palmieri indicated that in the previous report they had questions about the temporary sedimentation basins; it looks like they have been modified, but calculations still need to be checked; previously asked for a drainage easements for any areas subject to flows; looks to be added to the plan, but review is still needed.

Attorney O'Brien asked who would be the beneficiary of the easement - the Town, the DPW. Mr. Palmieri indicated it would be an easement to the Town, right of access. He opined it is important for it to be specified the areas cannot be disturbed, they need to remain in their natural state, i.e. no gardens can be made. Mr. O'Brien just wanted to clarify who the easement is for; for the Town to step in if the association is not doing what they should be doing with the specified areas or the Town can charge the association if the Town is required to go in and fix the areas. Mr. O'Brien will prepare a draft for the easement.

Ms. Limbacher asked if anything happened to the slope of the driveway #1 when it was moved. Mr. Morse indicated nothing happened to the slope, just created a greater setback with properties to the west, moved units closer to 3A but complies with setback. He further pointed out the catch basins that were added and where they will discharge to. It was indicated that it all dominoes downhill and the basins are getting larger; it is also for redundancy. Mr. Morse said that each system by themselves comply with the 90% TSS removal.

Mr. Morse explained what would happen in the 100 year storm; all basins over top in the 100 year storm; all the roofs go into infiltration systems, all roofs have down spouts and gutter systems, all lots have a minimum of 16-24 leaching chambers to infiltrate the water into the ground. Mr. Morse indicated that in their drainage calculations in all storm events they are discharging less water in the post condition than the pre-condition to the down gradient lot line.

Ms. Lewis commented that the septic that was moved seems far from the building; how does everything get to the system. Mr. Morse indicated there is a pump chamber which pumps it over, each is 6 bedroom septic system, all units are three bedroom.

Mr. Bornstein asked if there had been any changes to the limit of clearing. Mr. Morse indicated the limit of clearing was shifted up the hill from lot 8 because they moved the septic system and the buffer along the western lot line was increased to 40' from 20'. The undisturbed land area is approximately 60% vs. 55%.

Mr. Bornstein also asked if there was anything that could be defined as an intermittent tributary to the water supply that he had discussed last time; was anything conducted or planned to be done by a hydrogeologist or water resource engineer. Mr. Morse indicated that he reached out to a hydrogeologist at DEP, Bruce Bouck, that has done work in Scituate and is familiar with the area and requested a site visit, but Mr. Bouck did not think it necessary to come based on work that has been reviewed with DPW and Tack Factory Pond.

Mr. Bornstein opined the construction specifics for stormwater and the Operation & Maintenance plan needs to be "dialed in" and overseen throughout the life of this project.

Public Comments:

Ms. Judy Aaronson resident at 19 Cudworth Road asked if there is any drainage on the back of the property. Mr. Morse said there is no drainage along the back. She said for the last plan it was proposed to have a berm at the bottom of the hill where all the water would end up and she said the WRC was concerned the water coming down would make a tributary; she is concerned about the water coming down and the soil.

Ms. Burbine commented that all the water will be at the bottom and will slide off the property towards the pond. Mr. Morse said yes and that is what it does currently. She asked how high the mounted septic systems are. Mr. Morse indicated the septic systems are coming out of the ground from 3ft -5 ft. Ms. Burbine asked about the runoff from the mounds. Mr. Morse indicated it will flow in southerly direction towards the Tack Factory Pond. Ms. Aaronson said water does flow that way, it is the natural flow, but with all that is going on there is a worry about pollutants and everything else that will drain downhill. Mr. Palmieri indicated that the calculations do demonstrate that there is less flow volume and rate, all paved areas going to the raingardens, etc., anything that is flowing overland, "untreated", is less than the existing condition.

Ms. Becky Malmut, Chair of the WRC, clarified her comments regarding the 400' buffer. She indicated there are some additional requirements for a surface water supply of Tack Factory Pond; she is not considering it just a tributary. She is asking for the impervious cover of what remains in the 400' buffer because there are different requirements in a Zone A than for the Water Resource Protection District; it is a maximum of 20% even if there is artificial recharge. Secondly she spoke about moving the swale on lot 8, it drains downhill and there is concern of pollutants.

Mr. Limbacher asked for information on rain gardens. Mr. Morse explained that a rain garden is essentially a detention basin specifically designed with plantings to provide nutrient uptake, it has berms on either side, an inlet, but made specifically to have plantings. Mr. Morse said the catch basins feed into the rain gardens, roof drains are all subsurface drywell systems.

Mr. Pritchard said it looks like the single point of failure on these would be on the pipes that go under the driveway, if the pipes get clogged then it would change the water flow. Mr. Morse said if the pipes clogged the water would back up in the up gradient depression not to the roadway, 3A.

The depression would fill-up and run over the road. The piping is all designed to go under a driveway, it is part of the maintenance plan to make sure there are no leaves, etc. that get stuck. Mr. Bornstein commented it is easy to add inlet grades so there is not large debris getting into the pipes; the main thing is the sedimentation of the rain garden; that is why there is rip rap to catch sediment before it gets in; it is imperative that those things be checked and cleaned out. There was a question if inlet grates were specified. Mr. Morse indicated they were asked to put flared end sections. Mr. Palmieri said they had suggested the flared end section because it makes a smooth transition. He said the downstream end also has a sediment forebay that will help capture sediment. He opined the flared end sections and the sediment forebay will provide areas for the sediment to settle out. Mr. Palmieri discussed the use of very fine grates on the upstream side. He agreed with Mr. Morse that if the grass swale overtops it will not go out towards 3A; it is all about maintenance.

Ms. Nora McCormick resident at 21 Stearns Road said since the condominium association is responsible for the whole system, what happens if only one sells; the Board said it is a common responsibility with the condominium association; they will have dues and should be setting aside money to take care of the system. The condominium board is in charge of making sure things happen.

Ms. Aaronson said that the last study showed they would be creating a tributary and that rain gardens wouldn't work on the hill; it is very challenging to have something on the slope.

Mr. Palmieri said the rain gardens are designed to be flat; they cut in from the berm area make a flat area and then create a slightly steeper slope on the other side. Based on the design plans the rain gardens will be flat.

Ms. Burbine asked that Mr. Morse respond to the mounding issue and other comments from tonight.

Ms. Burbine discussed one additional concern about where children play. Mr. Morse said there are 16 units; some will be more conducive to families than others, some have flat backyards and there is room in some of the yards to have a playset.

Mr. Morse said they are trying to leave as many trees as possible on the green belt and the perimeter of the units.

Mr. Morse requested that Mr. Palmieri review the revised plans submitted the other day; he can address in letter form to the WRC comments and the mounding analysis

Mr. Palmieri asked that Mr. Morse double check the erosion control plan; that everything is going to get to the temporary sedimentation basins and the basins are adequately sized with some sort of outlet during construction.

Ms. Joseph to re-review Condominium Documents.

Motion:

Ms. Lambert moved to accept the applicant's request to continue the public hearing for the Common Driveway Special Permit and Stormwater for 443 – 461 Chief Justice Cushing Hwy until February 13, 2020 at 9:00 pm and to continue the time for action for filing with the Town Clerk until February 28, 2020.

Ms. Lewis seconded the motion; the vote was unanimously in favor.

Minutes
Documents

- Meeting minutes 1.9.20

Ms. Lambert moved to approve the meeting minutes for January 9, 2020.

Ms. Lewis seconded the motion; the vote was unanimously in favor.

Accounting
Documents

PO #2006551 (\$400.00), PO #2006552 (\$200.00), PO #2006327 (\$2,979.20), PO #2006325 (\$2,586.00)

Ms. Lambert moved to approve the requisition of \$400.00 to Horsley Witten Group, Inc. for peer review services of 14-16 Old Country Way Definitive Subdivision Plan, for \$200.00 to Horsley Witten Group, Inc. for peer review services for One Buckeye Lane and Stockbridge Road Definitive Subdivision Plan, for \$2,979.20 to Horsley Witten Group, Inc. for peer review services associated with Seaside at Scituate phase 1, for \$2,586.00 to Horsley Witten Group, Inc. for peer review services associated Seaside at Scituate phase 2.

Mr. Bornstein seconded the motion; the vote was unanimously in favor.

Liaison Reports:

ZBA – reported by Mr. Bornstein:

- Mr. Vogel presented the repair/ reconstruct proposed bylaw amendment
 - ZBA wants to have authority to issue only by special permit – similar to what the Planning Board had discussed
 - ZBA thought language should be simpler
 - Will have public hearing on Feb 27th – so ZBA has more time to weigh in

Master Plan Advisory Committee – reported by Mr. Bornstein:

- Meeting Tuesday 6:30 at the library
- Middle School trying to do a Civic project with the Master Plan and the 7th Grade

CPC - reported by Ms. Burbine:

- Union Mission Chapel – non-denominational facility
 - Requesting funds to redo heating system
 - Historic Building – will be lost if not fixed
 - Originally a meeting hall
 - Question about the separation of Church and State
- Purchase of Mordecai Lincoln property
 - \$900K purchase price
 - 5 acres, 3 buildings on the property

- Issue - who will maintain the property
 - Current resident on the property will stay and maintain
 - Second building will be able to be rented out

BOH – reported by Ms. Lambert:

- Discussion about grease traps at restaurants
 - Crust Pizza, formerly Riva Pizza - challenging fines
 - Trap had not been inspected for 7 years
 - Sewer Department makes comments about grease traps in addition to BOH

Housing Trust –reported Ms. Lewis:

- Bids in for update of the Housing Production Plan
 - Consultant has been selected – Karen Sunnarborg
- Lawson Green
 - Tied up with paperwork
 - Closing is eminent – working on transfer of monies
- Discussion about property on Eli Road and Hatherly that is Town owned
 - Buildable for an affordable unit
 - Previously suggest to work with Habitat to Humanity

Planning and Development – reported by Ms. Joseph:

- Water update study will presented at the BOS meeting on February 4th
- Seaside at Scituate – first occupancy next week
- Ms. Burbine and Ms. Joseph – walking Townsend Road Sunday morning
 - Meeting next week with Curtis Estates Developers
- Working on Stormwater Regulations - hope to be ready in the spring
- Senior Center moving along – preconstruction meeting last week, traffic sign is up
- Next meeting – Site Plan Review, 2 Definitive Subdivisions for the Zoning freeze
 - New language for the zoning freeze properties

Public Hearing – Special Permit – Accessory Dwelling – 755 First Parish Road
Assessor's Map/Block/Lot 30-2-18
Applicant/Owner: Maud Meulstee

Documents

- PDF 755 First Parish
- PDF 011720 Planning Board Letter – 755 First Parish Rd. – abutter O'Connor
- PDF Application
- Doc DRAFT motion 1st continuance
- PDF Photos of Potential Accessory Dwelling
- PDF Plans for Accessory Dwelling
- Email to Karen Joseph dated 12.30.19 from the Sewer Department
- Email to Karen Joseph dated 1.21.20 from the Board of Health
- PDF Building Commissioner Response to O'Connor Letter
- Doc Draft Motion Form 1st Continuance
- Email and Letter dated 1.23.20 from Ohrenberger, De Lisi & Harris, LLP requesting continuance

Motion:

Ms. Lambert moved to accept the applicant's request to continue the public hearing for the Special Permit Accessory Dwelling for 755 First Parish Road, Map/Block/Lot 30-2-18 until March 12, 2020 at 7:15 pm and to continue the time for action for filing with the Town Clerk until March 27, 2020.

Mr. Limbacher seconded the motion; the vote was unanimously in favor.

Informal Discussion – Sign Bylaw

Documents

- Doc ScitSignZBLv1

Ms. Joseph indicated comments from tonight will be incorporated into next review of the proposed bylaw change.

- A lot is the same as the existing bylaw, proposed changes are to conform with current case law
- Comments made on the ScitSignZBLv1 document
 - Pg. 3 change, D – sign waivers – will be ZBA as permitting authority
 - Prohibited signs – will take out “tethered, floating, inflatable devices of any kind” - can't regulate Frosty the Snowman, inflatable devices
 - Refer to Building Commissioner not Sign Officer
 - Changing districts on page 5, under 710.9 – no RM District making sure all districts are correct with current zoning map
 - Definitions – taking out gaseous tubing and internally illuminated references – we don't allow them
 - Re-coordinate the definition under Section 200 for “Signs”

There was discussion about inflatable signs and the interpretation of a sign.

The Board was also concerned with 710.4.d

DRC appointment member:

The Board discussed all the applicants that were interviewed; all were very good candidates.

Ms. Lambert – supported Mr. John Buckley
Mr. Bornstein - supported Ms. Heather Marshall
Mr. Pritchard - supported Ms. Paulette O'Connell
Ms. Burbine - supported Mr. John Buckley
Mr. Limbacher – partial to Mr. John Buckley

Ms. Lewis did not offer her opinion as she was absent for the first set of interviews.

Ms. Burbine and Ms. Lambert both had concerns over Ms. Marshall and Ms. O'Connell doing work in Scituate; they would potentially have to recuse themselves from a project under review or go to the BOS for special employee status.

All candidates had credentials; three of them are architects.

The Mr. Coogan seemed to have more expertise in managing a project. The Board opined he would be very good on another commission, i.e. Building Commission

Motion:

Ms. Lambert moved to appoint John Buckley to the Design Review Committee.

Mr. Limbacher seconded the motion; the vote was 3 for and 2 against

Ms. Lambert, Ms. Burbine and Mr. Limbacher voted in favor.

Mr. Bornstein and Mr. Pritchard opposed.

Documents

- Email to the Board from Karen Joseph dated 1.17.20 with meeting materials for DRC Interview, PJ Steverman Inline Skate Rink, 755 First Parish Road, and Historic Preservation.
- Email to the Board from Shari Young dated 1.17.20 with meeting agenda for 1.23.20
- Email to the Board from Karen Joseph dated 1.21.20 with meeting materials for 443-461 Chief Justice Cushing Highway and 755 First Parish Road.
- Email to the Board from Karen Joseph dated 1.21.20 with amended agenda for 1.23.20 and materials for the sign bylaw.
- Email to the Board from Shari Young dated 1.22.20 with meeting materials for 755 First Parish Road
- Email to the Board from Shari Young dated 1.22.20 with meeting materials for historic preservation.
- Email to the Board from Shari Young dated 1.23.20 with amended agenda II for 1.23.20

These items were distributed to the Board electronically.

Mr. Limbacher moved to adjourn the meeting at 9:30 p.m. Ms. Lambert seconded the motion; the vote was unanimously in favor.

Respectfully submitted,

Shari Young
Planning Board Administrative Assistant

Patricia A. Lambert, Clerk

Date Approved: February 13, 2020

