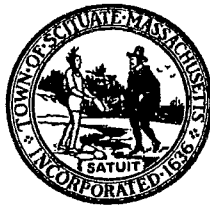


TOWN OF SCITUATE



600 Chief Justice Cushing Hwy
Scituate, Massachusetts 02066
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Planning Board

**Special Permit – Mixed Use in the Village Business Overlay District
50 Country Way
Decision: APPROVED with Conditions**

Applicant: 50 Country Way Trust, C. Christopher Ford, Trustee
Address: 31 Main Street, Cohasset, MA 02025
Owner: 50 Country Way Trust, C. Christopher Ford, Trustee
Address: 50 Country Way, Scituate, MA 02066
Request: Approval of special permit for Mixed Use in the Village Business Overlay District Under Scituate Zoning Bylaw Section 560

Date: May 21, 2015

Location: 50 Country Way, Scituate, MA 02066

Assessor's Map: 53-5-3 and 53-5-3B

Zoning District: Business, Village Business Overlay District, Water Resource Protection District, Zone A

Hearing Dates: November 26, 2013, January 23, 2014, February 27, 2014, April 10, 2014, May 22, 2014, June 26, 2014, August 14, 2014, September 25, 2014, October 11, 2014, October 23, 2014, December 11, 2014, December 18, 2014, January 8, 2015, February 12, 2015, March 12, 2015, March 26, 2015 and May 14, 2015.

Members Hearing Special Permit Application: William Limbacher, Stephen Pritchard, Richard Taylor, Robert Vogel, Robert Greene

Decision: Approved with conditions by a unanimous vote

Background:

The property is a 1.41 acre upland grass parcel improved with a historic building, the George Wetherbee House which dates to 1856 according to the Massachusetts Historic Commission's database, the Massachusetts Cultural Resource Information System (MACRIS). The building

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consists of a house and an attached barn, and now contains five apartments according to Town of Scituate Assessor's records. The property is shown on Assessor's Maps as parcels 53-5-3 and 53-5-3B. Access is from Country Way through an access and utility easement on the adjacent Morning Glories Bakery property and from an existing driveway. In the Mixed Use Village Business Overlay District Development proposal for the site, three buildings are proposed. Building A will have a mixed use retail and office component on the first floor of the building with residential located on the second floor. Buildings B and C will be residential apartments. 30 units are proposed with 16 one bedroom apartments and 14 two bedroom apartments for a total of 44 bedrooms among the three buildings. 15% or 4 of the units must be affordable. 20 units per 40,000 square feet are allowed with significant public benefit. The public benefits provided by the development will be: Preservation of a unique historic structure which contributes to the streetscape of Country Way in Greenbush and provision of a sidewalk/pedestrian/bicycle path through the site connecting the access developed by the MBTA as part of their mitigation for the Town of Scituate with Country Way. Emergency egress will also occur in the MBTA right of way to Drew Place. This shall include provision of bike racks, signage indicating the path is public with some possible destination(s), landscaping or fencing to demarcate or separate the path from the private portion of the development and lighting. 37 parking spaces are provided for the residential component. This is 1 space per 1 bedroom units and 1.5 spaces per the 2 bedroom units. The development will be marketed with the noted parking limitations. 66 total parking spaces are provided. Stormwater is piped to subsurface leaching pits and Filterra tree box filters. The rate, volume and peak surface elevations of runoff do not exceed pre-development conditions for the 2, 10 and 100 year storms.

The applicant submitted a Stormwater Report and Calculations by Morse Engineering Co., Inc. stamped by Jeffrey M. Hassett, P.E. This report and the accompanying mixed use special permit plans was reviewed by the Town's consulting engineer, John Chessia of Chessia Consulting, LLC, who submitted detailed comments to the Planning Board. In response to these comments, the applicant provided an Amended Stormwater Reports and plans which, after further review by the consulting engineer, were found to address his recommendations.

The Planning Board's consulting engineer hired Vanasse & Associates to review the Traffic Impact and Access Study performed by the applicant's consultant Ron Muller & Associates. Vanasse & Associates concluded that the applicant should provide additional information in order to demonstrate that access and on-site circulation can be afforded to and within the Project site in a safe and efficient manner and that sufficient parking is available to meet the anticipated demands of the proposed uses. They are in agreement with the sight distance measurements and the conclusion that the driveway is appropriately located along Country Way to afford the necessary lines of sight to function in a safe manner.

Procedural Summary:

An application for a Mixed Use Development Special Permit in the Village Business overlay District was filed with the Town Clerk on October 17, 2013. A Public Hearing on the Special Permit was duly advertised and notices sent to all abutters in accordance with MGL Chapter 40A. The Public Hearing was opened on November 26, 2013 and continued to January 23, 2014, February 27, 2014, April 10, 2014, May 22, 2014, June 26, 2014, August 14, 2014, September 25, 2014, October 11, 2014, October 23, 2014, December 11, 2014, December 18, 2014, January 8, 2015, February 12, 2015, March 12, 2015, March 26, 2015 and May 14, 2015 when the hearing was closed and the

Special Permit was approved with conditions. All members were at all sessions where testimony and evidence was presented or filed a Mullin Rule Certification for missing only one meeting.

Hearing Summary:

When the public hearing was opened on November 26, 2013, Planning Board Chairman Mr. William Limbacher explained the process for the hearing. Christopher Ford, applicant, Steven Guard, attorney for the applicant, Jim Sandell, representative architect and Gregory Morse, PE of Morse Engineering Co., Inc., design engineer, were present. Mr. John Chessia of Chessia Consulting Services LLC, consulting engineer for the Town and Laura Harbottle, Town Planner were also present.

Mr. Ford indicated he had been working on a plan for the site since 2005 and has scaled down his proposal over the years at the request of the Planning Board. The project was outlined to be a mixed use development with 3 buildings. The front building adjacent to Country Way would have a retail/commercial component along with some apartments. The two other buildings will contain apartments. Public benefits of the project, which are required for the proposed increase in allowed density, are to be preservation of a historic building and a public path connecting Country Way to an existing path on the MBTA land. The Board asked for more benefit for the increased density. The Board asked that the 20% open space required be confirmed. Mr. Chessia indicated that the site was in the Water Resource Protection District and a portion of the site was in the Zone A to a public water supply and state and local requirements would need to be met. There was concern about the roof drainage and some existing drainage structures.

At the January 23, 2014 hearing session, an immediate continuance was requested with no evidence or testimony being taken.

On February 27, 2014, Mr. Morse, Mr. Ford and Ronald Muller, P.E. from Ronald Muller Associates – traffic consultant to the applicant and Scott Thornton of Vanasse & Associates, traffic consultant for the Town, were present. Mr. Muller indicated that traffic for the development would have little impact on the surrounding roads and Morning Glories driveway which is a shared access easement for the proposed development. He indicated that all intersections would operate at an acceptable level of service. He recommended curbing and islands along the shared access to minimize conflict points. Mr. Thornton concluded the traffic study was done to acceptable standards. He requested local accident data, that the applicant promote use of public transit, that truck turning radii be provided and that parking be monitored from 6 months to 2 years after occupancy to verify adequate parking exists for the uses present. Pedestrian connections through the site were discussed and indicated that they could be realigned for better connection through the site.

The April 10, 2014 session was devoted to taking about the density, number of units, parking and public benefit with Mr. Morse, Mr. Ford and Attorney Guard present. The Board agreed to 30 units with 14 one bedroom units and 16 two bedroom units for a total of 46 bedrooms. 15% of the units, or a minimum of 4 must be affordable. 38 parking spaces would be provided for the residential use and marketed with the limited capacity. As the increase in units from 16 to 20 per 40,000 sq. ft. is tied to public benefit, the Board agreed that preservation of the historic structure which contributes to the streetscape of Greenbush and provision of a sidewalk/pedestrian path/bicycle path from Country Way through the site to the MBTA easement would be required. Signage, lighting and landscape to demarcate the path would be provided. The Board also required that the applicant pay for an

architectural assessment for the feasibility of moving the historic structure and renovating it for the proposed purpose.

At the May 22, 2014 hearing session, Mr. Ford, Attorney Guard and Jeffrey Hassett, P.E. from Morse Engineering were present. The unit mix was clarified to be 30 units with 16 one bedroom units and 14 two bedroom units for a total of 44 bedrooms. Work in the Zone A of the water supply and the existing drainage structures not providing adequate treatment and separation to groundwater were discussed along with the wall at the edge of the parking lot by Stockbridge Road. The historic preservation of the house was questioned by the Board as it won't be a public benefit if the house is torn down. Sequencing of the buildings was briefly discussed.

On June 26, 2014, the Mixed Use Special Permit was not discussed as engineering peer review was not completed. The Board indicated that they would like an architectural feasibility assessment and comments from the Water Resources Committee. Mr. Pritchard completed a Mullin Rule Certification as he missed the meeting.

On August 14, 2014, Misters Ford, Guard and Morse were present for the applicant. The Board and the applicant discussed that the Water Resource Committee concurs with the re-use of the leaching catch basin with tree filters as proposed. The applicant will provide legal documents between themselves and Morning Glories for maintenance of the access, catch basin and tree filters; installation of parking islands and use of parking spaces. The applicant agreed to relocate and preserve the historic building on site as a public benefit. This will be a condition of the permit that is unswayable in the future. The board expressed a desire for the development of the mixed use building to be bonded with a specific time for completion. The Board and applicant agreed that the bylaw allows for a mixed use building and separate residential buildings. The Board was amenable to the frontage for purposes of determining building lot width being measured from Stockbridge Road.

On September 25, 2014, no evidence or testimony was taken as Mr. Pritchard was not present and has already completed a Mullin Rule Certification for one meeting missed on June 26, 2014.

On October 9, 2014, no evidence or testimony was taken.

At the October 23, 2014 hearing session, no new information on the mixed special permit had been submitted. The applicant indicated there had been talks with Morning Glories, but he had no written documentation from them consenting to the drainage and access issues. Mr. Chessia indicated that turning radii requested by the traffic engineer had not been provided. Mr. Morse said he has no written confirmation that the MBTA will agree to the path on their land. The applicant indicated that it is the applicant's preference to construct the back two buildings first. Chairman Limbacher said that it would be unlikely the Board would agree to that as the public benefit is in the front building. Mr. Ford was concerned about displacing tenants. The Board was concerned that the mixed use portion of the project would never be built. It was suggested that the mixed use building may need to be bonded.

At the December 11, 2014 meeting, the Board approved the Definitive Subdivision Plan for Greenbush Park at 50 Country Way. As the Definitive Plan was intended to freeze the zoning and

was not likely to be built, issues related to a written agreement with Morning Glories were postponed until preconstruction; however, the Board indicated this was an issue for the project.

On December 18, 2014, the Board reviewed and approved the Findings of Fact as modified in the discussion. Sequencing of the buildings was discussed with the Board indicating they would like a real plan for the phasing and a bond for the public benefits of restoring the historic building and public path through the site, as the benefits were marginal for the increased density. Fire Department access issues were outstanding and need to be addressed prior to the next meeting.

At the January 8, 2015 hearing session, two alternatives for fire emergency egress were discussed. The Board favored the emergency egress through the MBTA right of way to Drew Place, but indicated permission from the MBTA must be obtained. Phasing was discussed. The Board agreed that the proposed phasing in the Morse letter dated 1/2/2015 needs to be incorporated as a condition of approval with changes to insure that the entire Building A foundation is complete prior to Occupancy Permits issuing for Building C. The Board asked for an Erosion and Sedimentation Control Plan to match the new proposed phasing. The Board agreed that tying the proposed phasing schedule to the Occupancy Permit of Building C and B would provide tighter control than a performance bond.

At the February 12, 2015 public hearing session, no evidence or testimony was taken as the applicant asked for an immediate continuance.

On March 12, 2015, the Board reviewed the revised construction sequence and desired it to be part of the conditions, as it commits the applicant to a "weather tight" Building A prior to renting out Building B units. The Board agreed that if the MBTA does not agree to the emergency access/egress path, that a public hearing for a special permit modification would be required. The Board also noted they would like to approve the final building elevations prior to construction.

On March 26, 2015, the applicant indicated that they have been talking with an affiliate of the MBTA who handles MBTA real estate matters. They indicated that the MBTA seemed amenable to granting an easement for the walkway/emergency egress to the applicant, but they would need to submit a package and await approximately 30 days for the MBTA's initial response and if it was favorable the exact easement would be negotiated after that. The Board agreed to go through the conditions minus condition 6 dealing with the MBTA easement. The applicant and Board agreed that the meeting would be continued until after the applicant submitted documents for the MBTA review and the 30 day response period passed.

At the May 14, 2015 public hearing, the applicant indicated that the MBTA has agreed to offer them an easement restricted to a pedestrian path and emergency access only. Condition 6 wording was agreed upon and the conditions reordered and renumbered. The public hearing on the Mixed Use Special Permit in the Village Business Overlay District was closed. The Planning Board voted to grant the Mixed Use Special Permit in the Village Business Overlay District for 50 Country Way based on the Findings of Fact and subject to the Conditions as discussed.

Public Input:

At the February 27, 2014 public hearing session, Cathy O'Leary and Elcio Taborda of Morning Glories were present. Ms. O'Leary indicated that the traffic counts were based on Morning Glories

being busy in the morning hours. She indicated that Morning Glories are considering expansion so they may have evening busy hours too. Ms. O'Leary and Mr. Taborda both expressed concern that there would be less parking on their site due to the proposed project. Mr. Morse said the applicant would provide a plan to improve parking for Morning Glories.

On March 12, 2015, Chick Fagan of 60 Country Way expressed concern about the emergency egress for the Fire Department and confirmed with the Board that nothing would happen until the egress was approved.

There has been no other public comment at any of the public hearing sessions.

Findings of Fact:

The following findings of fact based on information submitted by the applicant and the testimony given during the Public Hearing were approved on December 11, 2014:

1. 50 Country Way Trust, C. Christopher Ford, Trustee filed an application for a Mixed Use Special Permit in the Village Business Overlay District under Scituate Zoning Bylaw Section 560 on October 17, 2013. This application included plans by Morse Engineering Company, Inc. entitled Proposed Mixed Use Development, 50 Country Way (Assessor's Parcels: 53-5-3 & 53-5-3B) Scituate, Massachusetts, dated October 14, 2013. The most recent revised plans were dated October 13, 2014, and revised through December 18, 2014 and as further amended to meet these conditions.
2. The applicant also submitted a Site Plan/Roof Plan (Sheet A101), Level 1, 2 and 3 Area Plans (Sheets A102, A103 and A104), and A, B and C Building Elevations (Sheets A105, A106 and A107) dated January 28, 2014 by Dr. Paul Ford, PhD in architecture.
3. The property that is the subject of this application is a 1.41 acre parcel at 50 Country Way which contains an existing building with five apartments. The property is in the Business District, Village Business Overlay District, and Water Resource Protection District, and a portion is within the Zone A of the public water supply.
4. The lot or yard area required for the new building or use do not include any part of a lot that is required by any other building or use to comply with any requirements of this bylaw. The proposal meets the requirements of Section 560.4 A.
5. The application was reviewed under Section 750 before submission and afterwards by the Design Review Committee on January 19, 2011; June 9, 2012 and November 5, 2013. As required by Scituate Zoning Bylaw Section 560.8, Design Review Standards, the Planning Board has considered the extent to which the applicant satisfies the Design Review Standards detailed below:
 - a. Roofs – Roofs are pitched to the center ridge and the slope meets or exceeds the 8:12 slope required by Section 560.8 A. Dormers are no more than 20' in width.
 - b. Façade Treatment – On the façade of Building A facing Country Way and shown on the plan by Morse Associates referenced above, 34% of the ground floor and 25% of the second floor façades are glazed. Section 560.8 B. requires a minimum of 50% of the first floor and 30%

of the second floor to be glazed. Preservation of the historic building is a higher priority than meeting the glazing standard in this case.

- c. Front Yard Setbacks – The front setback for Building A, situated on Country Way, will be 15' to the edge of the porch, the maximum permitted. No parking is located in the front yard setback. The proposal is considered to meet this requirement.
- d. Side and Rear Yard Setbacks – The side setback is proposed to be 8.9'; the rear setback will be 46.5'. The adjacent lot, 40 - 44 Country Way, contains a residence which is over 60' from the side lot line, therefore the 20' setback from a residential use will not be required and the proposal is considered to meet this requirement.
- e. Greenbush Design Standards – Building B at 75' has the longest façade facing Country Way. This is less than the 120' maximum. This is the only façade over 50' and is articulated. This proposal is considered to meet this requirement.
- f. Parking and Landscaping – The driveway for the proposal is over an access easement shared with Morning Glories bakery. It will be 24' wide. A Landscape Plan was submitted. No invasive plants are proposed. The property does not abut a Residential zoning district and no screening is proposed.
- g. Water Resource Protection District - Stormwater is proposed to be treated by a tree box filter and subsurface infiltration. Except for an existing leaching catchbasin, all infiltration will be outside the Zone A to the public water supply. No parking is proposed beyond that which is required.

The proposal meets the requirements of Section 560.4 B. and the Design Review Standards of Section 560.8.

- 6. The applicant has agreed that whether the proposal is built as apartments or a condominium, four units shall be affordable to low- and moderate income households as defined in Section 560.7 B., Affordability Standards, Rental or Sales Price. The proposal meets the requirements of Section 560.4 C.
- 7. Building A will contain approximately 2,495 sq. ft. of retail and 2,275 sq. ft. of office space on the first floor. This is considered to meet the requirement of 560.4 D. that retail uses occupy a minimum of 50% of the floor area on the first floor.

The proposal is considered to meet the requirements of Section 560.4 D.

- 8. According to William McGovern, PLS, the lot contains 61,202 sq. ft. 20 units per 40,000 sq. ft. may be authorized by the Planning Board if significant public benefits are provided. 30 units are proposed on this site.

The anticipated public benefits provided by the developer are as follows:

The proposal will preserve a unique historic structure which contributes to the streetscape of Country Way, and the applicant will accept a condition that prior to the start of construction, he or she shall provide a performance bond to guarantee preservation, based on an estimate approved by the Planning Board.

The applicant further agrees to construct and maintain a public pedestrian path through the site connecting the MBTA pedestrian walkway to Country Way. This shall include:

- a. Provision of bike racks,
- b. A minimum of two signs coordinated with other public wayfinding signs in Town indicating the path is public (or funding to cover the cost of same, at the discretion of the Planning Board) and identifying some possible destination(s),
- c. Landscaping or fencing to demarcate or separate the path from the private portion of the development, and
- d. Lighting.

In providing the additional 6 units above the allowed 24, the developer has also agreed to construct 16 one-bedroom units and 14 two-bedroom units, limiting the total number of bedrooms in the 30 units to 44.

According to the Site Layout Plan (Sheet 3) by William McGovern, PLS, 16,243 sq. ft. or 27% of the site shall be maintained as open space.

Frontage is required to be an amount sufficient in the opinion of the Planning Board to provide adequate access, and not less than 20'. Frontage of approximately 49' is provided on Country Way. The site is also adjacent to Stockbridge Rd. for 163' which has been accepted as frontage for this project by the Building Commissioner.

The proposal is considered to meet the requirements of Section 560.4 E.

9. The applicant provided the Planning Board a written description of the intended improvements in their application. A specific time frame for their completion was not provided.
10. The proposal will contain 66 parking spaces, including sixteen for the one-bedroom units; 21 for the two-bedroom units; 10 for the retail space and thirteen for the office space. An additional five will be provided for the common area adjacent to the office space, at the office parking requirement. The applicant has provided parking which meets the requirements of Section 560.6.
11. The proposal will contain four affordable units. The applicant will accept a condition that the development meet the requirements of Section 560.7, Affordability Standards. The proposal meets the requirements of this section.
12. The applicant submitted a Traffic Impact and Access Study prepared by Ron Muller & Associates dated January 27, 2014. Vanasse & Associates, consultants for the Town, reviewed the study and found that additional information was required to be submitted to demonstrate that access and on-site circulation can be afforded to and within the Project site in a safe and efficient manner and that sufficient parking will be provided to accommodate the anticipated demands of the proposed uses. The applicant has agreed to accept conditions addressing these issues.
13. The proposed stormwater management system has been reviewed by the Town's consulting engineer, John Chessia of Chessia Consulting LLC whose comments indicate his concerns have been satisfactorily addressed.
14. The design results in no increase in impervious area in the watershed to the existing leaching pits in the Zone A area. Although the bottom of the existing leaching pit is not separated by three

feet from the groundwater in the Zone A, a stormwater management system with artificial recharge is incorporated on the site. The Water Resource Committee requested the applicant maintain the leaching pit on Morning Glories' property, and a written Agreement for maintenance be developed which would be communicated to future owners. The applicant has agreed to accept conditions addressing these issues.

15. Correspondence received from the Fire Department indicated that an additional hydrant would be required at the southwest side of the parcel at the entrance. This hydrant was added to the special permit plan. There are ongoing discussions between the applicant and the Fire Department to resolve additional issues. The applicant has agreed to accept conditions addressing these issues.

Based on these findings, the Planning Board finds the Mixed Use Special Permit meets the requirements under the Village Business Overlay District, Section 560.

Decision:

Based on the Findings of Fact, the Planning Board approved the Mixed Use Development Special Permit in the Village Business Overlay District for 50 Country Way on May 14, 2015 with the following conditions:

General Requirements

1. All construction work shall be done in accordance with the plans submitted by Morse Engineering Company, Inc. entitled Proposed Mixed Use Development, 50 Country Way (Assessor's Parcels: 53-5-3 & 53-5-3B) Scituate, Massachusetts, dated October 13, 2014, as revised through February 20, 2015, with any additional revisions needed to conform to the conditions contained herein (the "Mixed Use Special Permit"), the renderings provided by e-mail of 3/5/15 with respect to the buildings, and with the Site Plan/Roof Plan (Sheet A101), Level 1, 2 and 3 Area Plans (Sheets A102, A103 and A104), and A, B and C Building Elevations (Sheets A105, A106 and A107) by Dr. Paul Ford, PhD in architecture. Final elevations shall be approved by the Planning Board prior to scheduling the pre-construction conference. The Planning Board may require buildings to conform to the elevations or renderings at their discretion. Landscaping shall be as shown on the plans by Morse Engineering.
2. Where this Mixed Use Special Permit requires approval, permitting or licensing from any local, state or federal agency, such required approval, permitting or licensing is deemed a condition of the Town of Scituate Planning Board's (the "Planning Board" or the "Board") approval of this Mixed Use Special Permit, including but not limited to the Board of Selectmen's approval of work in the public right-of-way of Country Way. All necessary permits and approvals must be received prior to construction.
3. Construction shall meet all requirements of the Scituate Zoning Bylaw. All conditions of approval shall be inscribed on the Mixed Use Special Permit plan.
4. The applicant shall mean the current applicant and all its successors in interest (the "Applicant"). This special permit shall lapse within two years, which shall not include such time required to pursue or await the determination of an appeal under General Laws Chapter 40A, Section 17, from the grant thereof, if a substantial use thereof has not sooner commenced except for good cause, or, in the case of a special permit for construction, if construction has not begun by such date except for good cause. The Planning Board may extend said period, for good cause shown,

upon receiving a written request from the Applicant prior to the expiration of said period, which request shall provide a detailed description of the good cause necessitating an extension.

5. The total number of residential dwelling units on the site shall not exceed thirty (30). The housing mix shall be 16 one (1) bedroom units and 14 two (2) bedroom units. The total number of bedrooms shall not exceed 44 using the definition of a bedroom by Title V. All units will either be rental or condominium and not be mixed.

Utilities, Parking and Traffic

6. Unless and until a Property Owners Association/ Condominium Association is formed, maintenance and repair of the driveway, parking areas, stormwater management system, retaining walls, emergency egress/public access path including snow removal, lighting, landscaping and emergency access shall be the responsibility of the owner/applicant.
7. No new underground irrigation systems shall be allowed to connect to the Town's water distribution system or in any manner use municipal water in accordance with the policy made effective by the Board of Selectmen on October 8, 2014. All irrigation systems installed in accordance with the policy must be supplied by on-site sources at the expense of the property owner.
8. All parking will be constructed as shown on the Plan, as shown in the Table on the Site Layout Plan (Sheet 3 of the Proposed Mixed Use Development Plan.) Marketing material advertising the sale of the residential units shall include the parking limitations noted in this Table.
9. All buildings, parking, walkways, paths and required signage shall meet all requirements of the ADA and Scituate Commission on Disabilities.
10. Traffic from the site shall be monitored from 6 months to 2 years after occupancy to verify traffic is in accordance with the projections for the site. The Planning Board's consulting traffic engineer's analysis of the impact of the project on existing Town roads was based on the project's generation of 270 additional vehicle trips on an average weekday, with 25 additional trips during the weekday morning peak hour and 52 additional trips during the weekday evening peak hour (VAI letter to John Chessia of February 18, 2014.) No uses shall be established which increase the project's total trip generation above these amounts.
11. Trash removal operations shall be monitored from 6 months to 2 years after occupancy to verify that there are no safety issues with trash removal as significant back up distances are proposed. Trash removal operations shall be reworked if safety is found to be an issue. [Recommended by Traffic Study]
12. All electrical, telephone, cable and similar utilities shall be located underground.
13. The applicant shall obtain the approval of the Planning Board through the Town Planner if minor changes from the plan and/or details are needed for lighting, signage or landscaping.

Affordability

14. All affordable units shall meet the requirements for inclusion in the Subsidized Housing Inventory through the state's Local Initiatives Program (LIP).

15. According to Section 560.7 D, the number of one and two bedroom affordable units shall be in the same proportion as the market rate units. Two affordable units shall contain one bedroom and two shall contain two bedrooms.
16. The affordable units shall be constructed so that the first is completed and available for occupancy before the seventh market rate unit, the second affordable unit, before the fourteenth market rate unit, the third affordable unit, before the twentieth market rate unit, and the last, before the twenty-sixth market rate unit.
17. The applicant or their representative shall be responsible for preparation of a LIP Local Action Units application for the affordable units to be submitted to DHCD by the municipality (chief elected official). Forms and assistance will be available from the Planning Department.

Phasing and Public Benefits

18. The phasing of the project shall be according to the applicant's proposed phasing schedule received March 5, 2015 and attached to this approval.
19. An emergency egress and public walkway shall be required. Both shall connect from Country Way through the site to an improved emergency egress/public access path from the site to Drew Place. The Property Owners Association/ Condominium Master Deed documents shall include a statement that the emergency access and public walkway must be maintained by the Association. This maintenance shall include snow plowing.

Construction of the path shall include additional related improvements as follows:

- a. Within the site, emergency access/egress shall be over the driveway and the island in the parking area at the rear of the site. The island shall be improved with pervious pavement capable of supporting a fire truck along the access route and 4" of loam and seed throughout, with moveable pylons along the front side to discourage parking. The Cape Cod berm shall be replaced with sloped granite curb. A No Parking – Fire & Emergency Access sign shall be installed at the front of the island.
- b. The public walkway on the site shall be constructed of concrete and brick as shown on the plans within the site except within the island at the rear of the parking lot (see above).
 - i. Permanent easements shall be recorded granting the public access over the walkway.
 - ii. An informational sign indicating "public access path" or similar shall be installed of a style coordinated with other public wayfinding signs in Town indicating the path is public (or funding to cover the cost of same, at the discretion of the Planning Board) and identifying some possible destination(s).
 - iii. A vertical granite curb of a minimum 6" in height shall be used along the north side of the driveway up to and around the curve of the entry island for approximately 25' (total) and along the south side of the driveway around the entry island and on the west of the parking area for approximately 70' (total).
 - iv. Fencing as shown on the plan shall be used to separate the path from the multi-unit buildings.
 - v. Bike racks shall be provided at each building as per Scituate Zoning Bylaw Section 760.7 E.
- c. The following improvements and related items are required for the emergency egress/public access path in the MBTA right of way:

- i. The surface of this portion of the emergency egress/public access path shall be improved with pervious pavement 10' wide with 1' gravel shoulders on each side.
- ii. The Condominium or Property Owners Association shall be required to maintain this portion of the path, including snow plowing, and the Master Deed or Owners Agreement shall include a description of this maintenance, documentation that the MBTA will allow it, and indicate who will provide it.
- iii. The plan must show all area required in or adjacent to the proposed emergency access, required to be travelled by a fire truck as shown by the area under the wheels and within the expected travel path as per the plan, as part of the path. This path shall be improved with hardening and/or other material as needed to support and provide access for a fire truck as specified by the Fire Dept.
- iv. Existing trees in the MBTA ROW that must be removed to construct the emergency egress shall be replaced in the ROW or on the site, with new trees of a minimum of 3" caliper dbh. These shall be in addition to the new trees shown on the Landscaping Plan.
- v. Lighting, including seven fixtures to match those along the MBTA path, shall be located along the path on the MBTA property and the site. The applicant must provide all necessary electrical connections for the lighting.

Required Prior to Release of Special Permit to Applicant for Recording

20. The plans shall be updated as discussed with Greg Morse on March 9, 2015.
21. Funds shall be provided for review of a Property Owners Association Agreement or Condominium Master Deed by Town Counsel.

Required Prior to Scheduling the Pre-Construction Conference

22. The applicant shall furnish written documentation that the MBTA will allow installation of improvements for the use of their property for emergency egress for the Greenbush Station development at 50 Country Way as shown on the above-referenced plan and including all items required in Condition 19 above. This may consist of an easement, license or similar legal document. The applicant shall make the Town aware of any requirements of the MBTA that must be met in connection with construction of these improvements, which shall be deemed conditions of this special permit. If the applicant cannot meet the MBTA's conditions, or the MBTA changes its preliminary agreement and does not allow construction and use of the emergency egress /public access path, the applicant shall notify the Town forthwith and submit an application for approval of a modification to the special permit with an alternative plan.
23. The final building plans, stamped by a registered architect, shall be provided to the Planning Department for review for consistency with the elevations and renderings described in Condition 1. If the plans appear inconsistent, approval by the Planning Board will be required. The applicant shall provide proof that the Special Permit was recorded to the Planning Board along with the plans.
24. Documentation shall be provided to the Planning Board in the form of a written agreement signed by both the owners of 50 and 52 Country Way that the owners of 52 Country Way (presently occupied by Morning Glories bakery) agree to:
 - a. The Applicant's installation of proposed sidewalk and curb within the Access and Utility Easement near the bakery and on their property.

- b. Striping the driveway, and
 - c. The on-going and perpetual maintenance of a manhole and two leaching catch basins in the access and utility easement on their property, initially by the Applicant and ultimately by the Condominium Association or Property Owners' Association of 50 Country Way.
25. The applicant's plans show the existing 1856 George Wetherbee House will be preserved by moving it to the front of the lot and incorporating it within Building A. The developer shall engage a licensed structural engineer to assess the condition of the house, its suitability for re-use, the feasibility of completing renovations as required by the State Building Code while maintaining the exterior facades and porches of the building, and of moving these and successfully incorporating them within a new structure as shown. He/she shall prepare a stamped, written report for the Planning Board on these items with a plan to address significant structural, heating, electrical, plumbing or other system issues or required upgrades. He/she may consult an architect or historic preservation professional as needed.

The Planning Board shall have this report reviewed by a qualified structural engineer, architect and/or historic preservation specialist who shall serve as their consultant at the applicant's expense. If in the opinion of the Planning Board's consultant, these upgrades or issues cannot be addressed, or the house cannot be moved without significant damage, an alternative design for Building A shall be submitted to the Planning Board. This design shall include a façade similar to that of the Wetherbee House. This alternative design shall be reviewed by a historic preservation consultant at the applicant's expense who shall report to the Planning Board on the appropriateness of the proposed façade relative to the size, design, character and historic period of the building it was intended to replace. The new façade shall be approved by the Planning Board prior to the pre-construction conference.

26. The development shall obtain all necessary approvals for the use of Town sewer prior to scheduling a pre-construction conference. Copies shall be furnished to the Planning Board.
27. A determination of the adequacy of the existing water service for the proposed use shall be provided to the DPW for their approval prior to scheduling a pre-construction conference. Installation of all water mains and appurtenances shall be performed according to the specifications of the DPW Water Division. Any required upgrades, modifications or connections shall be at the Owner's expense.
28. Prior to scheduling the pre-construction conference, the developer shall contact Janice Lesniak of the Massachusetts Dept of Housing and Community Development (617-573-1327) to determine the purchase price(s) or rent(s) of affordable units based on LIP Guidelines and discuss other requirements for the affordable units as described in Condition 41 below.
29. Prior to scheduling the pre-construction conference, the Applicant shall provide to the Planning Board:
- a. Copies of the recorded special permit and plans.
 - b. Copies of the NPDES Permit including its Stormwater Pollution Prevention Plan.
 - c. A check to cover cost of inspections by the Town's consulting engineer. These shall include, at a minimum, inspections of Subdivision Rules and Regulations Section 9.2, for the

driveway, parking areas and stormwater management systems, and in addition, inspection of applicable items in the Construction Sequencing Narrative, the existing drainage system in the driveway, new curbing and retaining walls. The specific amount shall be provided by the Planning Dept. based on the consulting engineer's estimate, shall be subject to amendment from time to time and shall be supplemented by the applicant as requested by the Planning Dept.

- d. A construction schedule including approximate dates for installation of erosion control and other site protection/stabilization, construction of Buildings A, B and C, all applicable items in Subdivision Rules and Regulations 9.1.3; and
 - e. A Performance Bond to cover the cost of parking, landscaping, walkways, and other amenities including the emergency egress/public access path. The amount shall be based on the applicant's contractors' estimates of the costs of these items and shall be approved by the Planning Board prior to the pre-construction conference.
30. The Applicant shall provide a draft Condominium Master Deed or Owners Agreement to include the owner(s) of the retail, office units and residential units. The Condominium Master Deed or Owners Agreement shall include:
- a. A statement that the driveway, drainage system, sewer, public and private pedestrian access through the site, landscaping and other common areas shall be owned by a Condominium Association or Property Owners' Association and shall not be maintained by the Town. The driveway, drainage system, public and private pedestrian access through the site, landscaping, lighting, tree box filters, stormwater leaching system within the Zone A on the bakery property and other common areas shall be inspected, maintained and repaired by a legally constituted association of the Property Owners or a Condominium Association. This shall also be stated in a note on the plan.
 - b. A requirement that maintenance of the drainage system, pedestrian walks, parking, driveways, emergency egress and landscaping shall be in accordance with the Operation and Maintenance Plan approved by the Planning Board's consulting engineer; provisions for snow removal and maintenance of safe conditions through the winter of all vehicle and pedestrian ways; and a description of annual maintenance of the driveway, parking areas, emergency egress/public access path, landscaping, lighting and other common amenities.
 - c. A requirement that the Association maintain an account always containing a minimum of one year's costs for this maintenance. A contractor's estimate of this maintenance and proof of the available funds in this account shall be provided to the Planning Board with the Agreement and annually on the first of the year.
 - d. A requirement that the developer notify contractors, builders and real estate agents that membership in a Property Owners Association or Condominium Association and a table showing the available parking for each unit are required to be disclosed to all prospective buyers. The developer shall make copies of the Condominium Master Deed or Property Owners Association Agreement available to be provided to all prospective purchasers of units in the development.

- e. The Town Planner shall be added to the Town of Scituate contact information on page 1 of the Construction Phase Best Management practices.
- f. A requirement that the Property Owners Association or Condominium Association notify the Planning Board of the name, address, phone no. and e-mail of the trustees within seven days of their election, and to provide an annual report of their maintenance activities to the Planning Board by January 1 of each year.
- g. A table of the number and general location of parking spaces assigned to each unit.

Required Prior to the Start of Construction

- 31. A pre-construction conference shall be held with the Applicant, their representatives, their engineer, the site contractor(s), the Town Planner, the Planning Board's consulting engineer and other representatives of the Town as the Board feels are necessary. A list of all contractor contacts, including names and telephone numbers, shall be provided to the Planning Board and the DPW. At least one telephone contact shall be available 24 hours per day in the event of an emergency.
- 32. The property line between #50 and #52 Country Way and boundary of the limit of clearing shall be marked or flagged in the field under the direction of a surveyor and notification given to the Town Planner and Consulting Engineer a minimum of three business days prior to the start of construction.
- 33. A stabilized construction entrance as shown on the Sedimentation & Erosion Control Plan (Sheet 5 of the Proposed Mixed Use Development Plan) must be installed prior to any earth disturbing activities on site including but not limited to clearing and grubbing. Construction access must be clearly identified on the site with signage approved by the Town Planner.
- 34. The developer shall request a permit to demolish the existing historic barn and consult with the Historic Commission to determine whether a demolition delay will be required. A pre-moving survey shall be completed a minimum of thirty days prior to application for permits to move the Wetherbee House.

Required During Construction

- 35. Construction work shall not begin prior to 7:00 AM weekdays and 8:00 AM on Saturday and shall cease no later than 7:00 PM or sunset whichever is earlier. No construction shall take place on Sundays or legal/federal holidays.
- 36. All earth moving/disturbance operations shall only occur while erosion and sedimentation control measures as shown on the Sedimentation & Erosion Control Plan (Sheet 5 of the Mixed Use Development Plan) and approved by the Town Planner are in place. Such control measures shall remain in place until the Board's consulting engineer determines after consultation with the Town Planner, that the danger of erosion or sedimentation no longer exists.
- 37. No parking or unloading on Country Way shall be permitted during construction. Construction vehicles shall use the designated construction access. They are not permitted to use the existing access and utility easement during peak morning bakery hours of 7:00 to 9:00 a.m. **Access to Morning Glories' driveway, parking area, building and property must be maintained at all times.**

38. The Applicant shall notify the owner of Morning Glories (52 Country Way) a minimum of three business days prior to the installation of the curb to be placed within the Access and Utility Easement. This curb installation work shall not occur before 9:00 a.m. or up to three days prior to Easter, Valentine's Day, Thanksgiving or Christmas Day or any other four holidays defined by the owner of Morning Glories.
39. Inspections and observations made according to the Stormwater Pollution Prevention Plan (SWPPP) shall be submitted to the Board within 48 hours after the inspections. The Board reserves the right to require the consulting engineer to visit the site weekly during times when required construction inspections are further than one week apart.
40. Construction of the proposed parking and site drainage system shall be supervised by a registered professional engineer who shall certify in writing to the Planning Board at the completion of the project that the parking and drainage system were constructed in accordance with the approved plan. This certification shall be accompanied by as-built plans, showing all site utilities and grading, signed and stamped by a professional land surveyor and the supervising professional engineer.

Required Prior to Application for Building Permits

41. Prior to applying for a building permit, the applicant shall provide:
 - a. A copy of an executed regulatory agreement between the developer, municipality and DHCD to insure long-term affordability.
 - b. The proposed rental or sales price of the affordable units, and estimated condominium fee if applicable;
 - c. A draft deed restriction to restrict the rental or subsequent price if a condominium, to 80% of the area median income according to the Department of Housing and Community Development (DHCD), in perpetuity. The draft deed restriction shall be approved by Town Counsel and proof of recording provided to the Planning Board prior to the issuance of the first Occupancy Permit for an affordable unit;
 - d. A plan showing the location of the affordable units for the Building and Planning Departments;
 - e. The name and contact information for agencies, companies or individuals who will conduct marketing, hold the lottery and perform monitoring;
 - f. A draft affirmative marketing plan meeting the guidelines for approval of DHCD. The Marketing Plan must affirmatively provide outreach to area minority communities to notify them about availability of the unit(s) and must demonstrate the need for local preference as well as insure that there will be no discriminatory impacts as a result of using local preference criteria. A maximum of up to 70% of the units may be local preference units for those who have a connection to the community as defined by the state under Section III.C of the Comprehensive Permit Guidelines. If in the opinion of the Planning Dept. the plan does not meet the current requirements of DHCD for inclusion of the affordable units on the Subsidized Housing Inventory, revisions shall be required prior to application for the second building permit.
 - g. Any changes to the affordability documents must be approved by the Town Planner.

42. The retaining wall behind Building C shall be designed by a structural/ geotechnical engineer. The Planning Board must be provided a copy of the stamped approved plans prior to any application for a foundation or building permit for any unit.
43. Detail of proposed retaining wall with wooden guardrail adjacent to the MBTA right-of-way must be submitted to the Town Planner for approval prior to any foundation or building permits being obtained for the site.

Required Prior to Issuance of Occupancy Permits

44. Following review and approval by the Planning Board, the Condominium Master Deed or Owners Agreement shall be recorded at the Registry of Deeds prior to the Building Department's issuance of an occupancy permit. Proof of recording of the Property Owners Association Agreement or Condominium Master Deed must be provided to the Planning Board.
45. Prior to issuance of an occupancy permit for Building A, a deed restriction shall be recorded requiring the façade of Building A to be preserved for a minimum of thirty years.
46. The emergency egress/public access path must be constructed prior to occupancy of any building on site.

Administration

47. All time periods referenced in this document for completion of conditions shall be tolled in case any appeals are taken.
48. This Special Permit shall be void if it is not recorded at the Registry of Deeds within 90 days of expiration of the appeal period or such extension of that time period granted by the Planning Board following approval of this Special Permit.
49. Building A shall be completed within five years of the date of recording of this special permit.
50. This Special Permit shall lapse within two years from the date of its issuance unless substantial use or construction has commenced prior to that time in accordance with MGL Chapter 40A, Section 9.
51. All plan sheets of the Mixed Use Development Special Permit Plan shall be recorded at the Registry of Deeds.

Vote:

Based on the Findings of Fact and the evidence and information provided by the applicant and obtained through the public hearings, the members of the Planning Board hearing this application voted unanimously to approve the Mixed Use Special Permit in the Village Business Overlay District at 50 Country Way with the conditions noted above.

May 14, 2015

Date

SCITUATE PLANNING BOARD

Richard W. Taylor

William Imbuech

Stephen R. Pritchard

Robert B. Keel

Rulet Johnson

This decision was filed with the Town Clerk on May 21, 2015
date

Appeal of this special permit may be made pursuant to M.G.L. Chapter 40A, Section 17, and shall be filed in a court of competent jurisdiction. Proof of that filing shall be provided to the Town Clerk within twenty (20) days of the date of the filing of the decision with the Town Clerk.

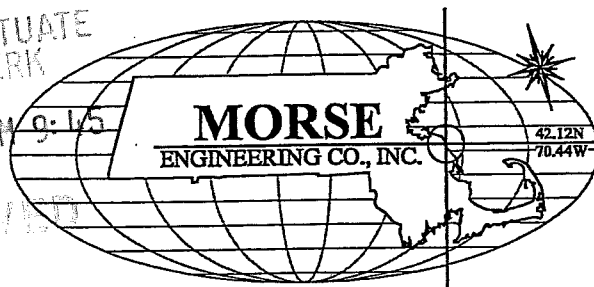
This special permit will not become effective until such time as an attested copy of this decision has been filed with the Plymouth County Registry of Deeds, after the expiration of the appeal period of twenty (20) days.

The Planning Board certifies that it has complied with all statutory requirements of MGL Chapter 40A, Sections 9 and 11, and will file copies of this decision with the Town Clerk. The Planning Board further certifies that it has taken into consideration all testimony rendered at the Public Hearing, the comments and suggestions of other boards which have reviewed and made comments on the plans

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TOWN CLERK

15 MAY 21 AM 9:15

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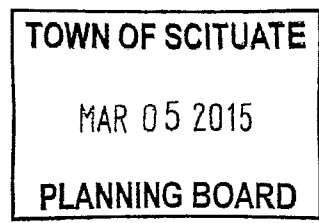


19 Union Street
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Scituate, MA 02066
(781) 545-0895

*Registered Professional Engineers,
Project Managers & Environmental Consultants*

February 23, 2015

Scituate Planning Board
Town Hall
600 Chief Justice Cushing Highway
Scituate, MA 02066



**Re: Proposed Mixed Use Development
50 Country Way, Scituate, Massachusetts
Applicant: 50 Country Way Trust**

Ms. Harbottle and Members of the Board,

Based upon comments and questions from the Planning Board during the January 8, 2015 Public Hearing we have expanded our Construction Sequencing Narrative and included 2 additional plans within the Site Plan set illustrating the intended Phases of construction. In addition, we have placed our Operation and Maintenance Tasks List for the Construction and Long Term Operation Phases on those plans so as to provide clearer direction. Our revised narrative is as indicated below:

Phasing:

The project will consist of two main phases. During the first phase, it is planned to perform general site set-up, clearing, general removal of brush, trees, etc. rough grading and placement of foundations for Buildings B & C. A temporary drainage basin is proposed for this phase of the project, and will be eliminated during the second phase. Access to the site is to be provided via a temporary haul road around the south side of the existing building.

During the second phase of work, it is planned that construction of Buildings B & C is substantially complete, with interior work and unit fit-out remaining. In this phase, utility installation, construction of Building A and paving and landscaping is to take place.

The applicant is proposing the following task schedule (minor deviations may occur due to weather, contractor and supply availability):

Phase 1 Tasks: (See Sheet 6 of 14 – Construction Sequencing Plan 1)

1. Install all erosion control measures on site, including silt fence, haybales and mulch socks, around perimeter of site as indicated on Sheet 5, the Erosion Control Plan (See Sheet 5). Install temporary fencing at rear of existing building to control traffic on site.
2. Construct construction entrance and temporary construction access around south side of existing 50 Country Way building to rear of site. Construct Emergency Access/Egress to Drew Place and notify Fire Department of completion of construction.
3. Clear and grub limits of proposed site as required for the construction of the buildings, parking area detention basins and related infrastructure. All brush, tree limbs, tree trunk and stump disposal shall take place off site and within 30 days of cutting. All disposal shall be in accordance with federal, state and local regulations.

4. Perform general site grading in areas of Buildings B & C to ready areas for construction.
5. Construct the temporary drainage basin at the southeast corner of the site and stabilize using mulch or other material.
6. Construct the retaining walls as shown at perimeter of site.
7. Excavate, set forms and construct foundations for Buildings B & C, remove forms and backfill.
(Anticipated traffic during this time will consist of site contractor and concrete contractor/form crew, anticipated truck traffic will consist of concrete trucks and site contractor vehicles).
8. Perform site grading to direct runoff to temporary basin.
9. Commence framing of Buildings C & B (anticipated framing of Building C, then Building B).

(Anticipated traffic on site during this time will consist of site contractor and framing crews, anticipated truck traffic will consist of lumber deliveries and site / framing contractor vehicles.)
10. Clear area, excavate and construct foundation for portion of Building A to be relocated.
11. Relocate main historical portion of Building A to new foundation.
12. Demolish or remove remaining portion of existing building. Haul road to remain in existing location.

End of Phase 1 of construction.

Phase 2 Tasks: (See Sheet 7 of 14 – Construction Sequencing Plan 2)

13. Excavate and pour foundation for remaining portion of Building A once demolition of existing portion is complete and debris removed. Commence framing Building A after backfilling.
14. Commence installation of site utilities including water, sewer, drainage and underground electric, telephone, cable and gas. (May be simultaneous with bringing overall site to finished grade prior to placement of base material for paving.)
15. Install closed drainage system between buildings B & C, including the stone trench behind Building C and piping for tree box filters. Protect with erosion controls as shown on the plans or equivalent inlet protection. Install roof leader pipes below parking area from Buildings B & C. Install piping for roof leaders from Buildings B & C. Outlet to temporary basin until site is ready for base material and base course of pavement.
16. Remove temporary drainage basin in anticipation of installing chamber system, clean out silt, sediment and other deleterious material and inspect prepare area prior to installation of chamber system. Install subsurface drainage system and mark off area so that the system is not driven over until paving is complete.
17. Place gravel sub base, base material, compact the area and prepare for base course of bituminous concrete from rear of site to approximate northwest corner of Building B.
(Anticipated vehicles for paving task are site contractor and paving contractor. Other activities at this time in general include electrical, plumbing and sheetrocking of Buildings C & B and continued framing of Building A. Once base course of pavement is laid, parking will be available for contractors in that area.)
18. Install closed drainage system, including all piping, roof leaders and piping to tree box filters,

infiltration system immediately to the west of Building B, cover and stake off location of infiltration system so that no truck traffic is allowed over the system until the base material is being placed and paving occurs.

19. Complete placement of base material and compaction between Buildings A & B, prepare area for paving.
20. Install base course of pavement throughout rear of site. Temporary haul road to remain in place until all paving is completed and all walks and curbing are installed. Install and connect tree box filters. (Site movement limited for appx. one day during paving.)
21. Complete fine grading of shoulders, placement of pavement in miscellaneous areas.
22. Activate the subsurface drainage system when all tributary areas are stabilized, all closed pipes must be flushed prior to activation.
23. Final grade all slopes, stabilize all cut slopes at toe of slope, blend slopes into existing topography, loam and seed all areas. Construct sidewalks and ramps throughout site.
24. Coordinate with owners of Morning Glories restaurant regarding altered access and traffic pattern during completion of installation of new driveway configuration, curbing and islands adjacent to Morning Glories restaurant. (Provide temporary alternative access via haul road and appropriate signage to direct traffic as required.)
25. Coordinate with owners of Morning Glories restaurant regarding finish paving of new driveway and permanent alteration of on-site traffic throughout the site, remove temporary haul road around Building A, provide finish paving course for all parking and easement areas.) (Assumes work on Buildings C & B is substantially complete, work on Building A ongoing.)
26. Install parking lot striping, signage and miscellaneous work throughout the site.
27. Complete Buildings B & C, obtain occupancy permits.
28. Complete Building A, obtain occupancy permit.

End of Phase 2 construction

This phasing schedule is preferable due to the following:

1. Building C is constructed and available for occupancy by relocated tenants from #50 Country Way. This lessens the burden of the project on existing tenants who are faced with relocation.
2. By allowing Building A to remain during construction of Building C, this provides a positive cash flow for bank funding purposes while the project is being constructed, making financing options more desirable and attainable.
3. This schedule puts the burden on the applicant to complete building A to a "weather-tight" condition before renting out Building B units. This alleviates the concern of Building A not being completed. Furthermore this allows Building A flexibility on its interior fit-out for commercial tenants.
4. By allowing Building A to stay in its existing location while the foundations and majority of site work are constructed for Buildings B & C, it allows the contractor to access over a temporary

“haul road” to the South of Building A, thus alleviating heavy traffic concerns at the Morning Glories Bakery parking lot during this phase.

5. Please note that with respect to Building A, in order to preserve the historic portion, it must be moved onto its own foundation first, the remaining portion of the building must then be either relocated off site or demolished in order to place the foundation for the new remaining portion of Building A. It is anticipated that once the main portion of Building A is relocated it will be immediately be made weather tight, however any interior work will continue while the new portion of the building is being constructed.

Fire Department Access

On December 23, 2014 the Applicant met with Fire Chief John Murphy to discuss alternative means of egress from the rear of the site. Based upon those comments we have shown on the Site Layout Plan an emergency egress out to the adjacent MBTA land and along it down to Drew Place. That access shall consist of a 10 foot wide paved path with 1 foot wide gravel or stone shoulders on both sides. We are providing a grassed island with Cape Cod Berm, which a truck can ride over, at the site end of the access as shown on the plans. Morse Engineering met with Chief Murphy on Thursday, February 26, 2015 to review the revised access.

We thank the Board for their input and look forward to presenting the revised plans at the next Public Hearing.

Very truly yours,

MORSE ENGINEERING COMPANY, INC.



Gregory J. Morse, P.E.
Principal

Cc: Applicant