

Town of Scituate



Planning Board

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Stormwater Permit – 182 – 186 First Parish Road Lots 2 - 4

Decision: APPROVED with Conditions

Owner: Tar Pouch Realty Trust & John & Irena Roman
Applicant: Peter Zaccardi
Date: August 29, 2016
Location: 182 – 186 First Parish Road
Assessor's Map: 44-1-020 & 44-1-021
Plans: Plan entitled Stormwater Management Plan Lots 2, 3 & 4 First Parish Road in Scituate, MA Sheet 1 of 1 by Morse Engineering Co., Inc. dated June 13, 2016 with revisions through August 25, 2016
Members present for Public Hearing: Stephen Pritchard, Chairman; William Limbacher, Ann Burbine, Richard Taylor and Gerard Wynne

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Background: The property is located in the Residential R-2 Zoning District. The lot area of Lot 2 is 26,687 sq. ft., Lot 3 is 23,189 sq. ft. of which 22,631 sq. ft. is upland and Lot 4 is 21,080 sq. ft. The lots were created by an ANR approved on 10/24/2015. Gregory J. Morse, P.E. of Morse Engineering Co., Inc. prepared the engineering plans and signed the engineering certification. The regulations approved by the Planning Board under the Stormwater Bylaw, Section 32050 of the General Bylaws provides that the Planning Board can issue a stormwater permit for projects with land disturbance over 40,000 sq. ft. Mr. Morse was notified that a public hearing would be required by the Planning Board as the land disturbance exceeded 40,000 sq. ft. A Stormwater Permit Application for Administrative Review for Low Impact Projects and Stormwater Management Plan dated June 13, 2016 were submitted on June 16, 2016. Revisions to the plan and calculations were submitted on July 28, 2016, August 19, 2016 and August 25, 2016.

According to the application, 43,560 sq. ft. is proposed to be regraded or cleared, and there is 14,336 sq. ft. of impervious area, an increase of 223%.

Existing greenhouses were razed to for three new single family dwellings with paved driveways. Lots 3 and 4 are to share a common driveway being separately permitted. To mitigate stormwater, stormwater from the roofs will be directed into ADS ARC-36 leaching chambers surrounded by crushed stone. A crushed stone infiltration trench is proposed along the south and east sides of the common driveway. The drainage calculations and plan were reviewed by Amory Engineers, P.C. and the Town Planner. The Planning Board finds that the application and plans reflect that the proposed drainage system can be expected to result in post-development runoff characteristics being equal to or less than pre-development characteristics, based on the certification by the applicant's Engineer and the review by the Patrick Brennan, P.E. of Amory Engineers, P.C. Existing drainage patterns are maintained as well as adequate recharge provided.

Procedural Summary: A public hearing before the Planning Board was duly advertised and notices sent to abutters in accordance with the Stormwater Regulations. The hearing was opened on July 28, 2016 and continued until August 25, 2016 so that the applicant could provide re-grading of Lot 4 with vegetative screening at the request of the Board. The Planning Board approved the Stormwater permit with conditions on August 25, 2016.

Hearing Summary: The public hearing was opened on July 28, 2016 with Gregory J. Morse, PE present. Mr. Morse indicated the post development rate and volume are less than the pre-development rate and volume as drywells and swales provide stormwater mitigation. The Board requested that Lot 4 be re-graded with a swale at the bottom and with vegetative screening added so that water would not go into the neighboring property to the east as their view shed will be altered.

On August 25, 2016, Jeffrey M. Hassett, PE of Morse Engineering was present along with Attorney Michael Hayes and Peter and Maryann Zaccardi. Mr. Hassett reaffirmed that post development rate and volume are less than the pre-development rate and volume as drywells and swales provide stormwater mitigation. He indicated that the toe of the slope had been pulled back from the downgradient property line with arborvitaes added, there is revised grading at the eastern side of the Lot 4 dwelling and the plan has been updated with revised Lot 3 and 4 property lines in accordance with a new ANR approved by the Board on August 25, 2016.

Public Comment: There was no public comment at the July 28, 2016 hearing session. There was no public comment at the August 25, 2016 hearing session.

The Stormwater Permit with revisions dated August 25, 2016 is approved with the conditions noted below:

1. Any or all owners of the property or site contractors for grading, installation of utilities, installation of the foundations, driveways or sitework shall be advised of this approval and these conditions.

2. Construction shall comply with Stormwater Permit Application for Administrative Review for Low Impact Projects, stormwater calculations and Stormwater management Plan Lots 2, 3 & 4 First Parish Road dated 6/13/16 with revisions through 8/25/16 by Morse Engineering Company, Inc. except as may be modified to conform to the conditions below. A copy of the approved plan shall be kept on the site at all times during construction.
3. Any plan changes or changes from the proposed materials shall be submitted to the Planning Board to determine if the changes are insignificant or require a permit modification through the Planning Board or Town Planner. The stormwater management system, grading or house locations shall not be changed without the prior written approval of the issuing authority. Failure to obtain written approval is a violation of the Town of Scituate General Bylaw and subject to fines included therein.
4. The applicant shall meet all of the requirements of the Building Dept., Board of Health, Conservation Commission, DPW, Fire Department, Board of Selectmen and other town agencies as well as all state and federal regulations.
5. The Planning Board shall receive written notification **within 48 hours** of any change in ownership of the property occurring during the construction phase. This includes individual lots.
6. Prior to any further land disturbance, the site shall be staked to show the houses and drainage improvements shown on the plan for each lot. Erosion control must be installed at this time. The slope between Lot 4 and 172 First Parish Road, all slopes 3:1 or greater, or where erosion can reasonably be expected to occur, shall be stabilized with jute matting or similar surface erosion control when water is not available. In locations where silt fence is shown, straw wattle shall be substituted. A second length of silt sock shall be added across the tree line along the southeast side of the lot, in front of the area where the arborvitae will be planted. **The Town Planner shall be notified by the owner or owner's representative 48 hours in advance of any permit being requested so an inspection can occur.**
7. **Stabilized construction entrances shall be installed prior to any work on the site and shall be maintained throughout construction to prevent sediment from reaching the road. The stabilized construction entrances shall be as described in the Stormwater Permit Application. All other erosion control shall be installed per the permit and shall also be maintained throughout construction. The Town Planner shall be notified when installation of the construction entrance is complete. If any building permit is being requested this notification shall occur 48 hours in advance of an inspection.**
8. Additional erosion control, such as silt fence and/or haybales placed **prior** to a precipitation event, may be needed to prevent sediment from reaching the road, adjacent

properties or downstream wetland resources during construction.

9. No on-street parking or loading or unloading of construction equipment or vehicles shall be permitted during construction.
10. The proposed roof drywells may be in areas of fill. The contractor must excavate test pits, witnessed by a licensed soil evaluator, at each drywell system to verify separation to groundwater. The soil logs for the required test holes should be submitted to the Planning Office prior to installation to verify that the 2 feet separation to the groundwater occurs. The groundwater elevation, the bottom elevation of the drywells and the drywells shall be shown on the as-built plans submitted to the Planning Office.
11. Construction inspections will be provided as follows:
 - a. All inspections for the Town shall be performed by the Town Planner or a designated representative. All inspections shall be documented with written reports that describe compliance with the approved plan(s) and supporting application documents and construction specifications. Any variations shall be noted.
 - b. The Town Planner will be notified for the purpose of inspecting the work 48 hours prior to:
 - i. Staking,
 - ii. Rough grading of the site including swales,
 - iii. Installation of roof drywell systems, and
 - iv. Finish grading.

The Town Planner shall be notified when installation is complete.

Work shall be subject to removal if necessary inspections are not requested. Grass swale construction/grading is critical to insure stormwater is collected and conveyed as designed. **Spot grades shall be performed during rough grading and finish grading to insure any swales will drain and no standing water will be present.**

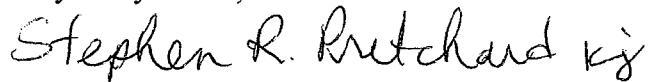
- c. The Town Planner shall be notified upon completion of each lot for an inspection to determine compliance with the conditions prior to issuing a Certificate of Completion (COC) indicating that the project has been completed in compliance with the conditions set forth in the Stormwater Permit and Bylaw.
12. The applicant will provide a deposit of \$5,000 prior to application for the first building permit to guarantee that site inspections will occur as conditioned, the as-built plan will be provided and construction will be completed and will be in accordance with the approved plan. The \$5,000 will be held until all three lots provide as-builts to the Board. As-builts must be provided on a lot by lot basis prior to Certificates of Occupancy. A full Certificate of Completion will be given when all three lots are

completed.

13. The owner shall hire a qualified landscaper to perform the inspectional maintenance requirements prescribed in the Long Term Operation and Maintenance Plan of the Stormwater Report, attached to the Stormwater Permit, who shall serve as and be referred to as "inspector". The inspector must have at least ten years of experience in the care and maintenance of lawn and plantings specified as part of the stormwater management systems and in conducting inspectional services of drywell systems and other components of the Stormwater Management System as described in the Stormwater Permit Application. All inspections and reporting shall be as per the Long Term Operations and Maintenance Plan.
14. Prior to issuance of an occupancy permit for each lot, the registered professional engineer who designed the system shall inspect the lot and certify with his signature and stamp to the Planning Board and Building Commissioner that any variation in grade and construction from the original plan is insignificant and does not alter in any way the drainage calculations, the function of the stormwater system or the rate of volume of the stormwater flowing to abutting properties. All claims of insignificant changes must be supported by as-built surveys and **prior** documentation of Condition 3.
15. An As-Built Plans stamped by a registered surveyor and the registered professional engineer who designed the system shall be submitted to the Planning Board within ten days of completion of the work. This plan shall include the construction conditions of the stormwater management system, grading, houses and driveways. The As-Built Plan must be submitted prior to obtaining a Certificate of Completion for the Stormwater Permit and it must be found in compliance with the approved permit. All grading and landscaping must be complete prior to the as-built submittal. The Certificate of Completion must be issued prior to return of the cash construction guarantee deposit.
16. This Stormwater Permit must be recorded at the Registry of Deeds against all three lots. Recording information must be provided to the Planning Office prior to **any** work commencing on the site. Failure to record the Stormwater Permit is a violation of the permit and subject to fines included in the Town of Scituate General Bylaws.
17. Copies of this approval and the approved Stormwater Permit plan shall be provided to subsequent owners.
18. Underground irrigation systems are prohibited from connecting to the town's water distribution system or in any manner using municipal water. All irrigation systems installed must be supplied by on-site sources at the expense of the property owner. Violations of this policy shall result in a fine to the property owner, with an equal fine levied on the installer of the system.

19. The homeowners are encouraged to use organic pesticides, herbicides and fertilizers. These may be found through the through the Northeast Organic Farming Association (NOFA) list of certified landscape professionals, available on the website <http://nofa.organiclandcare.net/aolcp-search> or similar. Pesticides and herbicides shall be used sparingly as directed. If professional application is used, pesticides shall be applied by a professional applicator licensed under the Massachusetts Department of Agriculture. Fertilizers, herbicides, pesticides and hazardous materials should be stored inside, on an impervious surface, in quantities no greater than necessary for household use. Where outside storage is necessary, covered containers must be used.
20. The arborvitae between Lot 4 and 172 First Parish Road shall be Green Giant cultivar, 5' to 6' in height at planting and shall be planted 4 to 5 feet on center during the first fall or spring season when watering bans have been lifted. A deposit of \$2,675 shall be provided to guarantee planting.

Very Truly Yours,



Stephen R. Pritchard
Chairman

SPR/lh/kj

CC: Robert Vogel, Acting Building Commissioner
Patrick Gallivan, Conservation and Natural Resource Officer
Peter Zaccardi
Gregory Morse/Jeffrey Hassett
Bethany Versoy, Tar Pouch Realty Trust
John & Irena Roman