

TOWN OF SCITUATE



600 Chief Justice Cushing Hwy  
Scituate, Massachusetts 02066  
Phone: 781-545-8730  
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*Planning Board*

July 5, 2022

Ms. Kathleen Gardner  
Town Clerk  
Town of Scituate

RECEIVED  
2022 JUL -5 PM 4:19  
TOWN OF SCITUATE  
TOWN CLERK

**Re: CERTIFICATE OF ACTION**  
**Site Plan Administrative Review Common Driveway and Stormwater Permit**  
**533 Country Way**  
**Applicant/Owner: Marvell Homes, LLC**  
**Assessor's Map/Block/Lot 26-2-5**  
**Decision: APPROVED with conditions**

Dear Ms. Gardner:

At their regularly scheduled meeting of June 23, 2022, the Planning Board discussed the Site Plan Administrative Review under Scituate Zoning Bylaw Section 720 and Section 770 and Stormwater Permit under General Bylaws Section 32050 for a Common Driveway of less than 500' in length serving two lots with adjoining frontage for a driveway of approximately 186 feet proposed to serve two homes at 533 Country Way for applicant Marvell Homes, LLC. The Stormwater Permit application includes stamped plans by Gregory J. Tansey P.E. of Ross Engineering Co., Inc. and a stormwater report and calculations and engineering certification signed by Mr. Tansey. Under the Stormwater Bylaw, disturbance over 40,000 sq. ft. requires a public hearing. The members present and voting for the public meeting/hearing were Ann Burbine, Patricia Lambert, Rebecca Lewis, Benjamin Bornstein and Robert MacLean. The members were present at all public hearing sessions or filed a Mullin Form for one hearing session missed.

A public hearing for the Stormwater Permit and Public meeting for the Common Driveway was duly advertised and notices sent to abutters per the Stormwater Regulations and Zoning Bylaw. The hearing was opened on August 26, 2021 and continued until 9/9/2021, 10/28/2021, 12/19/2021, 2/10/2022, 2/24/2022, 4/14/2022, 5/26/2022 and 6/23/2022 when it was closed and the Planning Board approved the Site Plan Review for a Common Driveway and the Stormwater Permit

The following motion was voted favorably with a unanimous vote of the members present:

The Board moved to make the following Findings of Fact:

1. Marvell Homes. LLC (the “Applicant”) filed an application for a Site Plan Administrative Review and Stormwater Permit for a Common Driveway and Stormwater Permit for a Common Driveway serving two lots at 533 Country Way known as Assessor’s Map/Block/Lot 26-2-5 (the “Property”) with the Town Clerk on July 27, 2021. The applicant’s deed is recorded with the Plymouth County Registry of Deeds at Book 54760, p.232.
2. One common driveway is proposed (the “Common Driveway”). According to the application which measures the drive from the property line, the length of it is 186’. It serves 2 lots.
3. The property at 533 Country Way contains about 56,384 sq. ft. according to the plan and is in the Residence R-2 Zoning District in addition to the Water Resource Protection District. The Planning Board endorsed a Form A Plan dividing the property into two lots on June 24, 2021.
4. The site is in the Water Resource Protection District. The zoning bylaw establishes a Water Resource Protection District “to include areas significant to the Town’s drinking water supply source which require zoning protection.” The Water Resource Protection District requires all runoff from impervious surfaces to be recharged on the site, diverted toward areas covered with vegetation from surface infiltration to the extent possible or as otherwise directed from the Scituate DPW and Scituate Conservation Commission. 1” of roof runoff is recharged and the first inch of runoff is recharged for all impervious areas according to DEP requirements.
5. The zoning bylaw requires rendering impervious any lot/parcel more than 15% or 2,500 sq. ft., whichever is greater, unless a system of artificial recharge is provided that will not result in degradation of water quality is prohibited. The plans show greater than 15% impervious with 22% impervious; however, the engineer indicates the water quality will not be degraded as evidenced in a signed and stamped certification by engineer Gregory Tansey, P.E. dated April 25, 2022.
6. Under the Stormwater bylaw, Section 32050 of the General Bylaws, all development and redevelopment projects that will disturb over 15,000 sq. ft. of land in a Residential zoning district, render 25% or more of an undeveloped lot impervious or increase the impervious area of a developed lot by 25% or more, even if it is conducted over separate phases and/or by separate owners requires a Stormwater Permit. The proposed total impervious area of the site is 18,644 sq. ft. from the existing of 6,534 sq. ft. an increase of 185% according to the application which is approximately 33% of the site. The proposed area of disturbance for re-grading or clearing is 41,000 sq. ft. or approximately 73% of the site. 90% TSS has been provided and adequate recharge has been provided.

7. The standards of the Common Driveway indicate that the location and construction of the Common Driveway should minimize soil disturbance, vegetation removal, and drainage impacts, and preserve existing trees over 12" caliper and other natural features of special significance. The plan shows soil disturbance and vegetation removal as generally limited to what is necessary for constructing the common driveway, its' drainage systems, two new single-family dwellings and one new septic system. The existing concrete wall in the right of way of Country Way will be removed and a new retaining wall and new walkway will be constructed; there is disturbance in the right-of-way of the frontage. The proposed stormwater management system has been reviewed by the Town's consulting engineer, Chessia Consulting Services, LLC whose comments indicate the stormwater system will be adequately addressed with revised plans. Based on the Findings of Fact presented in numbers 1-7, the Common Driveway meets the standards of Section 720.7A
8. The Common Driveway is 16 feet in width with bituminous berm and two-foot grass shoulders on each side. The Fire Department has indicated that 16' is acceptable to service two lots. The Common Driveway meets the requirements of Section 720.7B.
9. The Common Driveway is accessed from Country Way, a public road in Scituate. The Common Driveway is not connected to any other Common Driveway. The Common Driveway meets the requirements of Section 720.7 C.
10. The Common Driveway shall be located in an easement which allows space for installation of water lines and utilities. The water lines and gas lines are shown on the Common Driveway Plan in the easement. No other utilities are shown. Electric, telephone and cable utilities are indicated as overhead wires connection to lines in Country Way. Not all utilities are shown as underground utilities. The Common Driveway meets the requirements of Section 720.7 D.
11. The Common Driveway cross section shows a top course of 1 ½" of bituminous concrete top course Type I-1 over a 1 ½" bituminous binder Type I-1 over a 12" compacted sorted gravel sub-base. Frost free sub-grade shall be provided between the sub-base and parent material. The Common Driveway meets the requirements of Section 720.7 E.
12. The Common Driveway is approximately 186' long measured from end of the hammerhead to the property line. This is less than 1000 feet and meets the requirements of Section 720.7 F.
13. The Applicant has stamped and certified there will be no increase in rate or volume of runoff to abutting properties for the 1, 2, 10 and 100-year 24-hour storm events. Chessia Consulting Services, LLC has indicated the stormwater management system could work with minor changes and runoff draining to abutting properties shall not exceed that which existed prior to construction of the Common Driveways. The common driveway meets the requirements of Section 720.7 G. As the site is in the Water Resource Protection District, infiltration of surface runoff is maximized by open lawn basins, underground infiltration chambers, a Hydrostorm HS6 by Hydroworks and a hybrid media filter. The standards of review for Section 770.6 E have been met.
14. No impervious areas are located above the major components of the proposed septic system. The Common Driveway meets the requirements of Section 720.7 H as no impervious areas are above the proposed septic system. The proposed septic system will meet all Board of Health requirements. The standards of review for Section 770.6 D. have been met.

15. The Common Driveway is buffered from Country Way. Six 2.5' caliper dbh red maple trees are proposed to be planted along the inside of the wall as replacement plantings for trees in the Country Way right of way that are being removed as required from the Scenic Road approval. Existing trees are proposed to remain at the west property edges by the septic system. This may provide better traffic safety and reduce visual impacts on the abutting properties. The Common Driveway meets the requirement of Section 720.7 I for screening and Section 770.6 A. for protection of adjoining premises against detrimental and offensive methods of utilizing the site.
16. A turnaround for emergency vehicles shall be provided with a minimum length of 30' and width of 20' in locations approved by the Fire Chief. The Scituate Deputy Fire Chief indicated there was no issue with the hammerhead. The Common Driveway meets the requirements of Section 720.7 J.
17. The plan indicates that the available sight distance at the common driveway exceeds 300' and American Association of State Highway and Transportation Officials (AASHTO) sight distance is met for the posted speed of 30 mph. The Common Driveway meets the requirements of Section 720.7 K and Section 770.6 B and C.
18. Lot width for lots served by a Common Driveway may be measured parallel to the Common Driveway, except in the case of fifty-foot frontage lots. The lot width of Lots 1 and 2 is measured parallel to the common driveway. The Common Driveway meets the requirements of Section 720.7 L.
19. Spill control provisions will be required on site. Fill is proposed on site. Length of stone wall removed has been minimized. A new retaining wall will be provided. Erosion controls will be provided; however, no sedimentation sumps or methods of keeping stormwater on site during construction are shown. Outdoor lighting will minimize glare to adjacent properties. The requirements of Section 770.6 F, G, H and I are met to the extend practical for a residential common driveway.
20. Based on these findings and information submitted by the Applicant and reviewed by the Board, the Common Driveway meets the requirements of Section 720 and Section 770.6 of the Scituate Zoning Bylaw.

Based upon the testimony presented at the Public meetings and public hearing, application and plans, minutes of the meetings, documents and comments submitted and the Findings of Fact, the Board approved the Stormwater Permit and Site Plan Administrative Review for a Common Driveway at 533 Country Way subject to the following conditions:

1. The Common Driveway shall be constructed according to plans entitled Common Driveway Plan in the Town of Scituate, MA 533 Country Way dated July 26, 2021 with revisions through May 20, 2022 consisting of 2 sheets and Stormwater Permit in the Town of Scituate, MA 533 Country Way dated July 26, 2021 with revisions through May 20, 2022 consisting of 7 sheets prepared for applicant Marvell Homes, LLC by Ross Engineering Co., Inc.; Stormwater Report and Application for Scituate Stormwater Permit for 533 Country Way dated July 19, 2021 with revisions through May 23, 2022 inclusive of all supplementary information including mounding analysis, post construction calculations, certification of no degradation to groundwater quality, cover letters, NJ DEP information on HydroStorm Separator for 50% TSS removal rate,

calculations received May 23, 2022 and all cover letters with submittals and as further revised to meet these conditions. A complete set of the latest revised plans with revision dates and calculations consistent with peer review engineering comments shall be submitted prior to a building permit. A copy of the approved plan and conditions shall be kept on the site at all times during construction.

2. Lots 1 and 2 shall access over the Common Driveway as depicted on the plans. No further extensions or attachments of any other roadways or Common Driveways, or other access to any other lots besides those created by the plan shall be permitted. The Common Driveway shall remain private in perpetuity and shall never be considered for acceptance as a Town road and that all maintenance and repair of the Common Driveway and drainage facilities shall be the responsibility of the owners of the property. A note shall be placed on the plan and deed for each lot serviced by the Common Driveway stating the above with proof provided to the Planning Board prior to occupancy of the first unit.
3. The Applicant shall mean the current applicant and all its successors in interest. This site plan review and stormwater permit shall lapse within two years from the date of its issuance, which shall not include such time required to pursue or await the determination of appeal under Mass General Laws Chapter 40A, from the grant thereof unless substantial use or construction has commenced prior to that time in accordance with MGL Chapter 40A, Section 9. The Planning Board may extend such period, for good cause shown, upon receiving a written request from the Applicant prior to the expiration of said period, which shall provide a detailed description of good cause necessitating an extension. The Planning Board office must receive written notification at least one week prior to any change of ownership of the property occurring during construction.
4. Copies of this approval including the plans and Common Driveway Easement shall be provided to subsequent owners who shall be advised of the need for maintenance of the Stormwater System per the Operation and Maintenance Plan and the need to retain the grading on the lot as approved. Prior to the transfer of the property, the owner shall provide to the subsequent owner and the Planning Office an inspection report certified by a professional engineer showing compliance with the Operation and Maintenance Plan. The Planning Office must receive written notification at least one week prior to any change in ownership of the property during construction.
5. There shall be no further division or subdivision of any lot shown on the plan for purposes of constructing additional units or buildings; There shall be no further expansion of any building or impervious surface on the site; No additional dwelling units shall be added; No additional expansion of the limit of work is allowed without further approval of the Scituate Planning Board.
6. The Applicant shall consent to allow members and Town official from the Planning Board and other persons acting under the Planning Board or its agents, to enter upon any lands and carry out such surveys and inspections as may be deemed necessary, and place and maintain monuments. The Applicant shall cooperate with the Planning Board and Town officials and assist them in

their effort to verify that the layout, design and construction work for the special permit are satisfactory and conform to Town specifications and requirements of the Board.

7. Prior to the pre-construction conference, the Applicant must obtain all necessary approvals and meet all requirements from the Board of Health (BOH), Conservation Commission, Fire Department, Building Department and Department of Public Works (DPW), and these shall be deemed conditions of the Planning Board approval. Any state and federal permits must be obtained if required and supplied to the Planning Board Office prior to scheduling the preconstruction conference and are also deemed to be conditions of the Planning Board approval. This includes a NPDES permit.
8. Construction of this Common Driveway is subject to the Planning Board's approved Scenic Road Permit dated June 25, 2021 and any conditions imposed by the Planning Board in connection with said approval.
9. Construction shall meet all requirements of the Scituate Zoning Bylaw and General Bylaws. All contractors are responsible for all conditions shown on the plan and in the written decision.
10. No new in ground irrigation systems shall be allowed to connect to the Town's water distribution system or in any manner use municipal water. In accordance with this policy rule, all irrigation systems installed in Scituate must be supplied by on-site sources at the expense of the property owner. Fines for violating this rule may be levied on the homeowner as well as the system installer.
11. The septic system shall meet all the requirements of Title V and 310 CMR 22 including a reserve area. Any changes to the plan necessitated by compliance with any BOH provision, requires notification of the Town Planner to determine if the change is significant and requires further input from the Planning Board.
12. No work is allowed beyond the limit of work/tree line without approval of the Planning Board. The entire limit of work is to be staked with erosion control during construction. Fines shall be imposed for disturbance beyond the limit of work in accordance with Town of Scituate General Bylaws. Any disturbance beyond the limit of work will be subject to full restoration with a restoration plan to be submitted to and approved by the Planning Board.
13. The Post Construction Operation and Maintenance Plan shall be strictly adhered to so that 90% Total Suspended Solid (TSS) is achieved at all times. An annual report is to be provided to the Planning Board yearly by March 30 certifying all required maintenance has been completed per the plan.
14. All utilities shall be placed underground to the extent practical or agreed upon with the Planning Board.

15. The Planning Board agrees to a waiver of the Landscape Plan required under Section 751.3 of the Zoning Bylaw as the type and size of trees for the scenic road requirements are shown on the plan and the applicant has committed to landscaping the properties.
16. The recharge chambers shall be installed to have the bottom elevation a minimum of three feet above seasonal high groundwater elevations. Stormwater during construction as well as after construction is not allowed to increase in rate or volume to adjacent properties, the street or offsite.
17. A stabilized construction entrance shall be installed immediately upon removal of the wall, on the site and shall be maintained throughout construction to prevent dirt tracking onto the road.
18. No sediment (including silty water) shall be allowed to leave the site during site construction and construction of the new retaining wall, sidewalk, and landscaping in the Country Way right of way. All work in the right of way shall be done in accordance with DPW standards and DPW memorandum of April 20, 2022, DPW letter of April 13, 2022 and DPW memorandum of June 9, 2021 attached and are part of this permit. DPW and the Town Planner must be consulted prior to any work in the right of way. A schedule of work must be provided and a minimum of 5 business days' notice is required.

#### **Common Driveway Agreement**

19. A Common Driveway Agreement shall assign to the owners of Lots 1 and 2 the responsibilities and costs of maintenance and repair of the Common Driveway (including snowplowing), as well as the open basin, subsurface infiltration systems, hybrid media filter, swales, and all other drainage devices, grading and all other improvements for stormwater management onsite.

The responsibilities of maintenance in the Common Driveway Agreement shall include all requirements of the Operation & Maintenance Plan, which shall be attached to the Agreement together with other typical maintenance such as snow-plowing, driveway repair and any cape cod berm repair.

This agreement shall indicate no parking is allowed in the Common Driveway Easement area and a sign indicating there is no parking must be placed in the easement area.

The Agreement shall require annual certification, to be submitted to the Town Planner by June 30 yearly, by an engineer that the stormwater system is being properly inspected and maintained per the Operation & Maintenance Plan. The Operation & Maintenance Plan shall also be provided to the Planning Board as a stand-alone document.

The standard format from the Planning office shall be used. A final draft of the Agreement shall be provided to the Planning Board within two weeks of the approval of this Site Plan Review. The Agreement shall be recorded at the Registry of Deeds with the Site Plan Review and Stormwater Permit. No preconstruction conference or building permits will issue without a recorded Common Driveway Agreement.

20. Any plan changes or changes from the proposed materials shall be submitted to the Planning Office to determine if the changes are insignificant or require a permit modification approved by the Board or Town Planner. The stormwater management system including all recharge chambers and components of the system, house, driveways, grading and site amenity locations shall not be changed or expanded without prior written approval of the Planning Board. Expansion includes additional pavement areas. Failure to obtain written approval is a violation of the Town of Scituate Stormwater Bylaw and subject to fines.
21. The use of pesticides and fertilizers shall be strictly prohibited.

### **Construction**

22. A pre-construction conference will be required prior to the start of construction including the Planning Board's consulting engineer, a representative of DPW, the site design engineer, the owner, the site contractor and the Town Planner.
23. Prior to scheduling the pre-construction conference, the applicant shall provide to the Town Planner:
- a. Record the plan, decision and Common Driveway Agreement at the Plymouth County Registry of Deeds and provide proof of recording;
  - b. An initial deposit with the Town Planner of \$5,000 under G.L. c. 44 s 53G to secure construction review and inspections by the Town of Scituate consulting engineer. The deposit shall be applied toward the cost of construction inspections for the common driveway. The specific amount provided to the Planning Department shall be based on the consulting engineer's estimate and shall be subject to amendment from time to time and be supplemented by the Applicant as requested;
  - c. The Applicant shall provide surety for \$10,000 in a form acceptable to the Planning Board prior to beginning construction of the Common Driveway to guarantee completion of the common driveway(s), the drainage system(s), site work, landscaping, clean-up of the site and compliance with the stormwater plan and conditions. After the Town Planner has inspected the site and found grading, loaming and seeding, clean-up of earth materials and construction debris to be complete, along with the as-built approved and a Certificate of Completion issued, these funds shall be returned to the applicant. Additional surety of \$60,000 is required for work in the Town's right-of-way; and
  - d. A schedule of construction activities including approximate dates for installation of erosion control and other site stabilization features for all phases of the project and all applicable items in the Subdivision Rules and Regulations 9.1.3 shall be given to the Town Planner. Temporary drainage measures shall be provided onsite in the initial phase of construction prior to the start of house construction and maintained throughout construction.
24. The Town Planner is to be notified when construction begins and when construction is completed.



25. Prior to scheduling the preconstruction conference, the Applicant shall provide the Town Planner with permits from the Scituate DPW for street openings and a curb cut. Installation of all water mains and appurtenances shall be performed according to the specifications of the DPW Water Division. Any upgrades, modifications, or connections shall be at the Applicant's expense. The consulting engineer along with the Town shall review the construction activity to assure compliance with the Town's rules and regulations.
26. The property line in the area of work 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 five days prior to the start of construction. The property line shall remain staked in the field throughout construction.
27. A stabilized construction entrance as shown on the plans must be installed prior to any earth disturbing activities on site including but not limited to clearing and grubbing.
28. All clearing and earth moving operations shall only occur while erosion and sedimentation control measures, approved by the Town Planner and shown on the plan are in place. Such control measures shall remain in place until the Town Planner determines that the danger of erosion or sedimentation no longer exists.
29. Any proposed changes in grading from the approved plan must be reviewed by the Town Planner and town's consulting engineer to determine if they are materially significant. The Applicant shall certify that such changes shall result in no impact on the drainage system and shall not increase runoff onto Country Way, abutting lots, or the rate and volume of the post condition from the predevelopment condition.
30. All lawns shall have a minimum of 6" of screened loam.
31. There shall be no flows to the subsurface systems until the tributary area is stabilized.
32. No use of hydrants on-site or on adjacent roads off-site is allowed for construction use. A hydrant may be available at the water treatment plant for construction use if water supply allows and permission is obtained from the DPW.
33. The inspections for this development will be done in accordance with Section 9.1.3 of the Town of Scituate Subdivision Rules and Regulations as modified in the next sentence. The Town's consulting engineer shall perform these inspections with costs paid by the Applicant. All required inspections shall take place and be inspected by the consulting engineer including water (along with DPW). Weekly reports shall be submitted by the Applicant to the Planning Board stating results of all required inspections including test pits unless more frequent reports are needed. 48 hours minimum advance notice is required for all inspections. All stormwater recharge structures require inspection of the bottom of the excavation by the consulting engineer. SWPPP inspections for the NPDES permit by the applicant must be submitted after every ½" storm.

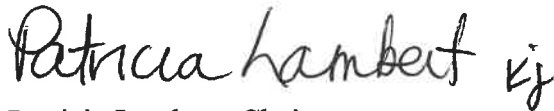
34. Construction of the Common Driveway, site drainage systems, grading and water system shall be supervised by a registered professional engineer approved by the Planning Board who shall certify in writing to the Planning Board at completion that the driveways, grading, drainage structures and utilities were constructed in accordance with the approved plans. This certification shall be accompanied by as-built plans, signed and stamped by a registered professional land surveyor and the supervising professional engineer. No Certificate of Occupancy shall be issued until the Planning Board is satisfied that access, construction of the driveways, grading, installation of drainage structures and stormwater management features, installation of utilities and site stabilization are in full compliance with the approved plans and permit. The stormwater system must be functioning in accordance with design requirements and the as-built certification must include a statement that any variation in grade is immaterial and does not materially alter the performance of the stormwater system. All grading and landscaping must be submitted prior to the final as-built submittal.
35. Grade stakes shall be provided for inspection by the consulting engineer prior to placing gravel and shall remain for inspection through final paving installation.
36. Prior to the issuance of an occupancy permit, the Board's Consulting Engineer shall inspect the lots and notify the Board and Building Commissioner that the common driveway, grading drainage, site utilities and stabilization conforms to that shown on the Common Driveway plan.
37. Construction work shall not begin prior to 7 am on weekdays and 8 am on weekends and shall cease no later than 7 pm or sunset whichever is earlier. No construction is permitted on Sundays and federal and state legal holidays. Construction work includes any operation of machinery and idling of vehicles. Prior to the preconstruction conference, the name and phone number of a 24-hour contact shall be provided to the Town Planner, Building Department, Police Department and Department of Public Works to be used in the event of an emergency.
38. There shall be no parking, loading or unloading of construction equipment, staging or idling of vehicles on Country Way or adjacent public roads during construction unless a Police Detail is provided if warranted and determined by the Police Department.
39. Stockpiles shall be located as shown on the plans and must be protected with erosion controls including but not limited to silt socks and temporary seeding.
40. Construction activities shall be conducted in a workman like manner at all times. Noise mitigation and proper dust controls shall be taken so that levels conform to Mass DEP policies. All equipment that emanates sound shall be kept in proper working order through regular maintenance. Street sweeping shall be used to control dust from leaving the site. A wheel wash station may be required to prevent sediment from leaving the site. Blowing dust or debris shall be controlled by the Applicant through stabilization, wetting down or other proper storage and disposal methods.
41. Construction activities on site shall conform to Town of Scituate General Bylaws.

42. Sight lines on Country Way shall be maintained per the plans.
43. All construction shall comply with all applicable requirements of the Water Resource Protection District in Section 520 of the Zoning bylaw. No finished slope shall exceed 4:1.
44. No Certificate of Occupancy shall be issued until both the Planning Board and Building Commissioner are satisfied that access, construction of the Common Driveway and installation of necessary utilities are in full compliance with the approved plans and the Site Plan Administrative Review.
45. If the drainage system is not performing as designed and conditioned or stormwater is observed going to abutting properties or to the street, the Stormwater Authority can request necessary mitigation to remedy the situation. This condition survives the issuance of a Certificate of Completion.

**Administration**

46. This site plan review shall run with the land and be void if it is not recorded at the Registry of Deeds within 90 days of the expiration of the appeal period. The Applicant shall provide proof of this recording to the Planning Board.
47. Failure to comply with any condition of this special permit shall cause it to be deemed invalid.

Very truly yours,

Handwritten signature of Patricia Lambert in cursive script, followed by the initials 'KJ'.

Patricia Lambert, Chair

Cc: Planning Board  
DPW  
Building Commissioner  
Conservation Commission  
Paul Sheerin  
Steve Bjorklund  
Greg Tansey  
Paul Mirabito





# Memo

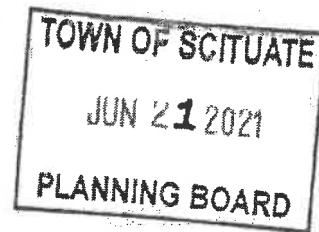
## Town of Scituate

**To:** Paul Sheerin, Marvel Homes, Cohasset, MA

**From:** Kevin Cafferty, DPW Director

**Re:** 533 Country Way

**Date:** June 9, 2021



**Comments:** There is a concrete wall in front of the property located at 533 Country Way. The owner is looking to subdivide the property but will need to remove the concrete wall in order to provide access to the two lots. The wall is in the Town layout making said wall a Town Structure.

The DPW (Department of Public Works) will allow the owner to remove the wall if the following conditions are met:

1. Sidewalk in along the frontage of 533 shall be replaced and constructed to Town Standards.
2. The site shall be graded to so as not to increase runoff to Country Way as outlined in the Stormwater Bylaw.
3. Proper removal and disposal of existing concrete wall and sidewalk.
4. All work shall be completed subject to the approval of the DPW with respect to the sidewalk and restorations of landscaping.
5. If a new wall is needed it shall be installed as shown on the 6.08.21 drawing produced by Ross Engineering.

The owner shall be responsible for all costs associated with the above-mentioned work which shall include police details when and if required. The DPW shall agree to allow the owner to remove the wall and regrade the site as shown on the attached plan.

By signing this I acknowledge and accept the terms listed

Paul Sheerin





# Town of Scituate

600 Chief Justice Cushing Highway  
Scituate, MA 02066  
Telephone (781) 545-8732  
Fax (781) 545-8704

## Department of Public Works

Kevin F. Cafferty  
Director

Marvell Homes LLC  
1 Pleasant Street  
Cohasset, MA 02025

April 13, 2022

Re: 533 Country Way

The Department of Public Works (DPW) has granted permission to Marvell Homes LLC to remove the wall at said property. It is our understanding that this work will be phased in as site work is ongoing. The DPW will require that no sediment from the site enter into the road. Therefore, all precautions and treatments for sediment protection will be required prior and during construction.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin Cafferty", written over a horizontal line.

Kevin Cafferty  
Town of Scituate Director of DPW







**TOWN OF SCITUATE  
DEPARTMENT OF PUBLIC WORKS  
ENGINEERING DIVISION**

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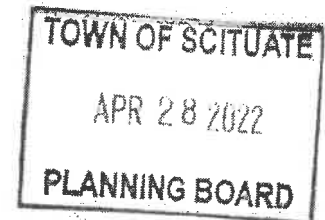
**To:** Planning Board

**From:** DPW - Engineering

**Re:** 533 Country Way Stormwater Permit Erosion Control Plan

Dated July 26, 2021 Revised thru 03/01/2022

**Date:** April 20, 2022



- Existing concrete wall located along the frontage of the property along Country Way to be removed from the public layout. See Memo June 9, 2021
- Developer wishes to utilize the existing concrete wall to construct a temporary sediment/silt trap to the west of the existing wall during construction.
- Both the existing wall and temporary sediment/silt trap to be removed once the site has been stabilized.
- The DPW takes no exception to utilizing this space before the wall is removed and sidewalk reconstructed.
- No sediment will be allowed to leave the site.
- The temporary Stormwater controls shall be inspected regularly and cleaned as necessary. The responsible party shall be Marvel Homes.
- During its use, Marvel Homes shall make any necessary improvements to the temporary sediment/silt trap as requested by the DPW until removed with the wall.

