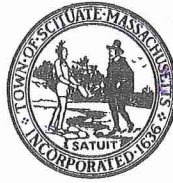


TOWN OF SCITUATE



TOWN OF SCITUATE
TOWN CLERK

600 Chief Justice Cushing Highway
Scituate, Massachusetts 02066
Phone: 781-545-8730
FAX: 781-545-8704

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RECEIVED

Planning Board

September 17, 2018

Ms. Kathleen Gardner
Town Clerk
Town of Scituate

Re: Site Plan Administrative Review – 52 Country Way – Proposed Gunther Tooties

Dear Ms. Gardner:

A Site Plan Review Application for a proposed Gunther Tooties at 52 Country Way was filed with the Town Clerk on July 24, 2018. A public meeting was held on Thursday August 9 and continued until August 23, 2018 and September 13, 2018 when the Planning Board with all of the members being present and voting and the alternate member seat vacant, voted the following **Findings of Fact** unanimously:

1. The applicant submitted a site plan entitled Site Plan of Land 52 Country Way Scituate, Mass, Sheets 1-1 dated 5/29/18 with revisions through 9/12/18 by John S. Keefe Professional Land Surveyor of Keefe Associates for KAMP Construction; Architectural Plans revised dated 8/20/2018 by bf architects Sheets AO, A1, A2, A3, A4 (preliminary only Not for Construction). The Applicant shall mean the current Applicant and all its successors in interest (the "Applicant").
2. The property is a 20,516 sq. ft. lot with an existing one story restaurant with 16 interior seats and is located in the Scituate Business District; Village Business Overlay District; and Water Resource Protection District, with a portion of the site in a Zone A.
3. Stockbridge Road is to the north of the property, a mixed use development at 50 Country Way with 30 residential units is to the east and south of the property. A shared access and utility easement on the 52 Country Way property provides access and some underground utilities to both sites. Country Way is to the west of the property. The new building is being redeveloped in the same location as the existing one story restaurant building after reinforcing the existing foundation and pouring a new slab as the existing building does not have reinforced walls to allow for the addition of a second story. The adjoining premises that could be most affected will be protected against detrimental or offensive uses of the site. The site plan meets the standard of review of Scituate Zoning Bylaw Section 770.6 Paragraph A.
4. The Scituate Zoning Bylaw Section 760.6, Table of Minimum Parking Requirements, requires one parking space per 4 seats. 16 interior seats are provided requiring 4 parking spaces. 4 exterior seats are provided requiring one space. The second floor contains 1041 sq. ft. of storage requiring 1 space/600 sq. ft. or 2 spaces and the office space requires 1 space per 300 sq. ft. or 1 space. There are 8 existing parking spaces on site and 10 proposed spaces total including one handicap parking space. The parking appears to be sufficient for the proposed use.

The shared entrance has a 24 foot width. Loading and unloading of supplies and materials will be to the rear of the building, away from pedestrians.

Traffic circulation through the drive-through will be one way. The applicant has relocated the drive up speaker with canopy to the rear of the cooler to provide additional car stacking room.

A sign will be added to the plan to indicate traffic flow entering the drive through shall not block the main entrance/egress at any time.

The site plan meets the standard of review of Scituate Zoning Bylaw Section 770.6 B. and C. for traffic safety, ease of access, pedestrian safety, minimizing glare and access for service and emergency vehicles.

5. The existing building is currently connected to public water and sewer. The new building will be connected to the public sewer and public water in the same location as the existing building. A new dumpster pad is being added to service the building. There is a fire hydrant across the driveway on the 50 Country Way property.

The site plan meets the standard of review of Scituate Zoning Bylaw Section 770.6 D. for adequacy of methods of waste disposal, adequacy of water supply and fire-fighting facilities on the site.

6. There are no changes to the existing stormwater system. According to the applicant's plan, there will be a decrease in impervious area in the Zone A from 5,141 sq. ft. to 3,297 sq. ft. or a 35.9% reduction from existing. There will also be a net decrease in impervious area on the site by 43.7% from the existing conditions. As required under the 50 Country Way project, the on-going and perpetual inspections, maintenance and repairs of stormwater devices in the access and utility easement as necessary shall be performed by the Property Owner's Association of 50 Country Way and such access shall be allowed by the owner of 52 Country Way.

No toxic or hazardous materials will be stored on-site.

The site plan meets the standard of Scituate Zoning Bylaw Section 770.6 E. and F. for adequacy of stormwater management and control of toxic and hazardous materials in the Water Resource Protection District.

7. Minimal site grading is proposed as the site is relatively flat. There will be 3 shade trees installed in the access and utility easement by the developer of the 50 Country Way project. The dumpster will be enclosed on four sides. No additional lighting is proposed for the site beyond the gooseneck lights on the building. A bicycle rack will be installed. The site plan meets the standards of Scituate Zoning Bylaw Section 770.6 G., H., I. and J.
8. The site plan entitled Proposed Site Plan 52 Country Way Scituate, MA, Sheets 1-1 dated 5/29/18 with revisions through 9/12/18 by John S. Keefe Professional Land Surveyor for KAMP Construction meets the requirements of the Town of Scituate Zoning Bylaw Section 770.6, Site Plan Review Standards of Review to a degree consistent with reasonable use of the site for the purpose permitted by the regulations of the district in which the land is located.

Decision:

Based on these Findings of Fact and the evidence and testimony received at the public hearing, the Planning Board with members Ann Burbine, Stephen Pritchard, Patricia Lambert, William Limbacher and Benjamin Bornstein moved to unanimously approve the Site Plan Administrative Review for a Gunther Tooties at 52 Country Way with the following conditions:

General Requirements

1. All site work shall be in substantial accordance with the site plan entitled Proposed Site Plan 52 Country Way Scituate, MA, Sheets 1-1 dated 5/29/18 with revisions through 9/12/18 by John S. Keefe Professional Land Surveyor for KAMP Construction and Architectural Plans revised

dated 8/20/2018 by bf architects Sheets AO, A1, A2, A3, A4 (preliminary only Not for Construction) with any additional revisions needed to conform to the conditions contained herein.

2. Where construction or use requires approval, permitting or licensing from any local, state or federal agency, such required approvals, permitting or licensing is deemed a condition of this approval, including but not limited to approvals from the Board of Health to operate a food establishment, documentation required for demolition from the Board of Health and Building Department and approval from DPW for maintained sewer and water flows. All necessary permits and approvals must be received prior to the issuance of a Certificate of Occupancy for the site.
3. Construction shall meet all requirements in No 2 above, including, but not limited to the requirements of the Scituate Zoning Bylaw and State Building Code.

Utilities, Parking and Traffic

4. As required under the 50 Country Way project, the on-going and perpetual inspections, maintenance and repairs of stormwater devices in the access and utility easement as necessary shall be performed according to the declaration of the property owner pursuant to the special permit condition for 50 Country Way. Maintenance and repair of the driveway and curbing as shown on the 50 Country Way Plan and snow removal and maintenance of safe conditions in the winter are also included in the declaration of the 50 Country Way declaration. Where and as applicable, Applicant shall adhere to the aforementioned requirements.
5. Compliance with the DPW sewer division comments that the external grease trap be pumped out and inspected to verify it is in good condition; ensure that only the restrooms are connected to the sewer line and all other drains, sinks etc. must connect to the external grease trap; and they recommend camera- the private line from the external grease trap to verify the pipe is in good condition and is not impaired.
6. 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.
7. All parking will be constructed as shown on the Site Plan.
8. The 52 Country Way building, parking, and required signage shall meet all requirements of the ADA and AAB.
9. The Applicant shall obtain the prior 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.
10. A separate sign permit shall be required from the Building Department for the free standing entry sign. The proposed sign shall be in substantial conformance to the proposed sign attached herein and be fully located on the applicant's property and shall not block sight lines for the traffic entry/egress.
11. The loading/ delivery area shall be maintained in a manner so delivery trucks will not block access into or through the parking area or the drive-through lane.
12. One Way signs, Do not Block Road signs and Drive Though signs shall be installed as shown on the plans.

13. Trash shall be handled in a covered dumpster and emptied at least once a week or more frequently as necessary, or as otherwise directed by the board of Health. The dumpster pad shall be fenced on four sides.
14. Roof drainage from the south side of the building will be directed to a recharge area of crushed stone 12" deep inside the island to disperse the runoff on the applicant's property.

Required During Construction

15. Construction work shall not begin prior to 7:00 AM weekdays and 8:00 AM on Saturdays 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.
16. No parking or unloading on Country Way shall be permitted during construction. **Moreover, clear access to the site driveway and access and utility easement must be maintained at all times.**
17. The owner of 52 Country Way must notify the owner of 50 Country Way a minimum of three business days prior to installation of any additional curbing to be placed within the Access and Utility Easement. The curbing work shall not begin before 9:00 am.

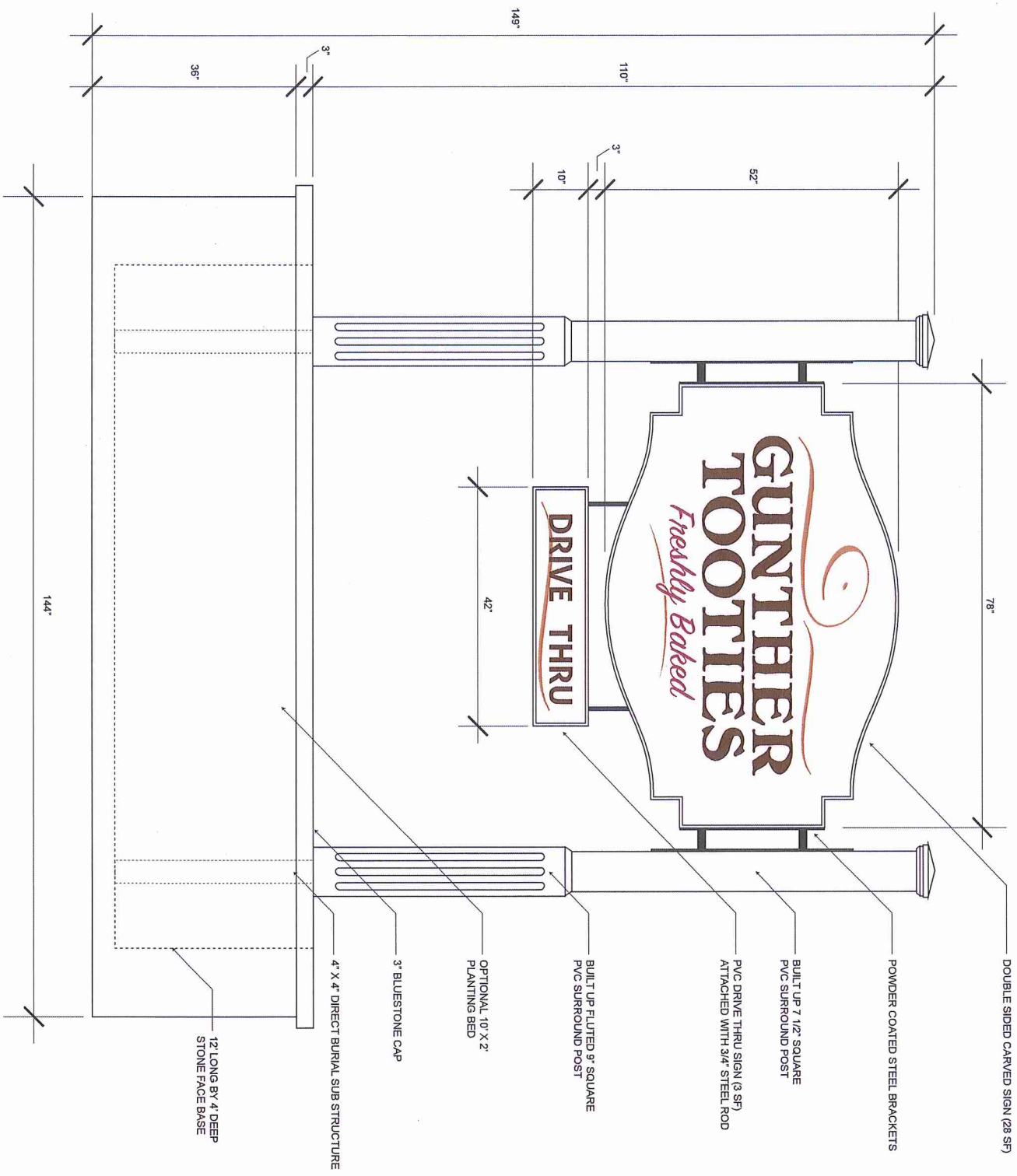
Administration

18. This site plan 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.

Very Truly Yours,


Ann Burbine, Chairman

Cc: Robert Vogel, Building Commissioner
Jennifer Keefe, Public Health Director
Paul Rodrigues, KAMP Construction
Qi Chen, owner
Planning Board



DOUBLE SIDED CARVED SIGN (28 SF)

78"

POWDER COATED STEEL BRACKETS

BUILT UP 7 1/2" SQUARE PVC SURROUND POST

PVC DRIVE THRU SIGN (8 SF) ATTACHED WITH 3/4" STEEL ROD

BUILT UP FLUTED 9" SQUARE PVC SURROUND POST

OPTIONAL 10" X 2" PLANTING BED

3" BLUESTONE CAP

4" X 4" DIRECT BURIAL SUB STRUCTURE

12" LONG BY 4" DEEP STONE FACE BASE

149"

52"

110"

10"

3"

36"

42"

144"



DRIVE THRU

GUNTHER
TOOTIES
Freshly Baked