

MARSHFIELD PLANNING BOARD

Meeting Minutes

June 20, 2016 – 7:30 PM

Hearing Room 2, Town Hall

PRESENT: Karen Horne, Chair
Mike Baird, Vice Chair
Steve Maher
Tony Pina

ALSO PRESENT: Greg Guimond, Town Planner
Kay Ramsey, Executive Assistant

ABSENT: Mike Biviano, Jr.

Ms. Horne moved to open the meeting at 7:30 PM. Mr. Baird seconded. The vote was unanimous.

APPROVAL NOT REQUIRED PLAN – Monica Way/Deer Hill Lane – Chris McKenna

Mike Baird is recused. Mr. Guimond explained that this ANR is not creating a buildable lot yet but that Mr. McKenna will be back. He first has to shift the right of way. This will give him the lot depth needed. Ms. Horne moved to endorse the ANR entitled: Plan of Land, Monica Way and Deer Hill Lane, Marshfield, MA, dated June 6, 2016 and drawn by Hoyt Land Surveying, 1287 Washington Street, Weymouth, MA 02189. Mr. Pina seconded. The vote was 3-0. Mr. Baird then rejoined the meeting.

PUBLIC HEARING – ZENAS BROOK ESTATES – INCLUSIONARY ZONING SPECIAL PERMIT – TARA CALABRESE

Mr. Horne moved to open the public hearing. Mr. Baird seconded. The vote was unanimous. Ms. Horne read the public hearing notice into the record. Atty. Steve Guard is representing the applicant and Mr. Rick Grady, Engineer presented the plan. The applicant is proposing a five lot subdivision. One house is existing and one of the proposed houses will be affordable. Mr. Guard said they met with the Conservation Commission who deemed it favorable but that the meeting was not closed as they were waiting for the Planning Board.

Mr. Grady said the location is behind 93 South River Street. They are proposing an 18' road with a 12' berm, no sidewalk. The applicant has labeled Lot 2 as the affordable lot. Mr. Grady said the yield plan (a plan that shows how many homes can be built with no waivers) shows that three

dwellings can be built and with the formula in the Inclusionary Zoning, they would be allowed five. Ms. Horne asked

if they were intending on planting trees on any property other than their own but they are not. Mr. Grady said there are some negotiations with the owner of 101 South River Street so the plan may be somewhat revised. Mr. Mike Baird said that the affordable lot cannot be smaller or less desirable than the other lots. He said the Planning Board makes the decision as to which lot should be affordable. Mr. Baird was also concerned with the size of the side yards.

Mr. Pat Brennan, the Board's Consultant Engineer submitted a review on June 2nd and then another on June 20, after receiving revised plans. He said some of his concerns had been addressed but that others were still pending. He summarized some of the remaining items as follows:

Section 11.14.5.5 Regarding a 30' buffer setback. The applicant wishes to discuss this with the Board.

Section 11.14.6 – Location of Affordable Units – The applicant is proposing Lot 2 to be the affordable lot. Lot 2, however, is the smallest lot in the subdivision. The Bylaw requires that the affordable lot “not be smaller than the average lot within the development.

The DPW would prefer that concrete chambers rather than plastic be used because about half of the infiltration system is located under the road. Mr. Guimond explained that even though the road will probably remain private, the home-owners would have the expense if there were a problem.

The turning radius was greatly reduced and, although fire has signed off, Mr. Guimond and the Engineering Department have concerns. They feel that any kind of large truck would have difficulty turning. The Building Inspector flagged as an issue that 101 South River Street would have two front yards presenting possible conformity issues. Mr. Guimond will send this to Town Counsel for his comments.

For a complete list of waivers and issues, please see Mr. Brennan's letter dated 6/20/16 in the Planning Board files and the waiver request submitted by Mr. Grady.

Mr. Bob Whitfield of 116 South River Street said that none of the abutters have had a chance to review the plans. He asked – and Mr. Guimond explained what a yield plan is. Mr. Whitfield said this is a very congested area. He asked why these lots were so small. Mr. Guimond explained that the lot reduction is because of the fact that this is a Special Permit and includes an affordable home. Ms. Horne said that the affordable home is not supposed to be discernable from the others. Mr. Mike Lux of 143 South River St said if the Board were to drive by, they would never believe all those houses could be built. He said he has had water go all the way from the stream to the street and his basement is constantly being flooded. He said it is a swampland back there. Ms. Cindy Coombs Ponton of 127 South River Street said the stream runs through their back yard and at times the stream has “black gunk” in it. She said they are not supposed to use lawn chemicals because this is a trout stream. She has lots of questions and knows that some of

the questions should be asked of the Conservation Commission. She said no one knew this was going on. Mr. McKinnon of 111 South River Street said South River Street is a scenic road and he asked how that worked. Mr. Grady said there are no trees or stone walls in the right of way so a scenic road hearing is not required. Mr. Whitfield asked the Board to consider how narrow South River Street is at the intersection with Hatch. He said it's a very tight area. He asked what safe guards would be in place. He was concerned with snow removal too Mr. Kevin Ponton of 127 South River Street said this is a main route for school busses and heavy congestion. Mr. James Marathas of 101 South River Street said the proposed road runs all along this property and will landlock the parcels in back. He is concerned about the conformity issue. He is not opposed to a fence. The houses proposed are prefab houses and will not blend in with the neighborhood and he thinks this will diminish property values. He said he has three main concerns; the idea of making his property non-conforming, the buffer strip, and the dragstrip to the rear. Ms. Patty Patterson said that the fire department is right there and the trucks are always in and out – and the schools are nearby. She feels this will be dangerous and a nightmare.

Ms. Horne said that the residents are welcome to come in and look at the plans at the Planning Board office. She advised them to call the Conservation office to ascertain when the applicants are on their agenda. She moved to continue the public hearing to July 25th at 7:40 PM. Mr. Baird seconded. The vote was unanimous

PUBLIC HEARING (CONT) – ARGO RT – WATER REOUCE PROTECTION DISTRICT SPECIAL PERMIT – 853 PLAIN STREET

Mr. Terry McGovern had requested that the hearing be continued as he and Ed Eichner were close to agreement with the nitrogen loading figures but not quite there yet. Ms. Horne moved to open and continue the public hearing to July 11th at 8:30 PM. Mr. Pina seconded. The vote was unanimous.

DISCUSSION – JOHN SHERMAN ESTATES - Request for extra time to submit payment for monitoring well reports that were not submitted. Mr. Guimond said it would be good to have a vote of the Board to extend the time for payment for the lack of doing the monitoring well reports. Ms. Horne asked if the Conservation Commission has a vehicle for accepting the money but no one was sure. Mr. Guimond will check with Town Counsel.

BOARD/STAFF REPORTS: Mr. Guimond informed the Board about the 270 unit 40B that has been filed with the State. There is a meeting tomorrow at the Martinson Elementary School. During a recent site visit, the representative from MassHousing said that local issues can be dealt with during the local permitting process. Mr. Guimond said that one of his concerns is the parking in the rear which is about 300' or more away from the buildings. He will write up concerns and send them to the Board before sending them to the Selectmen.

MINUTES Mr. Maher made one correction to the minutes. Ms. Horne moved to approve the amended minutes. Mr. Baird seconded. The vote was unanimous.

Ms. Horne moved to adjourn the meeting at 9:25 PM. Mr. Baird seconded. The vote was unanimous.

Respectfully submitted,

Kay Ramsey, Executive Assistant
Marshfield Planning Board