

MARSHFIELD PLANNING BOARD
Meeting Minutes
March 6, 2017 – 7:30 PM
Town Hall, Hearing Room 2

PRESENT: Karen Horne, Chair
Mike Baird, Vice Chair
Tony Pina
Fred Monaco, Associate Member

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

ABSENT: Mike Biviano, Jr.
Steve Maher

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

PUBLIC HEARING- POSSIBLE ZONING ARTICLES FOR ANNUAL TOWN MEETING
There were four people in the audience for this zoning public hearing.

Ms. Horne moved to open the public hearing. Mr. Baird seconded. The vote was unanimous. Ms. Horne moved to waive the public hearing notice. Mr. Pina seconded. The vote was unanimous.

Mr. Guimond read the new language for Article 9, Section 9.04 and the explanation. (Please refer to the Planning Board files for the complete article.) Ms. Horne asked if the word “more” should be added in #2 before nonconforming and she asked about the Open Space – also in #2. Mr. Guimond will check with Town Counsel. Ms. Pam Keith said the word “area” should be inserted in 3 after the word floor. It was shown on the screen but not in the handout.

COASTAL WETLAND: Article 13. Ms. Sharon Randall asked what this language changed. Mr. Guimond said it would allow the Harbormaster’s building to be built. Ms. Pam Keith asked if the Board of Selectmen had voted to make this change but Mr. Rocco Longo said they will be voting on March 13th. Ms. Randall asked if it is customary to change a bylaw when the issue is under litigation. She said this seems like a way to get around the lawsuit. Mr. Guimond said that anyone could submit a zoning amendment at any time.

TEMPORARY MORATORIUM – MARIJUANA. Mr. Guimond understands that this article will be withdrawn and probably presented at the Fall Town Meeting.

RECODIFICATION: Mr. Longo said that \$13,000 had been appropriated at the April 2013 meeting to do this recodification. He said there is nothing that will make an impact and there were no changes in the bylaw. He said there will be two motions at Town Meeting because the

Zoning portion takes a 2/3 vote for approval and the regulations only take a majority. Once approved, the entire book will be on line. Hard copies will be available for about \$60/book. Mr. Longo explained that the existing bylaws/regulations are confusing and unless someone knows when amendments were made, they are difficult to find. He said this is something that he, Town Counsel and Mr. Guimond worked on. Mr. Longo said the intent was not to make changes. Mr. Guimond said he has not finished reviewing the zoning portion yet. Ms. Pam Keith said there are about 155 pages in the Zoning section. She asked if the Planning Board had read it and reviewed the changes. She thought that if the Board were going to support it, they should know what they were voting on. Mr. Baird said they will go through it line by line.

Ms. Horne moved to close the public hearing. Mr. Baird seconded. The vote was unanimous. The Board will vote to make their recommendations to the Selectmen at an upcoming meeting.

HIGHLAND GREEN PUBLIC HEARING (CONT.)

Ms. Horne moved to open the continued public hearing. Mr. Baird seconded. The vote was unanimous.

Mr. Steve Guard spoke about the revisions that have been made and Mr. Terry McGovern went through the revised plans. He said there are now five quad buildings and one triplex for a total of 23 units. The roadway has been pushed over. The triplex which was shown as Building A has been removed. A 5' Landscape Buffer Lot adjacent to the easterly side of the entrance will provide screening for the house located at #21 Old Woodlot Lane. They made slight changes to the grading and there will be a six foot vinyl fence installed for screening purposes. A memo from Peter Falabella, Board of Health Agent, states that the existing septic for the Seasons is greater than 10' from the property lines. 10' is the required distance for both Title 5 and Marshfield Board of Health Rules and Regulations. The closest building (Building F) will meet the zoning and Title 5 setback requirements. A minimum of 20' is required by Title 5. The proposed foundation is slightly greater than 25' from the trenches and it is proposed to be a standard residential foundation. Mr. McGovern said there are no other significant changes to the plans. Mr. Pat Brennan said he reviewed the revised plans and that he has no more engineering issues. He suggested that they remove vegetation from the existing forebay and they will do that. Orange safety fencing will be provided around the perimeter of the sewage system and permanent markers will be set at the parcel corners of the sewage system parcel.

Mr. Guimond said the Board's primary concern was the triplex building that was originally proposed which would have made the project in the WRPD. Now that the building has been eliminated, that major concern is resolved.

Mr. McGovern explained that the drainage would be put into the existing system - it was originally accounted for when the area was first permitted. He said the sewage line is probably 12-13 feet down before it reaches the Seasons. He said they left a right of way extending down to Old Woodlot Lane to allow access. Ms. Horne asked if they had met with abutters to get their views on the fencing and landscaping but they have not. Mr. Guard said they would if the abutters want to meet. Mr. John Sullivan asked what the line dotted line was and Mr. McGovern

said it shows the limit of erosion, the sidewalk and the fence. Mr. Sullivan asked about the architecture and Mr. McGovern said it would be similar to the Seasons.

Mr. Bernie Dupois, 6 Weathervane Lane, read and submitted a letter to the Board. Please refer to the Planning Board files.) He said they are mostly concerned with the Season's leaching field. He said they want to be assured there is no impact.

Ms. Horne asked about the 50' buffer. Mr. Guimond explained that it is a requirement in the ARAV but not in the PMUD which in this case takes preference. Mr. Baird asked if they could reduce the open space in the middle to increase the buffer but Mr. McGovern said not without taking away a unit. Mr. Last said he'd reduce the building to three units.

Mr. Steve Friedel, 21 Old Woodlot Lane, said he'd like to have the street shifted as far from his house as possible. Ms. Horne asked if it could be shifted and Mr. McGovern said you might be able to gain about five feet. Mr. Friedel asked why Proprietors Drive couldn't be used but Mr. Guimond said it doesn't have a leveling area and there is a steep grade. Ms. Janice Friedel said she was concerned about the runoff that's been happening since those houses were switched around and said that that same runoff will happen again. Mr. Brennan said those two lots are not under Planning Board control. He suggested keeping a silt sock and Mr. Guimond said it could be added as a condition.

Ms. Phyllis Burns, 11 Hayloft Lane, asked about the limit of work and limit of clearance. She asked where the silt sock and the orange fence would be. Mr. Brennan said it would be along the property line. Ms. Burns thanked Mr. Last for reducing the building.

Mr. Walter Sullivan of 4 Rayfield Road said the leaching area is sand. He said there was 5' of material that was removed and replaced and he asked what the setback is from the edge of the trench. Mr. McGovern said it is 15' off the property line.

Mr. James Allen, 12 Old Woodlot Lane, asked if there would be a stop sign and there will be. Ms. Jeanne Hall asked if a landscape plan had been submitted and how many units were now being proposed.

Ms. Joyce Arnold of 17 Hayloft Lane said that many people walk in that area and she asked who's responsible to clean up the silt. The stairs will be coming out and the area will be mulched and seeded. Mr. Last is responsible for cleaning the silt.

Ms. Catherine Gardner, 30 Seth Sprague, asked how durable the access road would be and would bulldozers damage it? Mr. Brennan said it would have to be maintained.

Ms. Horne moved to close the public hearing. Mr. Pina seconded. The vote was unanimous. Mr. Guimond will rework the decision and have it ready for a vote at the next meeting which is March 20th.

VOTE ON ADELAIDE MODIFICATION REQUEST

Mr. Guimond submitted the draft decision and said he decided the best way to condition the approval was to do so in phases. Please refer to the decision in the Planning Board files for the complete specifics. Prior to the release of Lots 2 & 3, the applicant must complete the following:

- Submit southern elevation view of the proposed 350 plus or minus foot wall as requested from DPW.
- Install locked emergency gates (at end of cul-de-sac and end of Putnam St.)
- Submit additional subdivision funds.
- Move staging, storing and parking area (on Lot 1) outside of the WRPD.
- NOI filed with Conservation Commission and DEP as called out on the Order of Conditions (Condition M) dated 9/16/14.

Prior to the release of Lots 5, 6 & 7, the applicant shall complete the following:

- Build the retaining wall as shown on the revised plans.
- Plant tree buffer along the southern property line from the retaining wall to the Putnam St emergency access.
- Remove stumps from site.
- Provide an additional plan sheet(s) showing the location and grading of a level parking space just outside of the right of way to allow for off road winter parking.

Prior to the release of any other lots:

- Construct and protect (bounds and/or fencing) the path to the Town owned conservation land on Lots 13 and 14.
- Contribute to the sidewalk fund.
- Submit surety to complete remaining work.

Mr. Gibbs asked if he could change the lots for the first release from 2 and 3 to Lots 2 and 7. Mr. Guimond said he would have to submit a new Form E but he had no objection to the change.

Mr. Rob Mitchell asked what assurances the Board would have that the conditions would be met. Mr. Guimond explained that the lots would not be released until the conditions were met. Mr. Mitchell said he would like to have another condition added: that no further changes can be made without first obtaining Planning Board approval. The Board agreed to adding that condition.

Mr. Pina moved to approve the decision with the above mentioned changes. Mr. Baird seconded. The vote was unanimous. Mr. Guimond will make the recommended changes.

RELEASE OF SURETY – MT. SKIRGO RIDGE

Mr. Pina moved to release \$73,230 from the surety account. Mr. Baird seconded. The vote was unanimous.

MINUTES: Ms. Horne moved to approve the minutes of March 6, 2017. Mr. Pina seconded. The vote was unanimous.

Ms. Horne moved to adjourn the meeting at 9:40 PM. Mr. Baird seconded. The vote was unanimous.

Respectfully submitted,.

Kay Ramsey, Executive Assistant
Marshfield Planning Board