

MARSHFIELD PLANNING BOARD
Meeting Minutes
July 25, 2016 – 7:30 PM
Town Hall - Hearing Room 2

PRESENT: Karen Horne, Chair
Mike Biviano, Jr.
Steve Maher
Tony Pina

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

ABSENT: Mike Baird

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

MINUTES: Mr. Biviano moved to approve the minutes of July 11, 2016. Mr. Pina seconded. The vote was unanimous.

BOARD/STAFF REPORTS:

Mr. Guimond said that the State had sent a letter responding to the Board of Selectmen's comments but they did not agree with any of the Town's concerns. They are not going to change their site plan.

Although there are a few zoning changes that are being discussed, the only zoning article for the Special Town Meeting will be the Flood Maps.

PUBLIC HEARING (Cont.) ZENAS BROOK WAY - TARA CALABESE

Ms. Horne moved to open the continued public hearing. Mr. Pina seconded. The vote was unanimous. Because revised plans had been received just today and no one had a chance to review them, Ms. Horne moved to continue the public hearing to August 8, 2016 at 8 PM. Mr. Pina seconded. The vote was unanimous.

DECISION – ARGO RT – 853 PLAIN STREET - WRPD SPECIAL PERMIT

The Board reviewed the draft decision prepared by Mr. Guimond. Mr. Maher asked about whether the dog waste was being factored into the nitrogen requirement but Mr. Guimond said Mr. Ed Eichner (the Board's Consultant) said here was no way for him to make a calculation.

FINDINGS: Mr. Guimond summarized the Findings. He said the Dog Day Care Use is not allowed in the WRPD or the Industrial District.

Finding #1 - The western portion of the property is located within the WRPD.

Finding #2 – All of the existing and proposed impervious surface is located in the WRPD. The majority of post development storm-water will flow to the eastern property line which is in the WRPD.

Finding #3 - There are two different businesses currently operating on the property, a Landscaping Business and a more recently added dog daycare and grooming business which includes doggie daycare facilities. The dog daycare operation is not a use allowed in either the industrial district or the WRPD.

Finding #4 – The Planning Board does not find that the new 7500 SF building r the landscaping business is an accessory building or use. The condition requiring the applicant to seek relief with the ZBA will allow the Planning Board to vote in favor of this application.

Finding #5 – The creation of a new septic system outside of the WRPD will assist the project in achieving the 5 ppm nitrogen loading requirement.

Finding #6 – The limitation on lawn area within the WRPD to the existing lawn area adjacent to Route 139 will assist the project in achieving the nitrogen loading requirement of 5 ppm.

Finding #7 – The restriction of pervious materials will assist the project in achieving the WRPD performance standards.

Finding #8 – The restriction on storage of fertilizers and other lawn chemicals within the new building or in individual bags wrapped in plastic and stored on pallets in outdoor landscape bins outside of the WRPD will assist the project in achieving the WRPD performance standards.

Finding #9 – The requirement of a non-metallic roof on the new building will assist the project in achieving the WRPD performance standards.

The Board voted unanimously 4-0 to approve the findings and to approve the special permit application for the removal of the existing 2,095 SF building and replace I with a new 7500 SF office/garage/warehouse building within the WRPD subject to the following conditions:

1 – The Special Permit decision and Subdivision decision and plans shall be recorded at the Plymouth County Registry of Deeds with proof submitted to the Planning Board.

2 – The applicant shall either file a zoning change to address the boarding of dogs use or apply to the Zoning Board of Appeals to seek relief.

3. – The applicant shall apply to the ZBA to address the accessory building/use issue.

4. - The property shall be limited to a maximum lawn area of 1,800 SF.

5. - Only pervious materials, like soils and mulch, shall be allowed in te outdoor landscaping bins within the WRPD portion of the property.
6. - Storage of fertilizers and other lawn chemicals shall be contained within the new building or in individual bags wrapped in plastic and stored on pallets in outdoor landscape bins outside of the WRPD portion of the property.
7. - The roof of the new building shall be treated with a plastic coating as recommended by the Town consulting engineer.
- 8 - The applicant shall submit \$1,500 with the Planning Board for costs associated with inspections by the Planning Board's inspector during construction.
- 9 - During construction the applicant shall ensure adequate protection against toxic or hazardous materials discharge or loss through corrosion, accidental damage, spillage, or vandalism through such measures as provision for spill control in the vicinity of chemical or fuel delivery points.....
- 10 - During construction, the applicant shall follow the demolition notes as provided on Sheet 3 of the site plan.
- 11 - The applicant shall establish a staging area on-site for storage of construction equipment and other vehicle. It shall be located as far away as possible from sensitive resource areas.
- 12 - Fill material used in the WRPD must not contain any solid waste, toxic or hazardous materials or hazardous waste. The applicant shall provide adequate documentation to the Planning Board to ensure that only clean fill is used on site. The Planning Board may require soil testig at the applicant's expense. He Board's Inspector shall have the right to inspect all fill material brought on site and may reject any loads that appear to have solid waste, toxic or hazardous materials, unusual odors or any materials prohibited in the WRPD.
- 13 - The applicant shall comply with all conditions of the 853 Plain St. Certificate of Action.
- 14 - The Planning board reserves the right to clarify, amend, or modify this decision upon application by the property owner/applicant or upon its own motion after considering additional written information at a duly noticed public hearing.
- 15 - This Special Permit shall expire two years from the date of issuance if construction has not been completed by said date except for good cause as determined by the Planning Board. This time period shall not include such time required to pursue or await the termination of an appeal.

For a more detailed description of the conditions and/or findings, please refer to the Planning Board files.

Mr. Biviano moved to adjourn he meeting at 8:30 PM. Mr. Pina seconded. The vote was unanimous.

Respectfully submitted,

Kay Ramsey, Executive Assistant
Marshfield Planning Board