

MARSHFIELD PLANNING BOARD
Meeting Minutes
December 2, 2019 7:00 PM
Town Hall – Hearing Room 1

- PRESENT: Mike Biviano, Chair
Kevin Cantwell
Fred Monaco
Katie O'Donnell
Nik Pappastratis
- ALSO PRESENT: Greg Guimond, Town Planner
Kay Ramsey, Executive Assistant
- ABSENT: Peg Davis, Associate Member

Mr. Biviano opened the meeting at 7:00 PM.

APPROVAL NOT REQUIRED PLAN – 51 DEER HILL LANE, CHRIS MCKENNA

Mr. Biviano said he will not be voting on this plan.

Mr. Guimond explained the plan. He said Deer Hill Lane is off of Monica Road and the lot has 55,640 SF and 250' of frontage. Ms. O'Donnell said it's a very "weird" shaped lot but it meets the requirements of an ANR plan. Ms. O'Donnell moved to endorse the plan entitled "Plan of Land, 51 Deer Hill Lane, Marshfield, MA; being a division of Lot 23, shown on Decree Plan 23713D, dated 12/15/18 with revision dates of 4/4/19 and 6/2/19 and drawn by Hoyt Land Surveying, 287 Washington Street, Weymouth, MA 02189. Mr. Monaco seconded. The vote was unanimous, 4-0.

PUBLIC HEARING (CONT.) CHILTON ROAD - LYNNE MURPHY

Mr. Terry McGovern of Stenbeck & Taylor submitted a revised conceptual plan. He said that Chilton Road past the Applicant's lot cannot be extended as it goes right into the marsh. He is proposing that Chilton Road be 20' wide with a hammerhead turnaround. They are providing a 3' wide x 3' deep stone trench. They will widen the northern portion of Brewster Road to 20' but will provide reprocessed asphalt from Peregrine White Drive to 39 Brewster Road. They will pave in front of 39 Brewster south to just past the intersection with Chilton Road. By having the reprocessed asphalt in front of these lots, they would not have to dig up the new pavement to put in a watermain. Mr. Biviano asked where they will be picking up the runoff. Mr. McGovern said they would start the drainage where they start the pavement on Brewster at the northern lot line of Number 39. He said there is the potential for 3 or 4 lots that could possibly be lots of record owned by someone else might at some point require the frontage on Brewster Road. By having the reprocessed asphalt, they would not have to dig up new pavement to put in a water main. Mr. Biviano asked how long it would be before the owner(s) of the lots might apply for a building permit. He asked if Mr. McGovern had reached out to the property owners and Mr. McGovern said he had contacted the person who had originally asked him about the development possibility and there has been no response. Mr. Biviano asked how long a section of road they are talking about paving and Mr. McGovern said about 140 to 150'. Mr. Biviano said they are

proposing about 140-150' of reprocessed asphalt with no drainage. He asked why Mr. McGovern thought the property owners would be desiring to connect and Mr. McGovern said they could potentially get two small lots in front and maybe another lot or two in back.

Mr. Guimond said he had received Emails from the abutter, Mr. Ochs, who had also submitted several photos showing the water puddling which Mr. Guimond had previously sent to the Board. Mr. McGovern said that's why they are not proposing a berm.

Mr. Jay Creed, Attorney for the applicant said it's his understanding that there are 15 or more heirs to the 2 to 3 lots in question and apparently they cannot agree on what to do with the property.

Mr. Pappastratis asked what the current condition of Brewster Road is. Mr. McGovern said it's gravel and about 10-12' wide. Mr. Biviano said he'd be interested in what Mr. Brennan has to say about the reprocessed asphalt. Ms. O'Donnell said she is also concerned about the drainage and the impact of allowing 140-150 of reprocessed asphalt. Mr. Biviano said the Board did not have to make a decision tonight. The applicant is just looking to see if the Board is interested in this compromise before they spend the money to proceed with drainage calculations. Mr. Cantwell said he is interested but would like to have Pat Brennan review the calculations. He is leaning toward accepting the proposal. Mr. Pappastratis is concerned about the drainage and allowing the reprocessed asphalt. Mr. Monaco said he wants to hear from Mr. Brennan before saying which way he might go. Ms. O'Donnell said she is torn. She understands what they are trying to accomplish but she is knows of several other areas in Town with similar circumstances and she's concerned with setting a precedent of allowing unpaved roads. She's also concerned with the fact that there is no timeline as to when the reprocessed asphalt might get paved. She is leaning toward not accepting the proposal. Mr. Pappastratis said there are several areas he knows of that have at least one lot in between a lot being developed. He is also leaning against. Mr. Monaco said he would rather wait until he hears from Mr. Brennan about the drainage and erosion. Mr. Pappastratis said there is well water to be considered. Mr. Biviano said he is leaning toward accepting the compromise but is wary and will wait for more information. He said it appears that there are two no's and two yes and one not sure which way he is leaning.

Mr. Biviano moved to continue the public hearing to the January 13th meeting at 7:05 as requested by Mr. Creed. Mr. Pappastratis seconded. The vote was unanimous.

BOARD/STAFF REPORTS

DIRECT GRANITE:

Mr. Guimond said he rewrote the draft decision and he explained where the changes were made. He said Condition #2 is to move the split rail fence south of its present location in order to protect the Open Space. It should be 50' south of the western rear property line and 78' south from the eastern rear property line. Mr. Guimond said that the final as-built shall be modified to reflect the approved changes as noted in the decision. Mr. Biviano moved to endorse the modified decision. Mr. Cantwell seconded. The vote was unanimous.

MINUTES: Mr. Biviano moved to approve the minutes of November 4, 2019 and November 18, 2019. Ms. O'Donnell seconded. The vote was unanimous.

PROGRESS WAY: Mr. Guimond said that the Definitive Subdivision mylar for Progress Way had been voted on and just needed endorsement. The 20 day appeal period has passed and we have a letter from the Town Clerk stating so. The Board endorsed the plan.

COMMERCE WAY Mr. Guimond said that Mr. Verrochi had requested that Lots 25R and 26R be released. Mr. Verrochi had submitted a letter stating that he will grant Lot 7 to the Town at the next Town Meeting and the Board had voted to accept that letter. Mr. Biviano moved to endorse the Form E releasing Lots 25R and 26R. Mr. Cantwell seconded. The vote was unanimous.

MODERA: Mr. Guimond said that they had received the update from the State but Modera was marked as 0, bringing our percentage down to 5.6. He thankfully saw the error and corrected it. He will get the building permits and send them to the State tomorrow. Our percentage should be 8.4.

MEETING: The Board's next meeting was scheduled for 12/16/19 if needed. Because there was nothing yet scheduled for that meeting, Mr. Biviano moved to cancel that meeting. Ms. O'Donnell seconded. The vote was unanimous.

Mr. Biviano moved to adjourn the meeting at 7:40. Ms. O'Donnell seconded. The vote as unanimous.

Respectfully submitted.

Kay Ramsey, Executive Assistant
Marshfield Planning Board