

Marshfield Planning Board  
Meeting Minutes  
January 13, 2020 – 7:00 PM  
Town Hall, Hearing Room 1

PRESENT: Mike Biviano, Jr., 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.

HORSESHOE FARMS – REQUEST FOR PARTIAL SURETY RELEASE

Mr. Paul Gallagher said they had received Mr. Brennan's Cost to Complete and they were in agreement with it. Mr. Guimond said they had been working right along and he had no issues granting the request. Mr. Biviano moved to release \$285, 042. leaving \$60,900 in the account; the amount stated by Mr. Brennan as the estimate of the cost to complete the project. Mr. Monaco seconded. The vote was unanimous. For the specifics of Mr. Brennan's review, please refer to the Planning Board files.

MINUTES

Mr. Biviano moved to approve the minutes of December 2, 2019. Mr. Cantwell seconded. The vote was unanimous.

CHILTON STREET - STREET IMPROVEMENT - PUBLIC HEARING (Cont.)

Mr. Terry McGovern explained what the project was and what the proposed improvements were. He said they are proposing street Improvements to Brewster Road and Chilton Street in order to provide suitable access to the subject parcel J12-02-10. From existing pavement in Peregrine White Drive, they are proposing to install a 20' wide reprocessed asphalt base for about 360' south along Brewster Road, past the current vacant lots and Georgia Street. From the northerly property line of the abutter's property the reprocessed base will transition to 20' of pavement and a 12" Cape Cod Berm along the frontage of the Och's parcel. Pavement will extend past Chilton Street and form a turn-around. Twenty feet of pavement will extend along Chilton Street for the first 50'. Drainage for that small piece has already been designed and approved by the Conservation Commission..

Catch basins with deep sumps and Eliminator hoods are proposed to be installed at 2 locations along Brewster Road. The upper location is proposed at the stone driveway of the first house where runoff currently flows off of the end of Peregrine White Drive and across and down Brewster Road. A 3' wide x

3' deep trench lined with filter fabric and topped with pea-stone will be installed along the first 350' of Brewster Road. An 18" drain pipe will be installed to capture runoff that doesn't infiltrate. The trench will stop at the start of the Ochs parcel. Cape Cod berm will prevent runoff from flowing onto the Ochs parcel along that section. Mr. McGovern said that the first 350' of Brewster Road will discharge into the trench. The proposed system will discharge to a small forebay and detention basin located at the end of Brewster Road, partially in the layout and partially on the subject lot to also receive runoff from Chilton Street.

Mr. Guimond said that comments had been received from Charlie Swanson, Project Engineer for the DPW and from Pat Brennan, the Board's Consultant Engineer. Mr. Brennan said they had addressed all of his concerns except for #9, which was the fact that there should be a post-development operation & maintenance plan for the catch basins, stone trench, swales, forebay and basin. Mr. Brennan said that since the swales, forebay and basin are located mostly on private property, they should be maintained by the homeowner. Mr. Guimond asked if we should have an easement; Mr. Brennan said yes. Mr. Guimond said there is no drainage at present and addressing drainage was a priority.

Mr. Biviano said it sounds like they are doing what they can about drainage but not about paving. Mr. Guimond said there are two notes on the plan which he recommended be struck since they were more of legal statements than Planning Board statements.

Mr. Mark Ochs said he has no problem with having the Cape Cod berm extending. He wanted to make sure the berm is there so that surface runoff doesn't go underground. Mr. Biviano said it looks like the calculations are fair. Mr. Ochs asked to make sure the water is not tipped toward his well. He said that berm is very important.

Mr. Biviano said it looks like they have addressed most of the concerns with the exception of the paving. Ms. O'Donnell said she is concerned about setting a precedent. Mr. Biviano asked what the benefit to the Town is by allowing the recycled asphalt – and allowing the applicant not to pave. Mr. Biviano asked Mr. Creed if he wanted the Board to proceed with taking a vote – saying that he needed to get three members to approve. Mr. Creed agreed.

Mr. Biviano moved to approve the application as presented tonight. Mr. Cantwell seconded. The vote was 1 in favor and 4 opposed.

Mr. Monaco moved to close the public hearing. Mr. Biviano seconded. The vote was unanimous.

#### SCENIC ROAD PUBLIC HEARING – OLD MAIN STREET

Mr. Biviano moved to open the public hearing and to waive the reading of the public hearing notice. Mr. Cantwell seconded. The vote was unanimous.

Mr. Tom Reynolds, Superintendent of Public Works and the Marshfield Tree Warden said that they are proposing to take down 11 trees for safety purposes. He said four trees have already leaned into the sidewalk and he feels it's imperative to remove them. He said there is one tree, the Chestnut tree, that there is enough room to move the sidewalk around it. Mr. Reynolds said that they could replace some of the trees if owners want them but they would have to be on the backside. He said they would have to be Bartlett Pears or something similar. He has access to Elms and Maples. The sidewalks have to be ADA compliant and to do so, the trees will have to be removed. The trees have been hacked by the electric

company as they “trim” them away from the power line in order to prevent power losses. Mr. Carriere said that the electric companies do not have to give notice when they are going to cut the trees.

Mr. Reynolds said they are trying to keep the grass strips. He said there are 5 handicap ramps from Church Street to the post office and three crosswalks on Highland and Old Main. Mr. Reynolds said he’d like to do this in two phases; Phase 1 would be about 1,410 linear feet on the southeast side. Phase 2 would be on the northwest side from Highland to Prospect and Old Main – about 800 linear feet.

Mr. Guimond said usually the Planning Board makes a recommendation to the applicant (who normally is a resident) to either replace the trees or contribute to the tree fund but in this case, the Town is the applicant. Ms. O’Donnell asked about the timeline and Mr. Reynolds said he’d like to do it in two seasons. They would like to go for funding at this Town Meeting for Phase 1. Mr. Reynolds said he is not sure about the Historical District. Mr. Guimond recommended that they have the same discussion with the Historical Commission as they are having tonight.

Mr. Seller of 18 Glenn Road asked about the telephone pole at Old Main and Prospect St. Mr. Reynolds said the pole will have to be relocated. Mr. Carriere said the removal of the pole by the electric company is not timely. Mr. Rob Mitchell of Gotham Hill Drive asked if anyone had contacted a certified arborist about the roots of the trees. Mr. Reynolds said there is an arborist on staff. Mr. Carriere said that most roots are under the sidewalks. Mr. Reynolds will check with the Arborist.

Mr. Mitchell said that if the trees are taken out, the charm and character will be lost. He hates to see the character of the neighborhood destroyed. He said this is a Historical District and he said the Historical Commission should be notified.

Ms. Christine Kramer said as far as taking out the charm of the neighborhood, it looks awful due to the electric company’s cutting. She said it’s past looking attractive. The roots are all over the place and the sidewalk isn’t wide enough for a wheelchair. She said people walk on the road – it’s a safety issue. There really is no choice.

Mr. Michael Lewis of 84 Old Main Street said all of those four trees are distressed. The two at the intersection of Pleasant and Highland are dead. He agrees that it is a safety issue. He said he’d like to see a bylaw stating that no one could plant within 20’ of the power lines. He said he’s cut down trees on his own property and for every one he cuts down, he plants two.

Mr. Mark Lewis said that the roots have lifted up the sidewalk. It’s very dangerous for a wheelchair in front of 150. There is a catch basin there. He said he’ll cross the street but wanted to point out that there is no way for a wheel chair to get by.

Ms. Liz Haywood Sullivan said that trees come and go. The fact that DPW will plant new trees is a good plan. Right now the need is to take care of the citizens. Mr. Brad White said the question is to repair or replace. If a tree has to be removed, ok, but if not, keep it. He said there are between 800 and 900 cars passing by every day and he has asked to have the crosswalk painted. He suggested making Phase 1 a critical mission to replace the sidewalk and make it ADA compliant. Make Phase 2 a repair project. He said green space is very important. At the festival, there are between 7-10,000 people. He’d like to have the street paved and a crosswalk put in.

Mr. Carriere said that once they begin patching, it triggers ADA. All it takes is one complaint. Any new sidewalk has to be ADA including the driveway aprons and many of those aprons in existence are not ADA compliant.

Mr. James Lewis of 275 Old Main said they need two stop signs and wondered how to get them. Mr. Carriere told him to contact the safety officer.

Mr. Chris North of 140 Old Main Street asked what the formula was or the guidelines for replacement and if there was an alternative to the Bartlett Pear tree. Mr. Reynolds said there are many and suggested maple and elm. Mr. North asked what caliper the new trees would be. Mr. Reynolds said he will find out that information. Mr. North asked if the Homeowners would be contacted when the work is to begin. Mr. Reynolds said that once the plan is completed, they will hold another meeting and he will have more specific information at that time.

Mr. James Parker said that big tree they were talking about is dying. He's all for taking it down but Ms. Jane Dermit asked if they could save it.

Mr. Barry Cornwall of Cornwell Hill said there were two Marshfield publications in the early 1900's and they referenced the historic and scenic area of the town. He said there are only two elm trees left and he would like to see a balance to preserve the character of the town. He'd like to see the plan for the replacement of the trees and he'd like to recommend that an arborist give an estimate as to the health of each tree as part of the decision to take down the trees. He'd like to see all the power lines buried underground.

Mr. Tom Whalen said the historical character is in the homes not so much in the trees.

Mr. Michael Sullivan asked how many sidewalks are ADA compliant from an elevation standpoint. Mr. Reynolds said none of them are. Some of the driveway aprons are also illegal. Mr. Reynolds said this is only a conceptual plan that they have now.

Mr. Michael Lewis said that he previously lived in Hingham and he agrees that the historical nature of the town was all to do with the houses; not the trees. He said the ambiance of the trees improves the overall look of the neighborhoods but it's the houses that make up historical nature.

Mr. Tim Peterson asked what the relationship is between repair and remove. He said in Boston, they can repair. Mr. Reynolds said the heaving of roots requires removal. He said once the roots heave, the only way is to elevate the sidewalk and the roots will continue to heave.

Mr. White said he's not opposed to fixing every 15-20 years. He recommended doing this work in two phases; Phase one would be the project at hand; green repairs; the green space is very important. He said two 5'5 sidewalks is a lot of pavement to absorb at once.

Ms. O'Donnell said that the caliper of the trees is most significant. She asked Mr. Reynolds to try to find a balance.

Mr. Biviano moved to recommend to the Tree Warden that they take down the trees as presented tonight. Mr. Nik Pappastratis seconded but said to take into account everything that was said tonight. The vote was unanimous.

Mr. Biviano said to check with the Historical Commission and Mr. Reynolds said he would.

Mr. Biviano moved to close the public hearing at 9:00 PM. Mr. Monaco seconded. The vote was unanimous.

Respectfully submitted,

Kay Ramsey, Executive Assistant  
Marshfield Planning Board