

MARSHFIELD PLANNING BOARD
Meeting Minutes
April 6, 2020 – 7:00 PM
Remote - Zoom

PRESENT: Mike Biviano, Jr., Chair
Katie O'Donnell, Vice Chair
Kevin Cantwell
Fred Monaco
Nik Pappastratis

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

ABSENT: Peg Davis, Executive Assistant

Mr. Biviano moved to open the meeting at 7:00. Ms. O'Donnell seconded. The vote was:
Ms. O'Donnell, Aye; Mr. Pappastratis, Aye; Mr. Monaco, Aye; Mr. Cantwell, Aye; Mr. Biviano, Aye.

Marshfield Fairgrounds Solar Carport

Mr. Biviano moved to continue the public hearing until May 11, 2020. Mr. Monaco seconded. The vote was: Ms. O'Donnell, Aye; Mr. Pappastratis, Aye; Mr. Cantwell, Aye; Mr. Monaco, Aye; Mr. Biviano, Aye.

Brewster/Chilton Street Improvement Public Hearing – Lynne Ann Murphy

Mr. Biviano moved to open the public hearing and to waive the reading of the public hearing notice. Mr. Cantwell seconded. The vote was: Mr. Pappastratis, Aye; Mr. Cantwell, Aye; Mr. Monaco, Aye; Ms. O'Donnell, Aye; Mr. Biviano, Aye.

Atty. James F. Creed, Jr., from Creed & Formica is here representing the applicant, Lynne Ann Murphy; He said that at the direction of the Planning Board after the denial of the last plan which did not show paving all of Brewster Road, they are submitting a revised plan showing that pavement and also some modification of the drainage. He then turned it over to Terry McGovern.

Mr. Terry McGovern of Stenbeck and Taylor said that they now show 20' of paving including Cape Cod Berm extending to connect to the end of Peregrine White Drive. He said they have moved the upper catch basin down to about the midpoint of the road to the intersection of Georgia Street because they now have a berm all the way along that side of the road. The water will run into the gutter line and get captured in the catch basin. If Georgia Street does get improved, they will have the ability to connect to and still maintain an 18" pipe down to the other catch basin at the end of Chilton Street and then into the same forebay that was previously proposed. There are no changes to the run-off Mr. calculations. McGovern said what they are proposing is to have 20'W with Cape Cod Berm and moving the catch basin down.

Mr. Guimond said that Pat Brennan had reviewed and were ok the drainage calculations. He said that the applicants had treated the stone dust as pavement so the calculations were pretty much the same.

Ms. O'Donnell said it looks like they have done everything the Board asked. She asked if DPW had submitted any comments. Mr. Guimond said he hadn't seen any. Mr. Biviano agreed that they had done what the Board asked.

Mr. Mark Ochs of 39 Brewster Road had a question about the Cape Cod berm. Does it extend past his driveway to the catch basin that would prevent water from going down his driveway? Mr. McGovern said the same as was discussed at the last meeting. It would run across his property and across his driveway. Mr. Ochs asked if there was no way that the water can get between the proposed paved improvement of Chilton Road and his driveway. He asked if the berm extends to the catch basin. Mr. McGovern said yes. Mr. Ochs asked if the drainage basin is in the proposed paper road. Mr. McGovern said it is in the paper road and also both basins and the forebay. They are partially in the Chilton Street lot so as to not to disturb the lawn and paved areas which comprise a little of the driveway of the house across the street.

Mr. Ochs asked about the Maintenance and Operation Plan. He asked who is responsible for the maintenance after construction. Mr. Guimond said this will be a private way and is not expected to be accepted by the Town. Therefore the residents will be responsible for cleaning the catch basins and detention basin in the future. The Town may do emergency repairs but is not being responsible. It is not an approved subdivision and is not expected to go to Town Meeting for acceptance. Mr. Ochs asked then if any property owner along the road has equal responsibility or is it like a Home Owner's Association. Mr. Guimond said typically a subdivision project would be turned over to the Town but this road was built in the 1800's and he doubts there is any homeowner association. They would have to rely on individual homeowners to do maintenance.

Mr. Ochs asked what happens if the catch basins are on private property and need maintenance but the owner doesn't maintain. Mr. Guimond said the catch basins are in the right of way. The drainage basin is partially on private property and there should be an easement so that the Town and the residents could go in there and make improvements and do the cleaning. Mr. Ochs said he wanted to make sure that a structure on private property could be accessed if the property owner did not maintain. Mr. Guimond said that easement should be shown on the plan. Mr. McGovern said they agreed to put an easement around those basins. Ms. O'Donnell asked if that could be made a condition and Mr. Guimond said it could. Mr. McGovern said no problem.

Mr. Ochs asked about the swales on the paper road – would that be the same thing? If it's in the paper road, you do not need an easement? Mr. McGovern said the swales that are in the paper road (like the ones that run to the south) are really for Chilton Street and the driveway that comes off of it and it is their responsibility to maintain it. Mr. McGovern said that Mr. Ochs, as an abutter, would have the right to go in there and clean it out.

Mr. Biviano moved to approve the Brewster Street Improvement plan with the condition that the easement be shown on the plan. Mr. Cantwell seconded. The vote was: Ms. O'Donnell, Aye; Mr. Cantwell, Aye; Mr. Pappastratis, Aye; Mr. Monaco, Aye; Mr. Biviano, Aye.

Mr. Biviano moved to close the public hearing. Mr. Monaco seconded. The vote was: Ms. O'Donnell, Aye; Mr. Cantwell, Aye; Mr. Monaco, Aye/Mr. Pappastratis, Aye; Mr. Biviano, Aye.

10 LONE STREET – PUBLIC HEARING

Mr. Biviano moved to open and waive the reading of the public notice for Lone Street – and to continue

It to May 11 at 7:10 PM. Ms. O'Donnell seconded. The vote was Ms. O'Donnell, Aye; Mr. Monaco, Aye; Mr. Cantwell, Aye; Mr. Pappastratis, Aye; Mr. Biviano, Aye.

Board/Staff Reports

Mr. Guimond said that he had received information on the new permitting times. He said he is expecting a new subdivision to be filed and he wondered if the Board would like him to schedule a date or if they would prefer to wait until live meetings can be held. Ms. O'Donnell said she'd prefer to hold off and Mr. Biviano agreed. He said to hold off as long as he can. The members all agreed.

Mr. Guimond said he'd get the Brewster Street decision ready for signatures tomorrow.

Mr. Biviano moved to adjourn the meeting. Ms. O'Donnell seconded. The vote was Ms. O'Donnell, Aye; Mr. Monaco, Aye; Mr. Pappastratis, Aye; Mr. Cantwell, Aye; Mr. Biviano, Aye.

Respectfully submitted,

Kay Ramsey, Executive Assistant
Marshfield Planning Board

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