

PLANNING BOARD
Meeting Minutes
Thursday, February 25, 2021
6:00 P.M.

PB Members Present: Brandon Quesnell, Paul Graves, Jeffrey Mulliken, Monica Stubner, Marianne Clements and Paul Kelly.

Members Absent: Steven Azar (excused).

Staff: Thaddeus Soulé (Town Planner).

Mr. Soulé introduced the virtual hearing, explaining the reason the Public Hearing was being held virtually. He then called the roll.

Chair Brandon Quesnell called the Planning Board Public Hearing to order at 6:00 P.M. and turned the meeting back over to Mr. Soulé, who then explained how the Board, the applicants and the public could participate remotely, and reviewed the meeting protocol.

1. **Public Comment:** None.
2. **Consent Agenda:** Approval without objection required for the following item: None.
3. **Public Hearings:**

PLN 20-2030 *(continued to the meeting of March 25th)*

Application by **Jay Abbiuso** seeking a Site Plan Review by Special Permit pursuant to Article 4, Section 4015 a., 1), Site Plan Review by Special Permit, and Article 4, Section 4180, Inclusionary and Incentive Zoning By-Law, to develop vacant land by constructing a total of 12 dwellings, 2 of which will be community housing units, in 4 duplex units and 4 cottages on the property located at **286.5 Bradford Street**. Brandon Quesnell, Paul Graves, Jeffrey Mulliken, Monica Stubner, and Paul Kelly sat on the case.

PLN 21-1

Application by **Scott Russian** requesting Site Plan Review pursuant to Article 2, Section 2320(B), High Elevation Protection District (B), of the Zoning By-Laws to extend an existing second floor deck across the southwest side of an existing dwelling over an existing first floor deck with new handrails and decking on the property located at **3 Telegraph Hill Road**. Brandon Quesnell, Paul Graves, Jeffrey Mulliken, Monica Stubner, and Marianne Clements sat on the case.

Presentation: Scott Russian was in the meeting to present the application. He reviewed the proposal, which involves extending a second-floor deck over a first-floor deck. He reviewed the site plan and the elevation drawings. All handrails and decking will match the existing and the footprint of the structure will not be enlarged. He said that he has submitted the exterior lighting specification sheets to the Board.

Public Comment: There was no public comment or letters.

Board Discussion: The Board had no question or comments for Mr. Russian.

There was a motion by Jeffrey Mulliken to approve the site plan pursuant to Article 2, Section 2320(B), High Elevation Protection District (B), of the Zoning By-Laws to extend an existing second floor deck across the southwest side of an existing dwelling over an existing first floor deck with new handrails and decking on the property located at 3 Telegraph Hill Road. Marianne Clements seconded. VOTE: 5-0-0 by roll call.

PLN 21-2

Application by **Susan Packard** requesting Site Plan Review pursuant to Article 2, Section 2320(A), High Elevation Protection District (A), of the Zoning By-Laws to install a 16 by 32 in-ground swimming pool surrounded by a patio with new native plants to replace what is removed, a 4' high fence surrounding the back yard, and no new lighting on the property located at **71 Bayberry Avenue**. Brandon Quesnell, Paul Graves, Jeffrey Mulliken, Monica Stubner, and Paul Kelly sat on the case.

Presentation: Susan Packard and Stacy Kanaga, of Coastal Engineering Co., were in the meeting to present the application. Ms. Kanaga reviewed the project. She said that the site is generally developed with a two-and-a-half story dwelling and is a long, narrow, wooded lot. Major features include the existing structure that is perched on the crest of a hill. There is an asphalt driveway on the north side of the structure that connects the garage to Bayberry Avenue. The backyard is developed with a paver patio and a deck, utilizing a flat portion of the lot, and functions as an outdoor living area. The remainder of the site is developed with keystone and stone and asphalt walkways, various timber retaining walls and stairs, and a wooden deck and stairs. The portion of the site nearest the structure has a mixed area of maintained, naturalized vegetation. Farther out from the structure are naturalized and wooded vegetation areas. She said the proposed pool is 16' by 32' with a lockable power safety cover and a surrounding paver patio. She said the intent was to site the pool close to the structure to take advantage of the flat topography and to minimize the disturbance amount on the site and the down slope. There will be a new stone retaining wall constructed on the west side of the dwelling in order to replace the existing timber retaining walls and to maintain access to the pool for future maintenance and pump-out purposes. The proposed pool equipment pad will be located on the east side of the property, tucked between the structure and the proposed pool patio area. A fence will be installed to enclose the rear of the property and the pool patio area with gates on the east and west sides to maintain access to the backyard. Stormwater infiltration trenches will be installed on the south side of the paver patio in order to capture stormwater runoff from the expanded patio area and are sized for the 25-year peak storm event. The total excavation and fill for the project is less than 750 cu. yds. A sediment barrier will be installed around the property to prevent migration of soil and debris off the site. The existing driveway will be used as the construction entrance and will be cleaned as needed. The landscaping for the site will be native vegetation pursuant to the Conservation Commission's approved list of native species. The site will be stabilized when construction has been completed and the pool and patio area will be screened from the neighbor's property. The property is located outside the 100' buffer zone to a wetland. There is an existing irrigation system that will be expanded to include the backyard in order to facilitate the growth of the new vegetation. The septic system is in the front yard and will not be disturbed by the construction.

Public Comment: There was 1 letter of support from an abutter. There was no other public comment.

Board Discussion: The Board questioned Ms. Kanaga. Mr. Kelly asked about the clearing of vegetation, given the steepness of the slope, and the installation of the pool, given the volume of disturbance to the area needed. The landscaper has assured Ms. Kanaga that he is aware of the grading issue and will use smaller stone walls if possible. She had showed the worst case scenario for the amount of grading that would be needed. The landscaper will have to use erosion control blankets during the work and a permanent erosion control blanket will be implemented until the vegetation is established. She indicated that there may be opportunity during construction to install walls to bring the grading up. There will be some flexibility throughout the process. Mr. Kelly raised the issue of saving mature trees on the site. Ms. Kanaga said that would depend upon the grading of their location. The goal is to preserve the wooded portions and the existing landscaping on the site to serve as a buffer. Both Ms. Kanaga and Ms. Packard agreed that the less disturbance on the site the better. The landscaper will not disturb or clear-cut any farther down the hill than he has to. He will start at the top of the hill and not start farther down the hill and work his way up. Mr. Quesnell said that there were a lot of details that had not been clarified, and would not be until the project was underway, and there were many unknowns due to the nature of the site. In light of that, he would continue to allow Board questions but was concerned that the project may go outside the scope of what has been presented. Mr. Kelly asked about the safety cover on the pool and the fence. Ms. Packard said that even though the safety cover was sufficient, she wanted the fence for safety reasons. Mr. Kelly asked about the adequacy of the irrigation system expansion to handle the new plantings. Ms. Packard said it would be able to irrigate the new plantings. Ms. Stubner had no questions. Mr. Graves asked about the construction process, given the steep grades and the existing retaining walls on the property. Ms. Packard said that stabilization would be maintained after the existing timber wall was removed for access by a new boulder wall. Mr. Mulliken reviewed the intent of the High Elevation Protection By-Law. He wanted more specificity, especially on the landscaping plan, on the sloped area and on how much re-grading needed to be done. He would also like to see if there can be a hard line established around the existing vegetation south of the pool to guarantee that as much as possible can be preserved. He would like for the work to get back down to the original grades as soon as possible as the work is done on the hill. Ms. Clements complimented the plan. Mr. Quesnell questioned the volume of earth being moved and wanted to know what kind of fill would be used. He is concerned about preserving the integrity of the dune on the property and the consequences of the heavy weight of the pool and its effect on the slope. He is also concerned about the possibility of the pool sliding down the hill. Ms. Kanaga said that she had spoken to a structural engineer about the issue. She said that she would provide more information to the Board regarding this concern. Mr. Quesnell asked if the position of the pool could be tweaked in order to prevent compromising the dune and lessening the amount of fill that would be needed. The Board briefly discussed changing the position of the pool in order to cause less disruption to the dune and the existing vegetation. The fencing material is proposed to be wood facing the street and the remainder would be a black chain link. Ms. Packard said that pool equipment is quiet, but she is proposing to screen it from the neighbors. Mr. Graves suggested a narrative from a structural engineer be submitted. Ms. Kanaga reviewed the Board's list of additional information: explain the methodology of construction to avoid erosion on the slope, identify the type of fill, give feedback on how the hill can support the weight of the pool, give more specificity on how to avoid clear-cutting the site, delineate the utility lines, such as the propane, on the site plan, explore relocating the pool, such as more parallel to the structure, and

add a detail about erosion control blanket. Mr. Kelly requested that the new plans be scaled at 1" = 10'. The applicant requested a continuance to the March 25, 2021 Public Hearing.

There was a motion by Jeffrey Mulliken to continue PLN 21-2 to the Public Hearing of March 25, 2021 at 6:00 P.M. Paul Kelly seconded. VOTE: 6-0-0 by roll call.

4. Work Session:

a) Proposed Zoning By-Law Amendments for Annual Town Meeting: Mr. Soulé said that he had not yet sent them to the Board, however he will send the revisions to the Board and they could be discussed at the next hearing.

b) Pending Decisions: None.

c) Minutes of January 28 and February 11, 2021:

January 28, 2021: ***There was a motion by Marianne Clements to approve the minutes of January 28, 2021 as written. Monica Stubner seconded. VOTE: 6-0-0 by roll call.***

February 11, 2021: ***There was a motion by Jeffrey Mulliken to approve the minutes of February 11, 2021 as written. Paul Kelly seconded. VOTE: 6-0-0 by roll call.***

e) **Any other business that may properly come before the Board:** Mr. Quesnell said that the Select Board was in the process of formulating a code of conduct for everyone who serves on a Board in Town. He said he was in full support and thanked everyone for their commitment to the Planning Board and the Town. He said that he thought the PB respected other Board members, the public, applicants, and Town staff. He encouraged Board members to read the proposed code and if they have any suggestions they should be submitted to David Gardner to relay to the Select Board.

There was a motion by Paul Graves to adjourn the meeting at 7:12 P.M. Marianne Clements seconded. VOTE: Unanimous by roll call.

Respectfully submitted,

Ellen C. Battaglini

Approved by _____ on _____, 2021
Thaddeus Soulé, Town Planner,
on behalf of the Planning Board