



HULL PLANNING BOARD

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April 10, 2013

Members Present: Joseph Duffy, Chair, Tim Reynolds, Vice Chair, Jeanne Paquin, Vernon Wood, Kelly Phelan, Nate Peyton

Members Not Present: Steve Flynn

Staff Present: Robert Fultz, Community Development & Planning Director
Ellen Barone, Administrative Assistant

7:30pm J. Duffy called the meeting to order

Minutes: Upon a **motion** by T. Reynolds and **2nd** by J. Paquin and a **vote** of 6/0/0;
It was **voted** to: Approve the Minutes of March 27, 2013

J. Paquin recused herself

Sunset Bay Marina - Discussion

Documents: Review Plan for Satellite Lot & Other Marina Parking & Landscaping – Nantasket Survey Engineering – Revised 4/07/2013
Photographs (2) of Signs with lighting
Site Plan Review Decision 5/23/2007, Amendment 4/28/2010
Memo – R. Fultz to J. Duffy 9/12/2012, Re: Report of Site Inspection 8/29/2012

Robert Folsom of Sunset Bay Marina and David Ray of Nantasket Survey Engineering attended the meeting to discuss their request for changes to the approved Site Plan Decision. A revised Plan was submitted. Mr. Ray stated that approximately 95% of the proposed work is complete. The majority of the work was done in the water involving the dock systems. It is their hope to complete the drainage work this year. Once the drainage work is complete, they can proceed to paving the parking lot. Economic challenges have made it difficult to complete the project.

Items that they wish to change are:

1. Portable Landscape locations: They would like to relocate the planters perpendicular to parking spaces at the Restaurant and to the outside edge of the Marina parking lot.
2. Lighting in Marina Parking Lot: They would like to move the light to a pole in the corner of the lot. Down lighting would be used.
3. Restaurant Signs with Lighting: Modify the sign location and the number of signs used on the building.

The Board must make a determination as to whether the changes constitute a minor or major change. If considered a major change, a Public Hearing must be held with proper advertising and notification to abutters.

The Board questioned compliance with the Chapter 91 License. Mr. Folsom stated that Chapter 91 tells you that you must provide access to the public but does not tell you what you must provide. The proposed

walkway along the edge of the water is not yet complete. He stated that they do provide public access by not blocking access. When permitting with the State for this project, they tried to include every item that they may possibly want to do, not all items are required and the State recognizes that they don't necessarily build everything that was permitted. The lesser the impact on the water and the environment, is always better. They asked for more than they actually planned on building.

Mr. Ray stated that at this time they would like to permit the signs that were previously installed for the restaurant through a permit from the Building Department. He stated that it is not an issue if the Board allows for this season only. They will come back to the Board this summer with a proposal for a sign that has been taken to the DRB that will be something like what is seen at Steamboat Wharf. Photographs of the restaurant signs were presented. The sign for the "boat brokerage" will be removed.

Although the originally approved signs were not permitted to have lighting, a member of the Board stated that he does not think that the lights are out of line in fact, the single sign at the side of the door made it very difficult to find the restaurant.

The Board reviewed the Memo dated 9/12/2012 regarding a previous site inspection. It was noted for the record that the signs mentioned in Item 2.3 have been taken down, and the lighting is still there. R. Fultz stated that most of the items have been taken care of. The parking and remote parking lot is still an issue. The remote parking lot (Bongarzone) is required to be cleared and used for required parking. All boats must be removed from the designated parking areas and the area should be marked for parking. Mr. Folsom stated that after the visit, he cleared out the eastern most side and posted signage. The problem with marking the lines is that the lot is gravel. Mr. Folsom stated that unfortunately they have not needed the additional parking. Mr. Ray stated that the concept of shared parking works well at this site. Mr. Ray stated that the parking lot work would not be complete for a few years. R. Fultz noted that as a matter of course, the Marina Management Plan states when boat storage may take place in parking spots. However, he noted that it is reasonable that occasionally there may be the need for a boat to be temporarily stored in a parking area. When questioned about the sandwich board at the end of the street, Mr. Folsom stated that it has been very effective letting people know that they are there. The sign has been permitted through the building department.

Regarding the proposed walkway, the Conservation Commission has extended the Order of Conditions to do this work and then the state has also issued an automatic extension. E. Barone will verify the expiration date of the Order of Conditions. It was explained that the Chapter 91 license does not expire.

T. Reynolds motioned that the Planning Board adopt and allow Sunset Bay Marina to reinstall the existing sign that was on the building and that it be conditioned that it be taken down at the end of the season (10/31/2013) until a permanent signage plan can be presented before the Board and allow the existing lighting to remain for the signage.

After a brief discussion it was determined that the Board should determine whether the requested changes are to be considered minor or major. The motion was withdrawn.

V. Wood motioned that the proposed changes as presented are minor changes. T. Reynolds 2nd (by minor changes it is the signs and lighting, the lighting of the satellite lot, and the planters)

Discussion: Lumens for the light will be kept as originally approved. Prior to installation a cut sheet is to be submitted to R. Fultz.

J. Duffy moved to amend the motion:

J. Duffy would like the conditions to say that they complete the site plan within two (2) years and if not, that the Owner would have to provide a bond or other security at that time. After discussion, J. Duffy withdrew his motion to amend to allow for a vote on the change.

A vote of 5/0/0 unanimously determined that these were minor changes.

N. Peyton motioned that the signs and their lighting as shown in the two photographs submitted and indicated on the plan with a revision date of 4/07/2013, may be reinstalled until 10/31/2013, T. Reynolds 2nd – Vote 5/0/0

V. Wood motioned to approve the new location for the light in the satellite lot as indicated on the plan with a revision date of 4/07/2013 with the condition that the specifications will come to the Town Planner for Planning Board approval. T. Reynolds 2nd – Vote 5/0/0

K. Phelan motioned to approve the revised location of the planters in the satellite lot and the main lot as indicated on the plan with a revision date of 4/07/2013, V. Wood 2nd

Discussion: N. Peyton wanted clarification that relocating the planters would not interfere with the proposed walkway or walking at the satellite lot. D. Ray stated that in the satellite lot they would be at the edge of the lot line and would help to define the lot line and where the sidewalk would be. On the boardwalk, they will be placed at the end of the parking spaces adjacent to the boardwalk which will be 8' wide. The parking lot is wide enough to accommodate the planters. The planters are 2' wide by 8' long. Vote – 5/0/0

J. Duffy motion to put a final completion date on the Site Plan for two (2) years from tonight and if it is not completed, that the Owner of the property at that time will put up a performance bond at 100% of the estimated cost of completion of the site plan. This would be nine (9) years before that would go into effect, which he feels is extremely reasonable. It will be drafted so that if the property is transferred, it would go with the property. K. Phelan 2nd for discussion.

Since no date for completion was put on the decision, J. Duffy feels that nine (9) years from the initial date to complete the site plan is a reasonable time for someone to put up a performance guarantee. Most projects of this size require a performance bond from the outset. It is only to guarantee that it gets done. Discussion followed with Board members stating that since it was not done on the original decision, this is not the time to require that a performance bond be added. It was also discussed that with the state of the economy, it may not even be possible for the Owner to get financing for this requirement. Vote 1/4/0

J. Paquin returned

Nantasket Beach Overlay District (NBOD) Update – R. Fultz

The Board received the latest draft for the NBOD and Draft Illustrative Map that will appear in the Town Warrant in addition to an updated listing of public meetings and notices. R. Fultz also provided the Board with updated tables of comparison of zoning uses and dimensional standards along with a sheet indicating the major elements of the NBOD. These documents could be copied and used as handouts to residents requesting information prior to Town Meeting. The Board was asked to volunteer to become an expert on one or two sections of the zoning bylaw to aid in fielding questions at the upcoming Public Hearing and at Town Meeting. The Board was reminded that the Public Hearing is scheduled for April 24, 2013 at the Senior Center.

Other Business:

The Board received a hard copy of the Annual Report for 2012 and was informed of a 2:00pm deadline on April 11 for any changes. If E. Barone does not receive any additional comments, the Board agreed that the report as written could be submitted.

9:35pm Upon a **motion** by T. Reynolds and **2nd** by N. Peyton and a **vote** of 6/0/0;
It was **voted** to: Adjourn