

**TOWN OF MARION
PLANNING BOARD
June 15, 2015
Main Conference Room
Marion Town House
Two Spring Street**

MEMBERS PRESENT: Rob Lane, Chairman
Rico Ferrari Vice-Chairman
Norm Hills, Clerk
Jennifer Francis
Eileen Marum
Mike Popitz
Steve Gonsalves

MEMBERS ABSENT: None Absent

BOARD ASSISTANT: Terri Santos

ALSO PRESENT: Dana Anderson
Sharlie Sudduth
Anne Smith
Greg Carey
Bob Rogers
Anthi Frangiadis
Bill Saltonstall
Ryan Correia

Commencement – Chairman Lane called the regular meeting to order at 7:00P.M.

Approval of Minutes

Motion made by Member Marum to approve the minutes of January 20, 2015, seconded by Member Gonsalves.

VOTE: 6-0-1 Note: Member Francis Abstain

Correspondence

Chairman Lane noted that there was a letter from CLE regarding Burr Brothers Site Plan approval dated June 1, 2015 (on file in the Planning Office) referencing a Site Plan decision dated November 17, 2009. He noted that also included is a response dated June 15, 2015 from Chairman Lane to CLE Engineering explaining that the decision falls under the Permit Extension Act so is extended until November 17, 2015.

Chairman Lane noted that a SRPEDD Meeting report dated May 27, 2015 from Member Marum was included in the packet and posted on the web site for the Board to review.

Member Francis noted that there was a Master Plan Press Release dated June 12, 2015 included in the packet for the Boards information.

The budget dated June 11, 2015 was included in the packet and it was noted that Clerk Hills would speak with Judy Mooney regarding the encumbrances of funds.

Chairman Lane noted that at the previous meeting the date of Site Plan Approval for the “Old Frigate” had been questioned. He reported that July 15, 2013 was the date of Site Plan decision and it would expire on July 25, 2015 as it did not fall under the Permit Extension Act.

Comments to the ZBA – 16 Cottage Street, First Congregational Church c/o William Saltonstall, Jr.

Chairman Lane initiated the discussion by stating that the structure was built in 1900 and there were no records of changes. It precedes the 1954 Zoning Act so it is non-conforming and a Special Permit does not apply. There is no historic district that would apply.

Clerk Hills noted that there are conflicting Bylaw requirements, specifically Section 6.1.3 and the definition of a basement.

Bill Saltonstall, spokesman for the Congregational Church, noted that they are working with the developer to modify the design to one more acceptable to the neighbors. He is concerned that the Bylaws are not being followed in that the basement doesn't count as volume of the building as it is not habitable. There appears to be a conflict between the Bylaws and the Building Code.

Chairman Lane noted that that would be a legal issue for Town Counsel to review. We should note that to the ZBA.

Motion made by Member Gonsalves to comment to the ZBA to pay particular attention to requirements under the Bylaw Section 6.1.3 page 35 and the definition of the basement on page 101 of the bylaws, seconded by Member Ferrari.

VOTE: 7-0-0

Continued Pre submission Conference – Tucker Lane Solar Farm, Clean Energy Collective C/O Bill Madden

Member Popitz, referenced Form 4B (on file in Planning Office) and listed the requirements for Site Plan review and Special Permit. He noted that they suggested the Board waive a Traffic Assessment.

Clerk Hills commented that he does not believe they would need an Environmental Assessment because this will not impact much that already exists, they need to come to Conservation Commission. He does not see that there is a great need for Storm water because it will not increase the impervious surface.

Member Popitz expressed the need for an Environmental Assessment and explained that he had researched that solar glare can impact local species in the area.

Member Marum noted that there was a new article in the June 2015 Department of Environmental Protection report that said that solar panels reflect 2% of the light that is reflected by waters and windows. It was noted that Member Marum would email the report to the Board Assistant and she would email to the Board.

Chairman Lane noted that the panels themselves may be similar to a roof and will have drainage so he would like to see a minor or brief environmental assessment. And because this is the first time doing a solar project, he also suggested having a brief Storm water assessment.

Member Marum responded to the wind force question from the last meeting that the panels are designed to withstand 122 miles per hour winds. She also commented that noise from the inverters is inaudible at 100 feet.

Clerk Hills questioned why the Marion DPW and the Marine Resources Committee need to review the documentation.

Mr. Carey explained that they would request that if it would be possible, the Board have peer review on board when they file the application. If they do submit by end of the month is it realistic to get on agenda for July 20.

Chairman Lane noted that Mike Popitz would be working with the applicant coordinating the Peer Review process and the dates of the first public hearing.

Pre – Submission conference, 439 Wareham Street – Gas Station c/o GAF Engineering

Chairman Lane explained that Member Francis would be working with the Applicant as coordinator for this submission. He noted that this is a Pre-Submission conference.

Bob Rodgers of GAF Engineering explained that he would be representing Allied Ventures. He explained the application and that they are working to formalize a Site Plan and Special Permit application for a gas station and approximately 4000 square foot, mixed use retail building with 34 parking spaces. They do intend to comply with zoning on setbacks and work with the Conservation Commission. He noted that they will have a traffic circulation plan included with the submission.

Anthi Frangiadis, Architect explained that Ryan Correia is attending as a representative of the Applicant. She explained that it is the intent of Allied Ventures to open the existing pumps for the summer. They are currently undergoing testing by the State to open. She then explained the conceptual and architectural submission; there will be multiple tenants on the first floor and a fitness center on the second floor.

Chairman Lane asked for questions from the Board.

Member Francis asked the applicant if there would be a charging station or two and perhaps infrastructure for CNG fuel as an alternative fuel.

Mr. Ryan explained they would possibly be willing to have a charging station.

Member Francis asked if it would be possible to use Permeable Asphalt to help with storm water.

Mr. Rodgers noted he would be concerned with the uses with a gas station and would be hesitant. It could be possible where lower volume parking spaces are or loading areas.

Member Gonsalves asked member Francis to forward information on permeable Asphalt to the Board.

Mr. Rodgers noted that new tanks did not need to be put in. He noted he has not done design work yet and graded and drained.

Member Gonsalves commented that the Applicant should do what is practical for them with regards to putting in an electric charging station.

Mr. Correia explained that there are fiberglass double walled tanks in the ground and they are approximately 12 years old.

Member Marum had a number of questions with respect to ownership of the station, all of which were answered by Mr. Correia. Most notable is that he is one of the owners and he owns three other gas stations.

Chairman Lane asked the Applicant to share their contact information with Member Francis the Coordinator for the project.

Bill Saltonstall asked if the storm water drainage system would be dependent on the Town storm water system.

Mr. Rodgers noted that they will be totally independent and Mass Highway will be monitoring to make sure there is not drainage onto route six.

Clerk Hills noted that a peer review will be required.

Approval of Bills

None to approve.

Motion made by Member Marum to adjourn, seconded by Member Popitz at 8:15P.M.

VOTE: 7-0-0

List of Documents Received:

ZBA – First Congregational Church C/O William Saltonstall, Jr. 16 Cottage Street

SRPEDD Report dated May 27, 2015 from Member Marum

Budget Report dated June 11, 2015

Application for Pre – Submission conference Form 4A, 439 Wareham Street – Gas Station c/o GAF Engineering

Master Plan Committee Press Release dated June 12, 2015.

Draft Tucker Lane Solar Farm, Clean Energy Collective Form 4B

Note: The documents, reports, correspondences, submittals, notices, exhibits are a part of the official record along with these minutes.

Respectfully Submitted,

Norm Hills, Clerk