

**TOWN OF MARION
PLANNING BOARD
July 6, 2015
Main Conference Room
Marion Town House
Two Spring Street**

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

MEMBERS ABSENT: Steve Gonsalves
Eileen Marum

BOARD ASSISTANT: Terri Santos

ALSO PRESENT: Anne Smith
Arnie Johnson
Bill Saltonstall

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

Approval of Minutes

Motion made by Member Ferrari to approve the minutes of February 17, 2015, seconded by Member Popitz.

VOTE: 5-0-0

Correspondence

Chairman Lanes explained that proposals had been received from four engineering companies to act as peer review for the Planning Board. Clerk Hills and Chairman Lane drafted a letter to be submitted to the engineers in response to their proposals. All four are acceptable and will be used on a rotating basis as needed. The letter was reviewed by Paul Dawson on June 16.

Motion made by Clerk Hills to send the letter to engineers, seconded by Member Popitz.

VOTE: 5-0-0

Chairman Lane explained the he spoke with Paul Dawson regarding codifying the bylaws which was approved by Town Meeting vote. When the money is available and contract signed with a company, it will be a three to six month project. Codifying will not change bylaws but will make them more orderly. Chairman Lane informed Mr. Dawson that the

Planning Board should be involved. It was noted that Clerk Hills and Vice Chairman Ferrari would meet with Mr. Dawson regarding codifying of the bylaws.

Old Business

Clerk Hills noted that the Master Plan Subcommittee has scheduled a meeting at the Police Station with the Town Department heads for 2:30 PM on July 23 to go over the Master Plan. August 1 is the second master plan workshop.

Approval of Bills

Chairman Lane Bills asked for approval of the bills as follows:

WB Mason \$9.92 Name Plate

Sippican Week \$140.00 Master Plan work shop approve

SRPEDD Bill \$ 657.00 (encumbered from 2015 funding)

Website Listing \$105.00 Town Planner

Motion made by Member Popitz to accept the bills as presented seconded by Vice Chairman Ferrari.

VOTE: 5-0-0

Comments to the ZBA – Buzzards Bay Habitat for Humanity, 185 Wareham road

No Comment

Comments to the ZBA – Sippican Preservation, LLC 16 Cottage Street

Bill Saltonstall explained that there was no agreement in writing but at this point the two parties have an understanding that will be addressed at the next ZBA Hearing on July 23.

No Comment

Comments to the ZBA Bay Watch Realty Trust – Off Front Street

No Comment

Request for Extension of Site Plan Approval – 806 Mill Street, Johnson Family Investments c/o GAF Engineering, Inc.

Chairman Lane explained that many of the current Board Members were not there for this approval and he has had extensive dialog with Town Counsel. He explained the history of the property and noted that the Site Plan expires on July 25, 2015. He commented that the right to extend the use of the property is beyond the Planning Boards purview and suggested the following motion “the Planning Board extends the previously issued site Plan approval dated July 25, 2013 (approve July 15, 2013) for one (1) year without change. However, this extension does not address the issue of the right of the Applicant

to use the property for its stated purpose and is subject to the Town of Marion being satisfied that the required rights and related approvals remain valid.”

Arne Johnson presented his letter of Request for Extension of Site Plan Approval dated June 18, 2015 (on file in Planning Office). He noted that the project has been delayed by family health problems and the need to research construction methods and interior design to reduce cost.

Vice Chairman Ferrari asked Mr. Johnson if he understood the legal implications. Mr. Johnson responded that he did understand and would be consulting legal counsel.

Motion made by Clerk Hills to extend the site Plan approval with the following language from above “the Planning Board extends the previously issued site Plan approval dated July 25, 2013 (approve July 15, 2013) for one (1) year without change. However, this extension does not address the issue of the right of the Applicant to use the property for its stated purpose and is subject to the Town of Marion being satisfied that the required rights and related approvals remain valid”, seconded by Member Francis.

VOTE: 5-0-0

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

Chairman lane explained the Public Hearing Process and that Member Francis will act as coordinator for the project. He asked Member Francis to review the draft Form 4B which explains to the applicant what is required by the Board.

Member Francis explained the Application is to replace the existing structure with a new 4000 square foot building. She presented a draft Form 4B (on file in the Planning Office) for discussion by the Board. After discussion, it was accepted. It was also noted that a Site Plan Review and a Special Permit would be required.

Clerk Hills commented that some of the Boards listed should not be included on the request for comments. After discussion it was decided to delete the MRC, the Board of Health, and send to the Board of Selectman for their information only no request for comments. Clerk Hills was tasked to review the Form 4B and provide a proposed revision.

Motion made by Vice Chairman Ferrari to accept the form 4B as amended, seconded by Member Popitz.

VOTE: 5-0-0

Member Francis announced that on August 1, 2015 at 9:00AM there will be a workshop at the Music Hall which will focus on housing, business development and land use.

Vice Chairman Ferrari noted that the Master Plan Subcommittee Advisors will have a meeting within the next few weeks, prior to the workshop.

Motion made by Member Popitz to adjourn, seconded by Vice Chairman Ferrari at 7:36 P.M.

VOTE: 5-0-0

List of Documents Received:

Draft Letter to engineers in response to peer review proposals.

Comments to the ZBA – Buzzards Bay Habitat for Humanity, 185 Wareham road

Comments to the ZBA – Sipping Preservation, LLC 16 Cottage Street

Comments to the ZBA Bay Watch Realty Trust – Off Front Street

Request for Extension of Site Plan Approval – 806 Mill Street, Johnson Family

Investments c/o GAF Engineering, Inc dated June 18, 2015

Draft Form 4 B Continued Pre – Submission conference, 439 Wareham Street – Gas Station c/o GAF Engineering Draft Form 4 B

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

Respectfully Submitted,

Norm Hills, Clerk