

**Chairman Robert S. Knox called to order a meeting of the North Scituate District Review Committee (VDRC) on September 19, 2013 at 7:00 p.m. Members present were Sacha Anthony Hummel, Norma Knox and Michael Charland. Mark Laprade was absent.**

**Motion was made by Sacha Anthony Hummel and seconded by Norma Knox to accept the minutes of August 15, 2013, unanimously voted to accept.**

## **APPLICATIONS**

**Charmed and Dangerous Boutique-169 Danielson Pike- Plat 19 Lot 30- Additional Signage. Christine and Harry Hall were present. Chairman Knox stated that the request is within regulation. He did ask if the sign design was separate letters or a backboard with lettering on it and if any lighting is also being requested. Applicant stated that no lights will illuminate the sign. Committee members stated that they have no problems with sign design presented. Chairman Knox asked that applicant sign and date application, stating no lights. Christine Hall signed and dated application.**

**Motion was made by Michael Charland and seconded by Norma Knox to accept the application as presented with the addition of no lighting be added, unanimously voted to accept.**

## **NEW BUSINESS**

**. Sacha Anthony Hummel informed the committee members that the “Village Bean” business will be moving and asked if the committee can request that all the signage for the business be removed before**

**the business owner vacates the building.**

**Michael Charland informed the committee members that “Enza’s Hair Salon” owners have made cuts in the pavement in front of the building and added trees in the area. He stated that it looks better and seems to be an attempt to rectify the problem.**

## **OTHER BUSINESS-CORRESPONDENCE**

**Building Official-David Provonsil- Mr. Provonsil came to speak to the committee members about a letter dated August 8, 2013 that was sent to members of the Town Council regarding application enforcement. Mr. Provonsil stated that he didn’t receive one and feels he should have. He stated that Town Council member informed him about the letter and gave him a copy. He did advise the Town Solicitor about the letter and its content and has spoken to the Town Council members. Mr. Provonsil stated he did not like the wording “for example” in letter, as in his opinion, he feels that it seems like there are other problems. He then began to discuss in length his opinion about the three properties listed in the letter.**

**Property located at 169 Danielson Pike-Misrepresentation of the issues the committee members have with this property. He stated he has not signed off on this project. He has spoken with Christine and Harry Hall about not yet completing the requested side panels that was previously approved. Chairman Knox stated that committee members previously approved a front door with side lights and then raised panels was later agreed upon. Mr. Provonsil states that Chairman Knox agreed on subsequent design and that he didn’t know**

about this agreement between Chairman Knox and Christine Hall. Mr. Provonsil reminds the committee members that the Halls have four (4) pieces of property located in the Overlay district that they have beautified with approvals from this committee. No one gets a final approval. Mr. Provonsil stated that all requirements for the property will be met and he has spoken to the Town Council members about this and they accepted this. He continues on, stating that Mrs. Hall has stated why the requested panels have not yet been done and he has accepted her reasoning and knows the Halls will complete this project. He feels that he has done everything possible for this piece of property and that he has no other further comment and is taking it off his list.

Mr. Provonsil states that “we have a process and I believe it works.” He was asked by Town Council members if he had a problem with Chairman Knox. He stated, “No”. Mr. Provonsil states the letter is a complaint against him. Norma Knox stated we have no enforcing penalties. He stated, “We don’t give penalties.” He then references Sacha Anthony Hummel statement in the June 20, 2013 minutes about setting precedence. He feels that this statement is not true. He puts the Overlay’s opinion on applicant’s application.

Norma Knox asked should there be time limits set for applications. Mr. Provonsil stated he will discuss this matter later on in the meeting. He then references time limits for building permits. After a building permit is issued the project can’t lay dormant for six (6) months. He does state, it is very hard to determine if a project is dormant. Chairman Knox questioned if an applicant must reapply if

**the project is deemed dormant. Mr. Provonsil states that rescinding a permit is counterproductive. You can't fine people for building issues, but only for not having a building permit.**

**Property located at 90 Danielson Pike- Miss Slinko spoke with him about a side parking lot for employees. She asked about a curb cut to the area would be possible. He told her it is a state road and she would have to get a permit and the cost would be \$1,000. She brought in a sketch of requested parking area. Mr. Provonsil stated that no Planning or Zoning approval was necessary and it didn't meet the threshold of the Overlay Committee approval. Chairman Knox asked why "parking" part of the Overlay Committee's application. Chairman Knox feels parking areas are "New Construction". Mr. Provonsil disagrees. Norma Knox states "This is why the committee was established, a maximum of three (3) parking spaces would be allowed. She asked when this change came about. Stating business could put in parking lots in front of their business. She references, 169 Danielson Pike, the front yard could become a parking lot.**

**Mr. Provonsil stated that the Overlay Committee can appeal his decisions about an application to the Zoning Board. He never makes a decision without first speaking to Chairman Knox.**

**Mr. Provonsil also stated that he spoke with Miss Slinko and said she didn't have to go to the Overlay Committee for approval, but she stated she was willing to have application heard. He added that he should have made the committee aware the she didn't have to come.**

**Chairman Knox references the Vet building located on West**

**Greenville Road, that when they came to the committee for approval of their project it included a parking lot design. Mr. Provonsil states that this is new construction.**

**Chairman Knox and Norma Knox both stated they have received numerous complaints about the parking area located at 90 Danielson Pike (Enza's). Norma Knox asked Mr. Provonsil what does Enza and her husband have to say about the parking area.**

**Mr. Provonsil references parking areas located at Ernie's Auto Care, Dr. Campbell's Dentist Office and Family Dollar. Norma Knox states that all these parking areas were established before the committee was.**

**He adds that Miss Slinko amended her application and states Chairman Knox's wrote denied on it. He says an error was made on his part for having Miss Slinko seek committee approval. He also states that the committee can appeal his decision to the Zoning Board.**

**Chairman Knox asked are we a "town approval". Mr. Provonsil stated "NO" only an advisory opinion.**

**Mr. Provonsil firmly states that he has made his decision that parking areas don't need overlay approval. Chairman Knox states we can appeal that decision to the Zoning Board.**

**Mr. Provonsil says that he has an obligation for her to full fill her obligation of the application. The contractor's opinion states original tire tracks were a poor design for snow removal and handicap accessibility. He asked the committee member to please consider the amended application. Norma Knox stated that applicant never**

showed up at the meeting. Mr. Provonsil states contractor is willing to fix the problem. Michael Charland asked, "Should we ask her to come to the committee for some form of agreement." Committee members stated amended plans were never shown to them. Sacha Anthony Hummel asked Mr. Provonsil if what was recently done to the parking area was approved by him. He stated,"No". Mr. Provonsil said he told contractor to cut back a piece in the front and back and leave a piece in the middle of the parking area. Miss Slinko showed Mr. Provonsil a sketch. Committee members again stated they never saw any sketches. Michael Charland asked Mr. Provonsil again, should the committee send a correspondence to her. Mr. Provonsil stated he has an obligation to resolve this matter. If the committee members choose not to appeal his decision about parking area to Zoning, please let him know.

Property located at 623 West Greenville Road- Mr. Provonsil stated to Chairman Knox that he didn't send a copy of the letter from the Pastor of the Church with all the other documents to the Town Council and that was unfair. He stated that the church posted a \$500 bond in the form of a check. He asked Chairman Knox to check the area in question and Chairman Knox reported the area was grassed. Mr. Provonsil then contacted the Pastor and stated that it was adamant the area wasn't going to be grassed. He offered loam for the area; he got a "No, thank you. Mr. Provonsil that said the matter is a procedural dispute. Michael Charland asked if the statement about grassing the area is on the taped minutes. Mr. Provonsil stated "he

wasn't going there" and again repeated it's a procedural issue. The Pastor states the comment was never mentioned in the presence of the church members at the meeting. Norma Knox asked Mr. Provonsil, "What do you consider the site?" He stated it is the footprint and disturbance area around it. He further states that the content of this property in the letter should not have gone to the Town Council because it is a procedural issue and the committee should have appealed his decision on this to the Zoning Board. Norma Knox stated that communication is an issue and stated Mr. Provonsil should have put his decision in writing. Mr. Provonsil stated he did that. He again states that the Overlay Committee can appeal his decisions to the Zoning Board.

Mr. Provonsil then discusses the statement in the letter about Overlay Committee stopping a project. He stated he never said that. He continues on saying that since committee members live in the district area and if on weekends committee noticed a project that is not being done according to approval, committee members should call the police or contact him directly. Chairman Knox then referenced an old application issue where he did contact the police about the matter and they did nothing. Mr. Provonsil then said don't go onto a site if you feel uncomfortable but contact him. He stated that he doesn't expect the Overlay Committee's assistance but points out that it helps the applicant in the long run.

Mr. Provonsil again states that he is disappointed that the letter was written to the Town Council members but understands the committee's concerns.

**Mr. Provonsil informed the committee members that the Town Solicitor stated a modification of the Overlay Committee's application will be modified and violations(fines) would be included if there are zoning violations. Norma Knox asked when the redefined application was going to be done. Mr. Provonsil stated that Town Solicitor didn't have a copy available but asked that he inform the committee members.**

**Michael Charland asked if the committee members can decide the changes made to application. Mr. Provonsil stated that the committee members can give an advisory opinion. Michael Charland thanks Mr. Provonsil for coming to this meeting to discuss the content of the letter sent to the Town Council.**

**Sacha Anthony Hummel then asked Mr. Provonsil, why the owners of Scituate Liquor went the Zoning Board with draft plans that showed to the Overlay Committee members. Mr. Provonsil stated they were asking for approval of use of the land.**

**Sacha Anthony Hummel then asked Mr. Provonsil if a picket fence is an option for property located at 90 Danielson Pike (Enza'a)**

## **GENERAL DISCUSSION**

**Norma Knox stated that Del's Lemonade lost their Art Festival License, referencing article in Valley Breeze.**

**Chairman Knox stated that committee members should think about next step for the property located at 90 Danielson Pike (Enza's).**

**Michael Charland suggested inviting her to an Overlay Committee**

meeting for discussion. Sasha Anthony Hummel stated he spoke with Enza and told her not to do anything to the pavement issues until speaking with the committee members at a meeting.

Sasha Anthony Hummel asked Chairman Knox why he wasn't invited to the closed door meeting with the Town Council and Mr. Provonsil.

Michael Charland commented that the committee members should not sign off on an application that is brought before them unless exact plans are given for the project requested. He also asked if the oldest picture of the property be included in the application.

## **ADJOURNMENT**

Motion was made by Sacha Anthony Hummel and seconded by Norma Knox to adjourn at 8:45 p.m., unanimously voted to accept.

Respectfully submitted,

Kathleen E. Blaine