

COHASSET PLANNING BOARD MINUTES

DATE: WEDNESDAY, MARCH 1, 2006
TIME: 6:30 PM
PLACE: COHASSET TOWN HALL – LOWER LEVEL MEETING ROOM
41 HIGHLAND AVENUE, COHASSET, MA 02025

Board Members Present: Alfred Moore, Chairman
Stuart Ivimey, Clerk
Peter J. Pratt, Vice Chairman
Mike Westcott (arrived @ 7:00 PM)
Robert Sturdy (left at 8:20 PM)

Board Members Absent:

Recording Secretary Present: Jo-Ann M. Pilczak

Town Planner Present: Elizabeth B. Harrington

MEETING CALLED TO ORDER AT: 6:30 PM

6:30 P.M. ARTICLE 5: TRANSIT ORIENTED DEVELOPMENT (NEW #19) CONTINUED PUBLIC HEARING Member Pratt recapped all BOS, Planning Board, Town Counsel and proponent comments which have been implemented in form of edits and reviewed by all. Town Planner Harrington noted that senior overlay language was added to section 17 where appropriate so it resembles the Senior Overlay. Peter Brown, EDC, noted that the EDC has reviewed the changes and is in full support of the changes suggested/edited in by Town Counsel and the Planning Board as presented at this meeting.

MOTION: by Member Pratt that the Planning Board recommend Article 19, Transit Overlay District, to Town Meeting as amended by Town Counsel changes presented at this meeting.

SECOND: Member Ivimey

VOTE: 4 – 1 MOTION CARRIES

7:20 P.M. 130/132 ATLANTIC AVE – FORM A APPLICATION, APP/OWNER: R. TEHRANIAN, date stamped: 02/28/06. 21 day decision deadline = 03/20/06. Simply moving small part of lot line.

MOTION: by Member Sturdy to approve this Form A application.

SECOND: Member Pratt

VOTE: 5 – 0 MOTION CARRIES

7:25 P.M. ZBA RECOMMENDATIONS

• **6 JOY PLACE, SPECIAL PERMIT APPLICATION, APP: ERIC & ALLYSON CREWS, date stamped: 02/14/06.** Applicant is adding second floor above garage. Will be single story on the side lot. Existing single story garage is 15' in height and setback is just under 10'. Going up to second story requires a 20' setback. Structure is set into a hollow, cannot be seen from street and is not intruding on travel ways or sight lines.

MOTION: by Member Sturdy to recommend that the ZBA approve this Special Permit application.

SECOND: Member Pratt

VOTE: 3 – 2 MOTION CARRIES

• **271 SOUTH MAIN ST., SPECIAL PERMIT APPLICATION, APP: SUSAN & MICHAEL SARDINA, date stamped: 02/14/06.** Non conforming side setback. Not making the side setback any more nonconforming.

MOTION: by Member Sturdy to recommend that the ZBA approve this Special Permit application.

SECOND: Member Pratt

VOTE: 5 – 0 MOTION CARRIES

• **498 BEECHWOOD ST., SPECIAL PERMIT APPLICATION, APP: ALEXANDER AMBROULT, date stamped: 02/14/06.** Applicant wants to add second story. Side yard is nonconforming. It was noted that the plans are not stamped by a professional surveyor (therefore, not considered an actual survey) and that decisions about setbacks should not be made based on improper plans.

MOTION: by Member Sturdy that the Planning Board not make any recommendations on this application due to the inadequacy of the plans submitted.

SECOND: Member Pratt

VOTE: 4 – 0 MOTION CARRIES (Member Ivimey had stepped out momentarily)

7:30 P.M. CASTLE RD SUBDIVISION, CONT'D PUBLIC HEARING (135 day decision deadline = 04/12/06)

Applicants David Calhoun, Tom Ragno and Attorney Walter Sullivan in attendance. Town Counsel not present due to illness. Att. Sullivan, in his opinion as applicants' attorney, answered questions addressed to Town Counsel.

- What is subject matter of this subdivision? The subdivision really is Manor Way Circle relying on subdivision rules & regulations that allow a subdivision to use an existing private way as long as it has right to improve that subdivision right of way
- Does referencing the historic Castle Road give others the right to subdivide off Castle Road? It does not and the plan would be deficient not to name Castle Road but, include it only at the far end, not as part of the 6 lot subdivision.
- Are they relying upon Manor Way for s subdivision purpose? Manor Way, although it is going to continue to be maintained as a passable way, it doesn't enter into the subdivision equation as another way to gain access to Manor Way Circle and is not part of the subdivision but is a proposed condition that it be continued to be maintained by the Association as passable for emergency vehicles for example.
- Whether any easement the applicants may have to use a portion of Pond Street having to do with a treatment plant could be used by a third party to expand upon the subdivision? All that is being approved by the Planning Board is a 6 lot subdivision but the Planning Board could place a condition that no easements will be granted to abutters to prohibit further use of the Pond St. treatment plant. Applicants are agreeable to such a condition.
- If Cedarmere, for example, acquired Manor Way Circle, could it connect to the Pond St. facility or could Manor Way Circle make a case for connecting to sewer since Pond St. is connected to sewer? No, just because a neighbor is on sewer, does not mean an individual can connect to sewer.

Member Sturdy did point out that this is a subdivision of 6 lots and a parcel of land with frontage on South Main St. (the parcel of land that starts on South Main St. and ends at Lot 6. Sturdy wants that it to read as 6 lots on Manor Way Circle and a complete easement through Lot 6 as being the property of the Homeowners' Association so they cannot deal with someone else and, the leaching field land could be added as part of the Homeowners' Association also stating that it cannot be built upon, sold, have further easements on etc. Sturdy does not want that parcel able to be sold etc. and wants it dealt with in the permit and worded so it only serves these 6 lots.

Member Pratt emphatically stated that he felt the Planning Board should wait for Town Counsel response to the questions that were originally asked of Town Counsel to address concerns of the public and of some of the Board members. Member Ivimey agreed. Modzelewski asked for figures on hydraulics flow. Applicant will provide.

MOTION: by Member Sturdy to continue Castle Road discussion to March 8, 2006 at 7:00 PM with a request of Town Counsel to provide response to the previously asked questions prior to the March 8 meeting.

SECOND: Member Pratt

VOTE: 5 – 0

8:20 P.M. SCITUATE HILL DEFINITIVE SUBDIVISION CONTINUED PUBLIC HEARING, APP: CROCKER II REALTY TRUST, date stamped: 12/22/05 (90 day decision deadline = 03/21/06)

Applicant Schwandt, Engineer John Cavanaro represent application. Member Moore recused. Member Sturdy left meeting prior to start of this agenda item. Employed Tech Environmental to perform traffic/noise study. They determined there would be no discernible change in existing noise as a result of this subdivision and that existing Rt. 3A noise will not be exceeded by truck noise at top of cul-de-sac. John Modzelewski thought the greater concern was the noise Sunrise Assisted Living might experience in the evening when trucks return. W. Sawchuk, Beechwood St., noted that Sunrise Assisted Living is so well insulated it is almost soundproof and because of air conditioning, outside noise is not heard inside the building. Member Pratt also noted that Sunrise has not been at the public hearings so apparently is not concerned about the noise. Board members were satisfied with the noise data presented. Historical documents for borings indicate there is no ledge within 25'-40' of the surface - Modzelewski satisfied. Modzelewski noted (referring to new Hesketh memo) satisfaction with profile presented regarding steepness of slope. He again reiterated that closing curb cut at Brass Kettle is the preferred approach. Modzelewski did have questions about the way traffic generation was computed and thought R. Bryant and Hesketh should talk to make sure their traffic reports agree. Modzelewski noted that other outstanding items in his report are easily

remedied – for example, coordination of sidewalks on and off subdivision property. Cavanaro will consult with Mass Highway and will layout internal sidewalks to increase pedestrian access. Applicant has retained a fire protection engineer to conduct flow test. Modzelewski again stated that three driveway openings in a short span is not a good idea for traffic and this is a good opportunity to eliminate one at Brass Kettle and it should be closed once the new road is built to service it. R. Bryant of Rizzo Assoc. thinks it should remain open until signalization happens. Applicant questions if the pros outweigh the cons in closing this curb but before signalization – applicant would like to keep open. Planning Board reiterates they want it closed. In response to Member Pratt’s inquiry about maintaining vegetation because of the steep gradation, Cavanaro indicated they will save as much vegetation as possible. Traffic issues addressed. Town Planner Harrington noted that Hanover retained VHB to examine the Rt. 53-123 intersection and indicated the Planning Board might want to review their study. Harrington could not reach Skip McCourt. Modzelewski spoke to Beta Engineering, VHB and Hesketh Assoc., - study from Pond St. to the Hingham town line in terms of signalization, zoning amendments to facilitate traffic flow and detail about entrances/exits to facilitate traffic flow will cost \$20,000-\$30,000 and take 2-3 months. Member Westcott would like to see the study span from the Hingham town line to the Scituate town line. Harrington does not see the Town having funding for that study suggesting that the Board might consider conditioning this application with a clause to focus only on the area relating to their application so they will not be delayed if funds are not available. Member Pratt indicated that Skip McCourt wanted more comprehensive mini corridor study done that expands upon the studies already available. He also stressed that synchronization as well as signalization data is necessary.

Follow-up action items:

- Cavanaro will research exactly what kind of study is needed, whether Mass Highway indicated that signals had been designed and will talk with MBTA liaisons regarding MBTA traffic studies.
- Harrington will clarify nature of Rt. 3A study with McCourt and/or Bob Gregory and summarize in memo.
- Modzelewski will address Brass Kettle curb cut with traffic sub-consultant
- Harrington and Cavanaro will compile a punchlist of items to be completed.

MOTION: by Member Westcott to continue this public hearing to March 15th.

SECOND: Member Ivimey

VOTE: 3 – 0 MOTION CARRIES (Member Moore recused, Member Sturdy left early)

9:40 P.M. WOODLAND DRIVE – FORM A APPLICATION, APP/OWNER: EVERGREEN BUILDERS,

date stamped: 02/13/06. 21 day decision deadline = 03/05/06. Attorney Richard Henderson in attendance to present history of the lot. Application is a redivision of the original 13 lots into 2 buildable lots.

MOTION: by Member Pratt to approve this Form A Application.

SECOND: Member Westcott

VOTE: 4 – 0 MOTION CARRIES

9:50 P.M. ADMINISTRATION

- **VOTE TO APPROVE 02/08/06 MINUTES AND 02/22/06 MINUTES**

MOTION: by Member Ivimey to accept 02/08/06 and 02/22/06 minutes

SECOND: Member Westcott

VOTE: 4 - 0 MOTION CARRIES

- **LARGE HOME REVIEW WARRANT ARTICLE** Planning Board wants Large Home Review article back on warrant because, even though Planning Board is not recommending this article, they did vote 4-1 on 02/22/06 to put it on the warrant so the public could see it in its original version and therefore, it should be on the warrant.

MOTION: by Member Ivimey to adjourn

SECOND: Member Westcott

VOTE: 4 - 0 MOTION CARRIES

MEETING ADJOURNED AT: 10:00 P.M.

NEXT MEETING: WEDNESDAY, MARCH 8, 2006, AT 7:00 P.M.

MINUTES APPROVED: _____

DATE: _____