

COHASSET PLANNING BOARD MINUTES

DATE: WEDNESDAY, MARCH 15, 2006
TIME: 7:00 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
Robert Sturdy

Board Members Absent: Mike Westcott

Recording Secretary Present: Jo-Ann M. Pilczak

Town Planner Present:

MEETING CALLED TO ORDER AT: 7:05 PM

7:00 P.M. ADMINISTRATION

• VOTE TO ACCEPT 03/01/06 MINUTES

MOTION: by Member Sturdy to accept 03/01/06 Minutes

SECOND: Member Ivimey

VOTE: 4 – 0 MOTION CARRIES

• DISCUSS, VOTE TO ACCEPT LARGE HOME REVIEW CONDITIONS OF APPROVAL TRACKING FORMS/PROCESS - Add “scheduled” to last line before word completion

MOTION: by Member Pratt to approve the LHR Tracking Forms and procedure

SECOND: Member Ivimey

VOTE: 3 – 1 MOTION CARRIES

• CHANGES TO REQUEST FOR DEPOSITS FORM – Planning Board Administrator requests approval to note payments due within 14 days of billing and, add statement that all meetings, permits and inspections will be stopped if payment not received within 14 days.

MOTION: by Member Pratt to approve changes as proposed to Request for Deposits Form

SECOND: Member Ivimey

VOTE: 4 – 0 MOTION CARRIES

• APRIL MEETING SCHEDULE - April 1, 2006 for Town Meeting, April 12 and April 26 set as regular Planning Board Meeting dates

7:30 P.M. 140 POND STREET - LARGE HOME REVIEW, APPLICANT/OWNER:EVERGREEN

BUILDERS, date stamped: 02/14/06, (35 day deadline for public hearing: March 20, 2006) Applicant Joseph Iantosca, Brendan Sullivan, Cavanaro Consulting in attendance. Member Ivimey read public hearing ad. Member Moore explained that this plan could eliminate the 600 SF in the attic and not require a Large Home Review and that he appreciates the applicant’s honesty in his plans. Applicant explained the construction of a 4100 SF residence, 600 SF in attic, on 2200 SF footprint. No waivers or variances required as it meets all zoning. B. Sullivan explained that roof runoff will be into drywells on all corners of house and into the ground and that driveway will be bermed. Member Sturdy would like to see drainage plans. Abutters Barry and Margaret Tufts, 16 Woodland Drive, expressed great concern over drainage as their house is the lowest point on Woodland Drive and they experienced water damage after Alumni Field construction that required an investment of over \$18,000 to troubleshoot/correct. They are concerned that this new construction will reintroduce the water problems. They also explained that drains on the street and in the neighborhood overflow in heavy rain. Abutters Mrs. Wilson and Mrs. Facey, both of Woodland Drive confirmed the flooding issues from Alumni Field and Pond St. during heavy rain. They also explained that this neighborhood is wetlands, containing an underground stream and that a large footprint will displace the opportunity for water to be absorbed into the ground. Mrs. Facey also stated concern that everytime a new project occurs, flooding and drainage issues result and, she asked if drainage maps have been consulted and if engineers can be consulted before this begins so they may be able to avoid problems before they

occur. Member Moore confirmed this could be done, the question is at whose expense? Member Pratt expressed concern that this could result in a situation similar to Brewster Road in terms of drainage easements, questions of responsibility for cleaning drains etc. Further, he suggested that the applicant, for his own benefit, work with the Town to identify problems – for example, do the existing drains dead-end, so that he is not building structures that will have flooding basements. Member Sturdy did not think the stone drywells will work as they are in soil with poor drainage and will just overflow, fill with silt, be difficult maintain etc. He further stated that the plan as shown will have a severe negative impact on the neighborhood and suggested that the applicant consider a gravel driveway (to decrease the % of impervious) that is bermed to collect runoff and hold until it soaks into the soil or, design retention basin to collect water or consider some type of collection and drainage system to direct water to vacant property away from Woodland Drive that the applicant owns. Planning Board would like to see the applicant do the best they can to not exacerbate the neighborhood water problems. Board would like the applicant to redesign the drainage issues to incorporate Member Sturdy suggestions for French drains into a system to direct water from the neighborhood, drains on aprons in driveway, gravel rather than paved driveway etc. Member Sturdy would also like to see septic plans.

MOTION: by Member Sturdy to continue this public hearing to March 29, 2006 at 8:00 PM

SECOND: Member Pratt

VOTE: 4 – 0 MOTION CARRIES

8:25 P.M. SCITUATE HILL DEFINITIVE SUBDIVISION CONTINUED PUBLIC HEARING, APP: CROCKER II REALTY TRUST, date stamped: 12/22/05 (90 day decision deadline = March 21, 2006)
Applicant postponed.

MOTION: by Member Ivimey to go into Executive Session to discuss legal matters relative to Campbell and Kupperstein litigations.

SECOND: by Member Sturdy

POLL: Member Pratt – yes, Member Ivimey – yes, Member Moore – yes, Member Sturdy – yes

VOTE: 4 – 0 MOTION CARRIES

Planning Board entered Executive Session until 9:00 PM to discuss Campbell and Kupperstein litigations.

9:00 P.M. CASTLE ROAD SUBDIVISION (135 day decision deadline = April 12, 2006) Applicant Calhoun and Attorney Sullivan in attendance to represent application. Member Pratt wants Town Counsel to write the decision, not the applicant's attorney. Town Counsel opinions regarding major points/concerns and Planning Board policy were reviewed:

1. Status of Castle Road: Planning Board wants to make sure that: conditions in decision are iron clad so other parties cannot claim rights to take frontage; that Castle Road should be treated as an unbuildable lot that is an odd feature of this subdivision that cannot be built on; and, that language be included that conveys that the applicant has failed to demonstrate that this is a public way.
2. If plan is approved could lots be granted with frontage on Castle Road through endorsement of an ANR plan? Board policy is that they do not want anything in the Manor Way decision to create a right that does not now exist for an ANR. All reference to Castle Road and all notations that it is a traveled way, will be taken off all plans prior to plans endorsement and will not be referenced in decision as the decision is not giving Castle Road status as a subdivision road or any other kind of road. It is common area/land owned by the Homeowners Association that is not buildable and any further easements cannot be granted that do not already exist other than with the MBTA.
3. Status of Manor Way: The Board's decision is that frontage and access will be drawn from Manor Way which must be brought up to subdivision standards before anything can be done.
4. If sold to Cedarmere, does Cedarmere have the right to sewer connections (as well as daisy chaining to Pond St)? Decision of the Board is that the Board does not consider the grant of this subdivision to be the grant of anything that could be argued to change the second amended judgement or the nature of sewer districts as recognized by the Commonwealth and outlined by Town Meeting.
5. May the Board Condition approval on potential existence of petroleum? Board decision is that they want this subdivision approval to be contingent upon all other rules, regulations, bylaws and statutes of the Town and Commonwealth as being applicable and enforced.
6. Should easement for emergency access over lot 6 be shown on plan? Board's decision is no.

MOTION: by Member Pratt that the Planning Board approve the definitive subdivision plan as presented and conditioned by a decision to be drafted by Town Counsel and review, approved and issued by the Board.

SECOND: Member Ivimey

VOTE: 4 – 0 MOTION CARRIES

Town Counsel will draft decision incorporating these points and boiler plate conditions contained in Highland Estates subdivision decision. Will be forwarded to Board for review a few days prior to March 29, 2006 Planning Board meeting. N. Murphy Associates to correct plans. John Modzelewski suggested the Board ask N. Murphy for written attestation that plans are the same as those the Board has been reviewing except for changes cited.

MOTION: by Member Sturdy to adjourn

SECOND: Member Pratt

VOTE: 4 – 0 MOTION CARRIES

MEETING ADJOURNED AT: 10:00 P.M.

NEXT MEETING: WEDNESDAY, MARCH 29, 2006, AT 7:00 P.M.

MINUTES APPROVED: _____

DATE: _____