

COHASSET PLANNING BOARD MINUTES

DATE: WEDNESDAY, April 12, 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
Peter J. Pratt, Vice Chairman
Stuart Ivimey, Clerk
Mike Westcott

Board Members Absent: Robert Sturdy

Recording Secretary Present: Jo-Ann M. Pilczak

Town Planner Present: Elizabeth B. Harrington

MEETING CALLED TO ORDER AT: 7:05 PM

7:05 P.M. 35 POND STREET, FORM A APPLICATION, APP: JEFFREY & LAURA RITZ, date stamped: 03/31/06 (21 day decision deadline: 04/20/06) Engineer Neil Murphy in attendance to represent application.

MOTION: by Member Ivimey to approve this Form A

SECOND: Member Pratt

VOTE: 3 - 0 MOTION CARRIES (Member Westcott had not arrived at meeting yet)

7:10 P.M. 2 SMITH PLACE – REPETITIVE FILING DISCUSSION Attorney Richard Henderson and Applicant Richard Brown in attendance. Henderson explained that the ZBA considers this a repetitive petition when in fact, the plans are different with footprint reduced by 2000 SF, restrooms moved inside each bay and bays reduced from 8 to 6. Henderson does not consider this a repetitive petition nor does he consider the ZBA denial as founded. Further, he does not think ZBA comments about parking are valid any longer as the site is near municipal parking nor does he think ZBA argument about traversing residential streets is valid as far more serious situations have been permitted as recently as 2002. If Planning Board consents, the ZBA must hear it again. Planning Board consent must be at a “noticed” hearing. Attorney Henderson will prepare a notice to be mailed to interested parties.

MOTION: by Member Westcott to set a hearing date of May 3 to reapprove an application that the Planning Board has already approved

SECOND: Member Ivimey

VOTE: 3 - 0 MOTION CARRIES (Member Pratt recused as he is abutter to an abutter)

7:25 PM RED LION INN SIDEWALK Mr. Ordelheide said he would contribute \$24,000 to the Town and they can do the sidewalks anyway they want. Member Moore read his certificate of approval dated 04/06/98 which states in condition #8, Mr. Ordelheide’s responsibility to work on the sidewalk but did not contain a dollar amount so he wondered where the \$24,000 figure came from. MBTA Liaison Tom Gruber thinks \$24,000 is about 1/3 the project cost. Neil Murphy mentioned that the sidewalk design was included in Mr. Ordelheide’s original plans.

MOTION: by Member Pratt to send a memo to Building Commissioner Egan asking him to enforce Condition #8 of the Red Lion Inn certificate of approval dated 04/06/98.

SECOND: Member Westcott

VOTE: 4 - 0 MOTION CARRIES

Member Moore asked Planning Board staff to write a letter to Mr. Ordelheide asking him to come to a Planning Board meeting to discuss the sidewalk situation.

7:35 P.M. 486 JERUSALEM ROAD – LARGE HOME REVIEW PUBLIC HEARING, APP: JOSEPH & SUSAN CARRABES, date stamped: 03/14/06, (35 day deadline for public hearing: APRIL 17, 2006)

Member Ivimey read public hearing ad. Applicant Joseph Carrabes and Architect Rebecca O’Donnell represented application. Application was for the demolition of an existing approx. 2,000 SF, one-story residential structure and

the construction of a new, 4,656 SF single family, gambrel style residence in the "RB" district. Footprint of the new construction will increase minimally over the existing structure. The increase in square footage in the new construction will be primarily in the inclusion of a 2nd floor. While the existing structure is nonconforming, the new home will conform completely with zoning. Coverage will remain almost exactly the same as the existing structure. While there is a large amount of ledge on the site, the existing home has a sublevel for mechanicals which will be used for the new construction. Therefore, blasting is not planned although there may be some minimal chipping to secure the foundation. Member Ivimey noted that he is in favor of blasting over chipping to minimize the time over which the chipping would occur. There are no drainage issues. No known neighbor view easements or covenants exist. There is currently one concrete bound on the property. As was noted in the Planning Board Staff's review of this filing and the Large Home Review Checklist dated April 11, 2006, four points were noted as missing in this application. At this April 12 meeting, the Architect presented new plans to the Board which included the total square footage of the building to reflect overall massing (C.3) and, elevations to average grades on the architectural plans (C.4). The remaining two items – placement of two permanent survey monuments (B.7) and placement of survey stakes on the site (B.10) will need to be completed and will be included in the Planning Board and Building Dept. tracking system for this project. No abutter comments were offered.

MOTION: by Member Westcott to recommend approval of this Large Home Review application and issuance of building permits.

SECOND: Member Ivimey

VOTE: 4 - 0 MOTION CARRIES

7:45 P.M. ADMINISTRATION

• **VOTE TO ACCEPT MARCH 29, 2006 MINUTES**

MOTION: by Member Ivimey to accept the March 29, 2006 minutes

SECOND: Member Westcott

VOTE: 4 - 0 MOTION CARRIES

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

SECOND: by Member Westcott

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

VOTE: 4 – 0 MOTION CARRIES

Planning Board entered Executive Session until 8:20 PM to discuss Campbell and Kupperstein litigations.

8:25 P.M. MUSIC CIRCUS SITE PLAN REVIEW PUBLIC HEARINGM, APP: VINCENT LONGO - DIRECTOR, date stamped: 03/14/06, (30 day deadline for public hearing: 04/12/06)

Member Ivimey read public hearing ad. Applicant Vincent Longo and Engineer Neil Murphy represented application. No abutters in attendance. Member Pratt recused. Neil Murphy presented a brief overview of the restroom expansion. No drainage issues exist. Applicant presented documents to address Water Dept. memo of 03/21/06.

MOTION: by Member Westcott to close the public hearing

SECOND: Member Ivimey

VOTE: 3 - 0 MOTION CARRIES

MOTION: by Member Ivimey to approve the site plan as presented

SECOND: Member Westcott

VOTE: 3 - 0 MOTION CARRIES

8:35 PM 42 RIVER ROAD FORM A Since extra time was available until next agenda item could begin, Form A for 42 River Road was reviewed. Applicant is moving lot line between the two parcels to increase one lot size. Board asked that agent for applicant add the phrase "Not a public way" under the name "River Road" and that some form of attestation be presented to ensure the Board that owners of both pieces of property are aware that one lot increases in square footage, while the other decreases and, that both owners approve. Planning Board staff to contact applicant's agent and request these two items for the April 26 meeting.

8:40 P.M. SCITUATE HILL DEFINITIVE SUBDIVISION CONTINUED PUBLIC HEARING (extension date: April 15, 2006) Applicant Rob Schwandt and Engineer John Cavanaro represent application. Member Moore recused. Detailed point by point discussion of all John Modzelewski comments, Town Planner Harrington draft decision, applicant comments and Board comments. Culminated in agreement as to conditions that should be in next decision draft. Town Planner Harrington to revise draft and circulate.

MOTION: by Member Ivimey to close the public hearing

SECOND: Member Westcott

VOTE: 3 - 0 MOTION CARRIES

MOTION: by Member Ivimey to approve this commercial subdivision plan subject to completion of all items discussed at this meeting, including outstanding items in the files and all outstanding items identified by Civil Designs Inc.

SECOND: Member Westcott

VOTE: 3 - 0 MOTION CARRIES

Applicant will grant extension to May 5, 2006 to allow time to draft, circulate decision. Planning Board staff will circulate street name review form to Assessor and Chief of Police.

MOTION: by Member Ivimey to adjourn

SECOND: Member Westcott

VOTE: 3 - 0 MOTION CARRIES

MEETING ADJOURNED AT: 10:35 P.M.

NEXT MEETING: WEDNESDAY, APRIL 26, 2006, AT 7:00 P.M.

MINUTES APPROVED: _____

DATE: _____