

COHASSET PLANNING BOARD MINUTES

DATE: MONDAY, APRIL 14, 2008
TIME: 7:00 PM
PLACE: COHASSET TOWN HALL – BASEMENT MEETING ROOM
41 HIGHLAND AVENUE, COHASSET, MA 02025

Board Members Present: Alfred Moore, Chairman
Stuart Ivimey, Clerk
Charles Samuelson
Clark Brewer

Board Members Absent: Mike Westcott

Recording Secretary Present: Jo-Ann M. Pilczak

MEETING CALLED TO ORDER AT: 7:05 P.M.

7:05 P.M. BILL GOOD, DESIGN REVIEW COMMITTEE Bill Good will continue to seek 5-6 volunteers for the Design Review Committee. Will look for varied representation – realtor, architect, landscape architect, contractor, interior designer etc. Member Moore to speak to Bill Griffin about BOS call for members.

7:15 P.M. 209 & 217 NO. MAIN ST. DEFINITIVE SUBDIVISION CONTINUED PUBLIC HEARING, APP: ROBERT & MARIA WILLIAMS, filed on 02/04/08 In attendance: Applicants Robert & Maria Williams, Matthew Broderick; Attorney Richard Henderson; John Cavanaro, Brendan Sullivan, Cavanaro Consulting Inc. Henderson updated: all changes that have been discussed have been incorporated into April 8, 2008 revised plans; Homeowners' Assoc. to deal with maintenance of roads, drains will be written; Drainage Easement to put water into land next to Little League field has been done; septic system has been approved by BOH and common maintenance agreement has been signed by Joe Godzik; will request waivers for – sidewalks only on 1 side, 18' road width and trees. Cavanaro also noted that they have added more plantings between Prendergast property, drainage easement was submitted at this meeting, rain gardens have been added to topo. Tree waiver will be requested for location of trees >12' - they plan to have 8 mature trees around the road as well as all the additional vegetation proposed which they think balances everything making it unnecessary to locate all trees. Member Moore would like tree count. Detail of frame and grade have been added and bolted. Also requesting waiver for roadway to 18' rather than the required 26' – applicant is agreeable to acknowledging that there will be no further development on this road if the 18' waiver is approved and is agreeable to restrictive covenant relative to this. Cavanaro noted that they have increased the cul-de-sac to 21' and increased the center island and that there will be off street parking for 28 cars in driveways and driveways are long – do not anticipate cars parking on the street. Regarding water main upgrade to 12" main – water department does not have concerns with flow.

To be provided:

- *Modzelewski asks for documentation and data from proponent regarding water flow for files.*
- *Modzelewski also requests registry blocks on all plans.*
- *Broderick to provide letter for file that he will agree to maintain the narrow strip of land which he now uses as access to his property until he determines how he is going to dispose of the land once subdivision is complete. (water & gas lines that are currently under this strip to serve his home will be cutoff). Member Ivimey would like to see this closed as a curb cut so it does not become a defacto second access – could be gated where right of way joins the subdivision.*

Public comments: none

MOTION: by Member Ivimey to close the public hearing

SECOND: Member Brewer

VOTE: 4 - 0 MOTION CARRIES

Modzelewski is confident that rate of runoff will be undetectable

MOTION: by Member Ivimey to approve this definitive subdivision filing subject to the conditions discussed during the public hearing

SECOND: Member Samuelson

VOTE: 4 - 0 MOTION CARRIES

Henderson to produce drainage easement, Homeowners' Association for plowing and drainage, restrictive covenant for the 18' road width and tree count to be given.

MOTION: by Member Ivimey to drop the tree count requirement

SECOND: Member Samuelson

VOTE: 4 - 0 MOTION CARRIES

Draft decision to be written for review at April 28, 2008 meeting.

8:00 P.M. 29 CEDAR ST./FOREST AVENUE DEFINITIVE SUBDIVISION – CONT'D PUBLIC

HEARING, APP: DAVID DRINAN, filed on 01/22/08 Neil Murphy & Scott Arnold, Neil Murphy Associates and applicant David Drinan in attendance. Scott Arnold responded to Civil Designs March 8, 2009 review as outlined in Neil Murphy Assoc. April 7, 2008 response memo. This discussion did not advance very far as other issues - subdivision roadway waivers - took center stage. List of requested waivers has been submitted. Point A: Small fill area and shallow depth does not raise water level significantly and does not warrant compensation area. If ConComm requires compensatory wetland construction, that will provide additional flood storage as well. With change in topography, and max. ½" increase in water, street will not flood and no impact on Morse house (basement).

Point B: Stormwater Management has been revised, submitted to Board. Deemed acceptable by J. Modzelewski.

Point C: Applicant intends to construct roadway/bridge as per plans submitted. As of this date, no evidence of a vernal pool but examination will continue into May.

Point D: Hammerhead is outside the ledge outcroppings (now located on plans). Capt. Trask does not like hammerhead turnarounds – fire dept. experience has been that they become cluttered storage areas for boats, dumpsters, excess parking etc. and are not available as clear turnarounds when needed. Murphy noted that this could be conditioned to remain as a clear area – question is, who polices this condition? Capt. Trask encourages the Board to stick to the subdivision roadway standards and not dumb down the requirements. Murphy noted that a cul-de-sac is a lot of pavement to serve one house. **Board will condition that this road will only serve one house.** Member Ivimey is concerned about dumbing down the characteristics of this road as being a subdivision road, because **it is** a subdivision road – do not want to set precedents about “minimalist” subdivision roads that are more like driveways. Attorney Humphreys agreed with Trask adding that roadway waivers corrupt the true difference between a subdivision – as this application was filed – and an ANR filing – turning subdivision requirements into common driveways and that a subdivision road should have to serve more than one house or, it is nothing more than a driveway. Humphreys further noted that the whole basis for a subdivision road is that at some time in the future, it might become a town or, public way – and should therefore meet the minimum standards.

Abutter Joseph Pelligrini, 60 Forest Ave., has concerns including: safety of the road including entering and exiting onto Forest Ave. and speed; noise from a bridge; mosquitoes; impact on the character of the neighborhood; money that has been spent by abutters to removing poison ivy and overgrowth on the lot. Member Moore noted that, in his mind, the larger issue is the wetlands issue which has to be reviewed by ConComm. Moore would like to put further review on hold until ConComm reviews and decides on this wetland crossing and whether they will allow it to be crossed and, if so, how – by road or by bridge. After that decision, the applicant could return to the Planning Board for one of those two plans and at least the Planning Board would know what they are reviewing. Applicant is agreeable to put indefinite stay of Planning Board review until ConComm can review and decide. Planning Board Administrator to send letter of explanation to ConComm with request for their review and guidance so Planning Board can proceed. Applicant will submit application to ConComm with 2 weeks.

9:15 P.M. RICHARD HENDERSON, LOT 56, DIAB LANE Henderson explained that there was a restrictive covenant placed on lots 55, 56, 57 and 58 in 1958. Lots were not to be conveyed until drainage system was constructed as per plans. On August 25, 1980, the Planning Board modified and amended to now exclude Lots 55 and 58. Henderson requested that the Planning Board vote to modify and amend so as to exclude Lot 56. Only ownership would be changing, not giving permission to build.

MOTION: by Member Ivimey to release Lot 56 from the restrictive covenant

SECOND: Member Moore

VOTE: 4 - 0 MOTION CARRIES

Board members signed an "Amendment of Conditions". To be stamped by Town Clerk, original to Henderson, copy in Diab Lane FORM A #110 file.

9:20 P.M. WAYNE SAWCHUK, INFORMAL DISCUSSION, 35-39 SO. MAIN ST. Sawchuk updated Board on his progress to date on the renovations as 35-39 So. Main St. In addition to new roof and siding, enclose ventilation system on back, maybe enclose the deck area and cleaning up the back property, Sawchuk's new objective is to complete a remodel of the two apartments on the 2nd floor. He would like to add a full shed dormer on the back which will add very little floor space while increasing the available useable space inside. Immediate goal is to make the outside look better and to renovate the two apartments. Future plan is to add a second building facing the Parkingway with new sidewalk etc. Site Plan Review will be filed for construction of new building.

MOTION: by Member Samuelson to allow addition of <200 SF dormer without requiring site plan review.

SECOND: Member Moore

VOTE: 3 - 1 MOTION CARRIES

If Building Commissioner deems that the proposed construction exceeds this motion once work begins, he will notify Planning Board.

10:00 P.M. ROGER HILL, INFORMAL DISCUSSION – 166 KING ST. Hill explained that he would like to build a wooden, 20' x 50' one-story shed on the back of the 166 King St. commercial property to be used for boat repairs. Member Moore cautioned him to make sure impervious coverage and setbacks are within allowable limits. Minimal Site Plan Review will be required.

10:05 P.M. ADMINISTRATION

- **VOTE TO APPROVE 03/26/08 MINUTES**

MOTION: by Member Ivimey to accept the March 26, 2008 minutes

SECOND: Member Moore

VOTE: 4 - 0 MOTION CARRIES

- **STREET LISTING** - Continue discussion at future meeting
- **SET MAY MEETING DATES** - Monday April 5 and April 19
- **PLANNING BOARD REORGANIZATION** – Postpone until full board is in attendance
- **PLANNING BOARD EMERGENCY CONTACT LIST** - Members to check for accuracy of info.

10:15 P.M. DAVE CALHOUN – INFORMAL DISCUSSION – CASTLE ROAD – NOT ON AGENDA

Calhoun has new agreement with abutter C. Deligiannidis which allows him to develop his property to allow him to build 3 homes. Calhoun will give Deligiannidis the fee in Castle Road from his house east. Deligiannidis can fix it up, use it and own it. In return, Deligiannidis must allow Calhoun's Lot 6 to use Castle Road and, for every square foot Calhoun gives Deligiannidis, Deligiannidis must give Calhoun a square foot of the wet, unuseable land next to Calhoun's Lot 6 which makes Lot 6 larger and adds value to Lot 6 and give Lot 6 two means of access. Basically a land swap. Calhoun will be returning to the Board with a Form A to accomplish this. There is still an issue with the MBTA tracks as the town sold this land – which they did not own - to the MBTA (according to Calhoun). Calhoun asked if he would have the support of the Board for the Form A, or should it not even be attempted? Member Moore thought the Board would be supportive of this.

MOTION: by Member Ivimey to adjourn at 10:30 P.M.

SECOND: Member Samuelson

VOTE: 4 - 0 MOTION CARRIES

NEXT MEETING: MONDAY, APRIL 28, 2008 AT 7:00 PM REGULAR MEETING

MINUTES APPROVED: STUART IVIMEY, CLERK

DATE: APRIL 28, 2008