

COHASSET PLANNING BOARD MINUTES

DATE: WEDNESDAY, OCTOBER 5, 2011
TIME: 7:00 PM
PLACE: COHASSET TOWN HALL – *BASEMENT MEETING ROOM*
41 HIGHLAND AVENUE, COHASSET, MA 02025

Board Members Present:

Clark H. Brewer, Vice Chair
Charles A. Samuelson, Clerk
William J. Hannon
Alfred S. Moore, Jr.

Board Members Absent:

Stuart W. Ivimey, Chairman
Judy Kasameyer, Associate Member

Recording Secretary Present:

Jo-Ann M. Pilczak, Administrator

Meeting called to order at: 7:00 P.M.

7:00 P.M. PUBLIC COMMENT (10 MINUTES MAXIMUM) -

Chris Fleming, 15 Heritage Lane and Paula Curran, 167 Heritage Lane: comments about condition of Heritage Lane – this is 3rd winter without paved roads – sewer and manhole covers are pushed up - road cannot be plowed well and gets very slippery – road becomes a pond when there is heavy rain – there are a lot of children in the subdivision now - this is not a safe situation. Fleming met with Nader - wants to just patch road for now – residents are not happy with this. Brewer – developer was told in July that if road is not paved by October 15, 2011, Planning Board will begin looking at legal alternatives. Moore – Nader was warned in July that road must be paved by October 15 or all permits will be frozen. Fleming – has contacted all residents - has their email addresses. Michael Coughlin, Town Manager: introduced himself to Board. Met with Brewer last week – discussed Town Planner options. Coughlin would like to explore need for professional planner in some capacity (full time, part time, consulting). Coughlin has met with Egan, Oram and Pilczak to discuss Planning Board and Building Dept. staffing needs and reorganization. Samuelson – operating budget needs some adjusting also.

7:20 P.M. 20 HOBART LANE LARGE HOME REVIEW PUBLIC HEARING, APPLICANT: DAVID & MARY LARSON

In attendance to represent application: Engineering Consultant Carmen Hudson, Cavanaro Consulting and, Architect, Roger Pedigo. Public signed in at Public Hearing: Janice Crowley, 392 Jerusalem Road
Materials and Document Submitted, Since and Utilized at this meeting:

- Form 11 – Application for Large Home Review
 - West Elev. Plan with Building Height Calculation, LHR Sheet 1, Floor Plans Sheet1, Exter. Elev. Sheets 2, 3
 - Comments from Sewer Commission, ConComm, BOH, Cohasset Water Dept., ZBA
- Application is for construction of additions to existing 6,010 sq.ft. home, resulting in a total residential gross floor area of 7,732 sq. ft. Primary reason for additions and interior renovations (includes interior elevator) - to provide handicapped access for family member. Addressing other boards/departments comments Ms. Hudson noted:
- NOI was filed with the ConComm - hearing held - NOI approved - order of conditions issued.
 - Mr. Larson was happy to learn there had been problems with leaks in the existing service and plans to address them at this time. He plans to include the water service replacement as part of this service.
 - Existing onsite septic system will be abandoned and the dwelling will be connected to the public sewer system
 - New water line and sewer line will be put in at this time to minimize disruption to paved and landscaped areas
 - Ledge removal is not considered at all for any kind of lot coverage calculations. Table on the plans is for stormwater coverage, not for lot coverage, to prove that this project does not add over 500 sq.ft. of impervious nor will it alter more than 5,000 sq.ft..
 - Ledge will be removed as part of the utility installation and per Section 11, is exempt. Ledge removal beyond the 10 cu.yds. will be reused within the site as part of the landscaping.

- Ledge will be blasted (preferred approach by Planning Board) following all requirements, protocol and pre-blasting survey required by Cohasset Fire Department
- Proposed height is no higher than the existing height

Captain Trask - concerned that Hobart Lane is very narrow street which would be obstructed by construction vehicle parking and pose serious public safety issue if emergency vehicle access is hindered. This is large lot that could easily accommodate construction related parking on site itself, eliminating need for parking on Hobart Lane.

MOTION: By Member Moore to recommend that Building Inspector Egan issue building permits with conditions that the applicant:

1. Shall comply with all comments and requirements of other boards.
2. Shall receive all other necessary permits and approvals from appropriate boards and/or agencies.
3. Shall adhere to the commonly recognized practices for construction work hours of 7 AM to dusk and, no construction work should take place on Sundays or legal holidays.
4. Is encouraged to continue dialogue with neighbors throughout the course of this construction project.
5. Shall submit two sets of As-Builts to the Building Dept. prior to the issuance of an occupancy permit.
6. Shall provide onsite parking for all construction related vehicles so as not to obstruct access by emergency vehicles and other traffic on Hobart Lane in any way

SECOND: Member Hannon

VOTE: 4 – 0 MOTION CARRIES

7:45 P.M. ADMINISTRATION

• **COMMON DRIVEWAY INSPECTIONS** – Updated Rules & Regs refer to “Highway Surveyor” for inspections. This position was not filled when former Surveyor retired. Modzelewski thinks it would be too expensive for applicants to have him do inspections. DPW Superintendent Carl Sestito thinks he cannot assume this responsibility due to staffing and budget constraints. Building Inspector Egan - unlike roads that eventually will become town ways, driveways will never become town ways - burden of the construction should be on applicant and applicant’s civil engineer. Board discussed and liked suggestion to have applicant’s civil engineer conduct common driveway inspections, certify construction and, submit affidavits that construction meets Rules & Regs. (similar to the approach of large construction projects such as Avalon Bay). Brewer wondered if DPW would like to do inspections if they collect a fee for it- if so, wording could be more open to state “licensed civil engineer or town engineer”. Administrator to discuss with Mark Brennan and Carl Sestito. If they agree to this approach, Administrator to begin amending Rules & Regs. to reflect this inspection change – Planning Board to review common driveway design as part of Form A review and licensed civil engineer to inspect and submit affidavit.

- **VOTE TO APPROVE SEPTEMBER 21, 2011 MINUTES**

MOTION: By Member Moore to approve the September 21, 2011 meeting minutes

SECOND: Member Samuelson

VOTE: 4 – 0 MOTION CARRIES

- **VOTE TO APPROVE PAYROLL FOR PERIOD ENDING OCT. 2, 2011 and Oct. 9, 2011**

MOTION: By Member Samuelson to approve the payroll for period ending Oct. 2, 2011 and Oct. 9, 2011

SECOND: Member Hannon

VOTE: 4 – 0 MOTION CARRIES

- **VOTE TO RATIFY A. MOORE SIGNATURES ON INVOICES:**

- CDI # 241 – Stop & Shop Gas Facility - \$2,227.50
- CDI # 242 - Scituate Racquet Pool - \$4,792.50
- CDI # 243 - 8 James Lane/2Pleasant St. - \$2,080.38
- CDI # 244 – Scituate Hill Subdivision - \$270.00
- CDI #245 – Pat’s Barbershop - \$135.00

MOTION: By Member Samuelson to approve Member Moore’s signature on above cited CDI invoices

SECOND: Member Hannon

VOTE: 4 – 0 MOTION CARRIES

- **SUMMARY – DEPT. HEAD MEETING** – Administrator summarized recent Department Head meetings

- **PILGRIM BANK GENERATOR** – Building Commissioner Egan explained that Pilgrim Bank wants to install generator (do not want to experience business shutdown due to power outages caused by Hurricane Irene).

APPROVED MINUTES

Egan - does Board considers this a substantial change that should be brought before Board for review? Board would like to see where Pilgrim proposes to put generator – due to the density of Village, Board wonders if it is possible to place generator inside with venting to outside. Board would also like to see generator specs.

8:25 P.M. 391 CJC HWY., STOP & SHOP FUEL FACILITY SITE PLAN REVIEW CONTINUED

PUBLIC HEARING - Applicant’s attorney submit a letter requesting to postpone and continue to Nov. 2, 2011.

MOTION: By Member Moore to postpone and continue to November 2, 2011 at 7:30 PM.

SECOND: Member Samuelson

VOTE: 4 – 0 MOTION CARRIES

Moore wanted it made clear to Applicant’s attorney that if engineering fees are not current, the Board will postpone and continue the Nov. 2 hearing.

8:35 P.M 1004 CJC HWY. – SCITUATE RACQUET & FITNESS CLUB PROPOSED INDOOR SWIMMING POOL ADDITION SITE PLAN REVIEW CONTINUED PUBLIC HEARING. APPL:

CHRISTOPHER HORNE filed on July 11, 2011 In attendance to represent application: Applicant Chris Horne; Gary James, James Engineering.

In attendance to represent Planning Board: John Modzelewski, Civil Designs; Town Counsel Richard Hucksam. Materials and Document Submitted, Since Last Meeting and Utilized at this meeting (On file in Planning Board Office and, any other documents on file or discussed at previous meetings):

Record Set of Plans Submitted (the “Plans”):

PLAN	DATE	SCALE	REVISION DATE
Cover Sheet	06/08/11	1" = 60'	06/15/11, 07/07/11, 07/20/11, 08/26/11, 09/12/11, 09/16/11
Site Plan	06/08/11	1" = 40'	06/15/11, 07/07/11, 07/20/11, 08/01/11, 08/16/11, , 08/26/11, 09/12/11
Site Grading Plan	06/08/11	1" = 40'	06/15/11, 07/07/11, 07/20/11, 08/10/11, 08/16/11, 08/17/11, 08/26/11, 09/12/11, 09/16/11, 09/26/11, 09/30/11
Detail Sheet	06/08/11	1" = 40'	08/26/11, 09/12/11, 09/16/11, 09/26/11, 09/30/11
Drainage Detail Plan	06/08/11	1" = 20'	06/15/11, 07/07/11, 07/20/11, 08/10/11, 08/16/11, 08/26/11, 09/12/11, 09/16/11, 09/26/11, 09/30/11
Proposed Floor Plan	03/24/11	1/8" = 1'	
Proposed Exterior Elevations	06/30/11	1/8" = 1'	
A1.0 – Platform Tennis Courts, Warming Hut	08/24/11	1/4" = 1'	
SP-1 - Exit/Entrance Sight Line Plan	08/29/11	1" = 40'	
S1-0 - Foundation Plan	07/06/11	1/4" = 1'	
PA3.1 - Service Utility Plan	09/09/11		09/12/11, 09/14/11
Existing Watershed Plan	09/08/11	1" = 40'	
Proposed Watershed Plan	09/08/11	1" = 40'	09/16/11, 09/26/11
Landscaping Plan	06/08/11	1" = 40'	06/15/11, 07/07/11, 07/20/11, 08/01/11, 08/16/11, 08/26/11, 09/12/11, 09/26/11
Utilities Plan	06/08/11	1" = 40'	06/15/11, 07/07/11, 07/20/11, 08/01/11, 08/16/11, 08/26/11, 09/12/11, 09/16/11, 09/26/11, 09/30/11
Site Layout	06/08/11	1" = 40'	06/15/11, 07/07/11, 07/20/11, 08/01/11, 08/16/11, 08/26/11, 09/12/11

Other Documents Submitted:

- 09/22/11: usavinyl fencing for dumpster, copyright 2005 submitted by Chris Horne
- 09/22/11: letter from Chris Horne, re- fire lane construction, HVAC, dumpster
- 09/30/11: Pilaster Detail at Sewer Line, prepared by Rivermoor Engineering

Correspondence From Public:

- 09/30/11: Public docs request by Jack O’Leary, Merrill Assoc. on behalf of Chief Justice Cushing Highway Corp
 - 10/05/11: Merrill Assoc. comment letter on behalf of abutter - Chief Justice Cushing Highway Corporation
- John Modzelewski, Civil Designs Engineering Inc. Submissions/Correspondence:

- 09/29/11: CDI review and comments on additional information

Correspondence from other Boards:

- 10/05/11: Email from Laura Harbottle, Scituate Town Planner re: Stormwater Review
- 10/05/11: Captain Trask, Cohasset Fire Department

Gary James:

- All flow is being directed as it was originally
- Berm has been added on the roadway
- Grading was brought back so there is a 2' buffer
- Gravel access road will still be maintained
- All inverts associated with ledge removal and drainage system has been done
- Additional test pits done – will be removing ledge for one system and part of parking lot – ledge is sitting at elevation 51 so 4' of ledge to be removed – ledge will be removed all across storage basins
- Proposing subdrain on downgrading edge to make sure there is no impact on ground water resources or levels for downgrading abutters
- Gravel road was straightened out
- Elevations for proposed tennis courts have all been identified as well as associated ledge removal
- Provided landscape plan – are providing a landscape buffer on back to block any light intrusion.
- Have responded to all comments

John Modzelewski: final plan came in late - has not been able to review – his main review was going to be drainage – looks like it can work but wants proof it will not back up and cause cascading effect backing up water throughout.

Brewer: Board wants to make sure Modzelewski is satisfied with all details so Board can consider deliberations and vote – if Modzelewski is not at that point tonight, public hearing needs to be continued. Modzelewski agreed he has not gotten to point of final review of plans, so, drainage is still outstanding.

Town Counsel Hucksam: Board had asked his opinion about applicant's legal right to use common septic system. As he stated before, in his opinion, the docs submitted by applicant *indicate* he has the right to use the system – the recent letter submission from his attorney does not change that opinion. Hucksam - this is really a title issue and he does not feel it is necessary or appropriate for Board to make a certification as to the state of the applicant's title. *In his opinion, if Board was disposed to grant this site plan approval, he recommends that Board make a finding that applicant has submitted documentation that indicated that the applicant has right to use common septic system and that approval be conditioned upon the applicant's right to use the common septic system.*

To be done for next meeting:

1. Modzelewski to review latest plans and drainage
2. Board wants confirmation letter from Modzelewski that he is satisfied with the plans/drainage
3. Lot line near paddle tennis courts to be Form A'd prior to close of hearing to eliminate lot line issues
4. Dashed area to be added to plan for HVAC location
5. Width of planting strip to be added to plan

Town Counsel does not recommend closing public hearing yet - any additional documentation that might be needed would not be able to be accepted and, closing the hearing would trigger 21 day deadline to file decision and, Board is not yet ready to vote, deliberate etc. Also noted that appeal of a non-special permit site plan is an appeal of building permit to ZBA (then Superior or Land courts) because site plan is considered part of building permit.

MOTION: By Member Moore to continue the public hearing to October 19, 2011 at 8:30 PM

SECOND: Member Hannon

VOTE: 4 – 0 MOTION CARRIES

MOTION: By Member Hannon to adjourn at 9:00 P.M.

SECOND: Member Samuelson

VOTE: 4 – 0 MOTION CARRIES

NEXT REGULAR MEETING: WEDNESDAY, OCTOBER 19, 2011 AT 7:00 P.M.

MINUTES APPROVED: CHARLES A. SAMUELSON, CLERK

DATE: OCTOBER 19, 2011