

COHASSET PLANNING BOARD MINUTES

DATE: WEDNESDAY, OCTOBER 18, 2006
TIME: 7:00 PM
PLACE: COHASSET TOWN HALL – BASEMENT 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

MEETING CALLED TO ORDER AT: 7:00 P.M.

7:00 P.M. ADMINISTRATION

• VOTE TO ACCEPT OCTOBER 4, 2006 MINUTES

MOTION: by Member Ivimey to accept October 4, 2006 minutes

SECOND: Member Pratt

VOTE: 4 – 0 MOTION CARRIES

• BOSTON METROPOLITAN PLANNING ORG. CALL FOR LETTERS OF INTEREST FOR SUBURBAN MOBILITY SERVICES FUNDING - Informational materials in meeting packet

• UPDATES FOR PLANNING BOARD REFERENCE MATERIALS BINDER - Updated LHR materials in meeting packet to be put in binder

• HIGHLAND LANE RENAMING

MOTION: by Member Pratt to send letter to Mr. Nader directing him to change name from Highland Lane in compliance with State enhanced 911 Emergency Statute and to remind him that, as per Town Planner Harrington's May 15, 2006 memo, building permits will not be issued without the renaming.

SECOND: Member Westcott

VOTE: 4 – 0 MOTION CARRIES

• SPECIAL INTEREST TOPIC Member Pratt discussed his session before BOS regarding warrant article requesting appropriation for consultant to help with village/retail study. Member Westcott suggested looking for consultant with connection to Cohasset so they know the history. BOS voted the article through as a late file item. Pratt believes the BOS are supportive of the idea. CPC application needs to be filled out before Town Meeting. If CPC money received, CPC should have input to RFP. All caution that this is different than the Waterfield study.

7:30 P.M. PUBLIC HEARING – NOV. 13, 2006 STM ZONING ARTICLES Town Counsel in attendance.

MOTION: by Member Pratt to make Town Counsel opinion about articles public record

SECOND: Member Westcott

VOTE: 4 – 0 MOTION CARRIES

***Article 21: Amend SMROD Bylaw Sect. 16.10.4:** M. Malihi, V. Messinger, Leggat-McCall, present as petitioners. Clerk Ivimey read Public Hearing Advertisement. Town Counsel indicated he did not have problem with article but if passed at Town Meeting, special permit application and public hearing would be required to modify the permit. Concern arose that this might also require resubmission of LIP application with less restrictive language and whether the bylaw language must parallel the language in the LIP. Member Pratt felt this article should be revisited at ATM. All agreed that if LIP was submitted allowing children under 18 yrs., that it was not in keeping with the spirit & intent of providing housing without burdening schools. No public comments.

MOTION: by Member Pratt to table any recommendation on this article until some point prior to Town Meeting, pending a complete review and opinion re: DHCD requirements by Town Counsel.

SECOND: Member Ivimey

VOTE: 4 – 0 MOTION CARRIES

***Article 22: Amend Sect. 5.3.1 “Table of Area Regulations District R-A Coverage Building”:** Attorney Humphreys and petitioner Joseph Campbell, 14 Pleasant St. in attendance. Clerk Ivimey read public hearing advertisement, then recused himself as he lives in the RA district. Humphreys will call Town Manager to correct typo before printing date. Humphreys explained the ZBA decision on Campbell property. Humphreys explained that a single % produces a great discrepancy in structural size allowed on lots across the districts. The intent of the amendment is to provide relief to preexisting lots by providing a sliding scale of %ages to allow slightly larger structures on smaller lots because on these smaller lots, no matter what was done, violated a side or rear setback requirement. Wayne Sawchuk, 432 Beechwood St. thought this made sense. Tom Callahan, 35 Hillside Dr., thought this would repeal what was passed 3 years ago to prevent mansionization which he feels is prevalent in the RA district. Humphreys suggested that the word “mansionization” does not fairly apply here. Member Pratt added to this by stating that all large home reviews filed thus far have come from Precinct 1, not the RA District. Benjamin Lacey, ZBA, agreed. Lacey also questioned why, if 25% is the appropriate amount for this district, they don’t write the proposal for just 25% for this district instead of a sliding scale of %ages. Humphreys felt this approach was more appropriate for substandard lots without allowing higher end lots to exceed 3600 SF.

MOTION: by Member Pratt that the Planning Board vote to recommend approval of this citizens’ petition.

SECOND: Member Westcott

VOTE: 3 – 0 MOTION CARRIES

Articles 23-27 all deal with the proposed Village Business District and were initiated by John Tedeschi represented by Attorney Richard Henderson. Both were in attendance to represent the articles:

***Article 23: Amend Sect. 3.1 Division into Districts:** Clerk Ivimey read public hearing advertisement. Tedeschi purchased land (part in DB, part in RA) that had already been permitted but was not what he wanted to do. Goal is to make the Village District its own district because it so different from the DB District. Member Westcott noted that the concept has been supported by the Board in the past. No public comment.

MOTION: by Member Ivimey that Planning Board vote to recommend approval of this citizens’ petition.

SECOND: Member Westcott

VOTE: 4 – 0 MOTION CARRIES

***Article 24: Amend Zoning Map:** Clerk Ivimey read public hearing advertisement. Henderson noted that the only goal of this article is to define the Village District which is the red triangle on the zoning map and that it does not change uses at all, only minimizes some dimensional requirements. He offered to redefine it if the Planning Board thought it needed more clarity. Member Pratt thought this should not be approached piecemeal but should be done in a public forum/study. Member Westcott noted that the town is fundamentally changed by closing off Smith Place and has created an island of the Village District and that Smith Place should be defined as the northern border. Peter Brown, 38 Atlantic Ave. asked if articles 23 and 24 were approved at Town Meeting but the others were not, would the Attorney General approve them and, asked if it made sense to redefine Village District and leave the other parts of the district under Downtown Business definition. Henderson’s opinion was that the Attorney General would sign off on two articles. Member Pratt made a motion to recommend against this article which was not seconded.

MOTION: by Member Ivimey that Planning Board vote to recommend approval of this citizens’ petition.

SECOND: Member Moore

VOTE: 3 - 1 MOTION CARRIES

***Article 25: Amend Sect. 5.3.1 of Tables of Area Regulations:** Clerk Ivimey read public hearing advertisement. Adding dimensional requirements for dwellings for occupancy by more than one family in the Village Business District. Minimum lot size reduced for dwellings with more than one family from 40,000 SF to 3,000 SF and would require only 1,500 SF of land for each additional unit rather than 4,000 SF. Henderson explained that there will be a cap of 10 units and a 35’ height limitation. Chris Ford, 575 Jerusalem Rd. and Wayne Sawchuk, 432 Beechwood St., both support the article agreeing that you have to look at each individual lot. Tom Callahan, 35 Hillside Dr. noted that the smaller size units will inherently create units that are more affordable for more people than the million dollar housing being created at other sites and that the cap of 10 units prevents overdevelopment. Woody Chittick, representing ZBA stated that ZBA supports mixed use to revitalize village area and agrees that the 40,000/4,000 SF numbers are too restrictive. Chittick would also like to see build outs and wonders if an expedited plan could come together that would not take 2-3 years to study. Peter Brown, representing the EDC stated the EDC support of this article noting that they were put through exhaustive study process with Town Planner Harrington last year which indicated that this would create about 60 units in the village area. Brown also thought language should be added to protect the character of the village and that the 35’ height might have to be adjusted. Chris Ford did not agree with the 60 potential units – he thought fewer. Member Westcott asked DB owners if they would

experience a terminal delay if articles were held off so more data could be accumulated – answer was emphatically “yes.” Westcott supports the intent but feels more data is needed – would like to revisit in Spring. Member Pratt feels this is the single most controversial area in Town and should not be approached piecemeal – would like to see a study. Westcott suggested Henderson and Tedeschi bring more data to Town Meeting if they have it.

MOTION: by Member Westcott that the Planning Board vote to recommend approval of this citizen’s petition article, recognizing that there are still questions to be answered and data to be presented before Town Meeting.

SECOND: Member Ivimey

VOTE: 3 – 1 MOTION CARRIES

***Article 26: Amend Sect. 4.2 Permitted Use:** Clerk Ivimey read public hearing advertisement. Henderson explained that this article imposes the same use provisions on the Village Business District that already apply to the DB District and that in essence, the use provisions would be unchanged with respect to the Village Business District from what they currently are under the DB District. No public comment.

MOTION: by Member Westcott that Planning Board vote to recommend approval of this citizen’s petition.

SECOND: Member Ivimey

VOTE: 3 – 1 MOTION CARRIES

***Article 27: Amend Sect. 7.1 - Off Street Parking, Loading and Driveway:** Clerk Ivimey read public hearing advertisement. Henderson explained that this amendment seeks to extend to businesses within 500 feet of the new Pleasant St. parking lot the same exemption benefiting businesses within 500 feet of the municipal parking lot located off South Main St. No public comment.

MOTION: by Member Ivimey to recommend against this citizen’s petition article.

SECOND: Member Pratt

VOTE: 2 – 2 VOTE WILL BE SPLIT

Discussion occurred regarding the missed opportunity to produce more parking by blasting behind the Red Lion Inn before the MBTA completes laying tracks.

In summary, Member Pratt believes a study should take place before shooting in the dark to make changes to the village area. Member Westcott believes the Board is obligated to the public to accelerate a study. Pratt believes that accelerating a study sends the wrong message.

MOTION: by Member Westcott to support amending Member Pratt’s consultant appropriation article to include further appropriation for blasting behind the Red Lion Inn to add more parking spaces to the Town Parking lot.

SECOND: Member Ivimey

VOTE: 4 – 0 MOTION CARRIES

Member Westcott to send email to Town Manager Griffin requesting him to add language to Member Pratt’s article (for \$50K to hire consultant to study the village area) that further requests money to blast behind the Red Lion Inn before MBTA lays tracks.

MOTION: by Member Ivimey to adjourn

SECOND: Member Westcott

VOTE: 4 – 0 MOTION CARRIES

MEETING ADJOURNED AT: 10:25 P.M.

NEXT MEETING: WEDNESDAY, NOVEMBER 1, 2006, AT 7:00 P.M.

MINUTES APPROVED: Stuart Ivimey, Clerk

DATE: November 2, 2006

(Minutes approved at the November 1, 2006 Planning Board Meeting)