

**Members Present:** S. Woodworth Chittick  
Barbara Power  
Charles Higginson  
Peter Goedecke  
Kathleen Hunter

**Member Absent:** Benjamin Lacy

**Others Present:** Robert Egan, Building Commissioner  
Jennifer Oram, Recording Secretary  
Attorney Robert Scarpello  
Shaikh Mahmood, Omnipoint  
Anna Smith, 48 Stockbridge Street  
Jason Pavillo, Back Bay Sign  
Scott Thimann, Sovereign Bank

## HEARINGS

**149 King Street (Omnipoint Communications, Inc.) - §12.4 (seeking to install and operate a wireless communications facility with antennas and cables) - #06-07-24 – Sitting wc bp ch pg kh – SP**

Attorney Robert Scarpello of Pince, Lobel Glovsky & Tye addressed the Board on behalf of the applicants, Omnipoint Communications (T-Mobile). Attorney Scarpello explained that the Board had granted two previous Special Permits at this location; one to build the monopole structure, and the other Special Permit was granted to allow another Communications company to co-locate on the pole. T-Mobile is asking to have three antennas, radio equipment and all other needed equipment within this location to allow the company to improve its service in the area of Cohasset. Chairman Chittick alerted the Board and the applicant that the Planning Board had voted 3-0 to endorse the approving of the Special Permit. Chairman Chittick also informed the Board that the Planning Board was in receipt of a letter from the Water Department. In the letter, the Water Department expressed concern over the possibility of interference on their bandwidth caused by this new addition in the frequencies. Attorney Scarpello had the RF Engineer present, Mr. Shaikh Mahmood, and he explained to the Board that there would not be any interference as the Water Department works in the 700 to 800 frequencies, and the proposed would be up in the area of the 1900 frequencies. Mr. Mahmood also stated that should there be any interference, T-Mobile would fix it. There was then a lengthy conversation amongst the Board about the safety of the structure, to which the Board agreed to place some safety conditions. **Chairman Chittick moved to close the hearing with the conditions in regard to frequency and safety. Mr. Goedecke seconded the motion, and the vote was unanimous. Mrs. Power will draft the decision.**

**48 Stockbridge Street (Mathew and Anna Smith) - §8.7.2 (seeking to construct a second floor addition) - #06-08-14 – Sitting wc bp ch pg kh – SP**

The applicant, Anna Smith, addressed the Board and explained why she and her husband would like to add onto their existing home. She explained that on the second floor, there were currently only two bedrooms, and no bathroom. With their two small children, the added bedroom would be most helpful, and the bathroom would make night trips to the restroom safer. Mrs. Smith worked with her father, an architect, to come up with plans that allowed them to stay within the existing setbacks. The issue is that their house is already nonconforming and does not meet the required setbacks. However, the proposed addition does not increase the footprint, it would only increase the volume of the home by 400 square feet. The new plan also works to keep in character with the other homes in the neighborhood. Mrs. Smith also presented the Board with a letter from her neighbors, Francis and Scott Samuel. In their letter, the neighbors give their full support of the addition. This is very important to the hearing as the Samuels live at 50 Stockbridge Street, and would be the most affected by any changes to the applicant's home. Chairman Chittick reviewed the conditions of §8.7.2 and determined that the applicants met them all. Another neighbor, Andrew Willard of 37 Stockbridge Street, also spoke in favor of the proposed addition. **Chairman Chittick moved to close the hearing, Mr. Higginson seconded the motion, and the vote was unanimous. Chairman Chittick will draft the decision.**

**380 Chief Justice Cushing Highway (Cohasset Realty Trust/Sovereign Bank) - §6.5.1 (place an illuminated sign on the side of the building) - #06-06-02 – Sitting wc ch pg kh – Variance.**

This is a continued hearing from the previous month. Mrs. Power recused herself. Mr. Jason Pavillo, of Back Bay Sign Company, and Mr. Scott Thimann, Senior Vice President of Sovereign Bank in Cohasset, addressed the Board. Mr. Pavillo alerted the Board that they had changed the design of the sign to fit more with the other signs in the plaza. The sign that they now proposed is a wooden carved sign that would be externally illuminated. Mr. Thimann and Mr. Pavillo stated that they were prepared to address the five (5) criteria to be granted a Variance. Before doing so, they handed the Board a packet with photographs showing the view of their building from the Stop and Shop location. They stated that when looking at the bank from this view, the bank was not visible. Also in the packet of photos, the applicants presented the Board photos of many other locations in Cohasset that they felt were quite similar to what they were proposing. In particular, the applicants asked the Board to compare them to the Starbucks Coffee that had two signs on their building, as well as a sign on a pylon. The applicants then reviewed the five (5) criteria for a Variance with the Board. Under 1A – the applicant stated that the building the bank is housed in is unique and hard to view from the street. Under 1B, Mr. Thimann cited the Rockland Trust bank being allowed to have multiple signs. He stated he felt this was a distinct competitive advantage. Under 1C, Mr. Thimann explained that when Sovereign essentially “inherited” the bank within that building, they were essentially saddled with the drive-through window. He felt that this

was not an action of the applicant. Under 1D he feels the new sign would allow the bank to blend in with the surrounding businesses. Under 1E, Mr. Thimann cited the packet he presented to the Board with all of the other businesses in the area with similar sign configurations. **Mr. Higginson stated that he felt the applicants gave an excellent presentation and moved to close the hearing. Mr. Goedecke seconded the motion, and the vote was unanimous. Mr. Higginson will draft the decision.**

**150 North Main Street (Kuolos and McGowan) §12.2.3 (Appeal of the Building Inspector’s Letter) #06-06-16 – Sitting wc bl bp ch pg kh – SP**

Chairman Chittick confirmed receipt of Attorney Henderson’s brief. The hearing is scheduled for October 3, 2006.

**DELIBERATIONS**

**7 Border Street (Toomey) §8.7.2 – (construct a second story addition over carport) - #06-07-14 – Sitting wc bl bp ch kh pg – SP**

Pursuant to the Board’s deliberations, Mr. Goedecke will draft this decision for the October hearing.

**Other Business**

Fees – After a brief discussion, the Board agreed to support the raising of the filing fees for the Zoning Board of Appeals. **Mrs. Power moved to raise the filing fee for a single-family to \$150, and \$300 for a multi-family, Variance, Signs and other. Mr. Goedecke seconded this and the vote was unanimous.**

**July 2006 Minutes**

**Chairman Chittick moved to approve the minute for July 2006; Mrs. Power seconded it, and the vote was unanimous.**

**Chairman Chittick moved to adjourn the meeting; Mrs. Power seconded it, and the vote was unanimous.**

Meeting adjourned at 9:20PM.

Respectfully submitted,

Barbara M. Power  
Clerk

**The next meeting of the Zoning Board of Appeals will be Tuesday, October 3, 2006 at 7:30PM.**