

APPROVED MINUTES

COHASSET ZONING BOARD OF APPEALS

DATE: Tuesday, June 2, 2020
TIME: 7:30 PM
PLACE: COHASSET TOWN HALL
41 HIGHLAND AVENUE COHASSET, MA. 02025

Meeting Held Via Zoom Platform.

Board Members Present:

S. Woodworth Chittick, Chairman (WC)
Peter Goedecke, Vice-Chairman (PG)
Charles Higginson, Member (CH)
Matthew Watkins, Associate Member (MW)
Lee Darst, Associate Member (LD)
David McMorris, Associate Member (DM)

Town Staff Present:

Jennifer Oram, Assistant Clerk, ZBA
Lauren Lind, Planning Director

Chairman Chittick opened the meeting at 7:30PM with a Roll Call Vote:

ROLL CALL VOTE: CHAIRMAN CHITTICK – AYE, LEE DARST – AYE, DAVID McMORRIS – AYE, MATTHEW WATKINS – AYE, CHARLES HIGGINSON & PETER GOEDECKE – AYE

BOARD BUSINESS

The Board agreed that July 7, 2020 and August 4, 2020 would be the next meetings of the Zoning Board of Appeals.

CONTINUED HEARINGS

SPECIAL PERMIT – Filed by Attorney Jeffrey De Lisi of Ohrenberger De Lisi & Harris, LLP on behalf of his clients John J. Starvish and Shelley M. Vanderweil. The applicants seek to reconstruct a dwelling at 449 Jerusalem Road. Subject properties are 449 and 457 Jerusalem Road. The applicants seek Special Permits per sections §§§300-8.7. B, 300-9.7. G and 9.7.H. File #19.10.08.

In Attendance to Represent Agenda Item: Attorney Jeffrey De Lisi, Can Tiryaki of Tiryaki Architectural Designs, John Cavanaro and Brendan Sullivan of Cavanaro Consulting and Landowner, John Starvish.

Documents used for this hearing (on file in the ZBA Office): Nothing new submitted for this hearing

Chairman Chittick recused himself from this hearing and appointed Vice Chairman Goedecke to Chair it. Mr. Goedecke asked if the members of the Board had any more questions for the applicants. They had none. There were no questions from the attendees on the Q & A platform on Zoom.

**MOTION BY MEMBER CHARLES HIGGINSON:
SECONDED:**

**TO CLOSE THE HEARING
ASSOCIATE MEMBER WATKINS**

ROLL CALL VOTE: DAVID McMORRIS – AYE, CHARLES HIGGINSON – AYE, MATTHEW WATKINS – AYE, LEE DARST - AYE & PETER GOEDECKE – AYE

5-0 MOTION CARRIES (DM, CH, MW, LD and PG)

APPROVED MINUTES

SPECIAL PERMIT – Filed by Pierce Home Design, LLC, on behalf of their client, Nino Dinunno/KD Custom Builders, LLC. Special Permit per §300-8.7. The applicant seeks to construct a second story addition at 103 Black Rock Road. File #20.02.06.

In Attendance to Represent Agenda Item: Brad Pierce of Pierce Home Design and Landowner, Nino Dinunno.

Documents used for this hearing (on file in the ZBA office):

- Updated Site Plan prepared by Cavanaro Consulting revised May 12, 2020
- Letter from the Cohasset Conservation Agent, Jeffrey Summers, dated May 27, 2020

Chairman Chittick addressed the new submissions from the applicant. The applicant updated the Site Plan to include water runoff mitigation. In addition, the Cohasset Conservation Agent wrote a letter reviewing sections of the Stormwater Bylaw.

The Board had no questions and there were no questions from attendees on the Q & A of the Zoom Platform.

**MOTION BY CHAIRMAN CHITTICK:
SECONDED:**

**TO CLOSE THE HEARING
MEMBER HIGGINSON**

ROLL CALL VOTE: DAVID McMORRIS – AYE, CHAIRMAN CHITTICK – AYE, CHARLES HIGGINSON – AYE, PETER GOEDECKE – AYE, LEE DARST – AYE & MATTHEW WATKINS – AYE

6-0 MOTION CARRIES (DM, WC, CH, PG, LD and MW)

SPECIAL PERMIT – Filed by Whitney Whinnery, on behalf of her clients, David and Angela Abate. The applicant seeks a Special Permit per §8.7. Applicants seek to raze and reconstruct a single-family home, a portion of which is within the setback at 10 Jerusalem Road. File #20.02.14.

In Attendance to Represent Agenda Item: Whitney Whinnery, AIA

Documents used for this hearing (on file in the ZBA office):

- New plans submitted for the proposal of a conforming house to be built at 10 Jerusalem Road

Whitney Whinnery addressed the Board on behalf of her clients. They had originally applied for a Special Permit to raze and reconstruct the house, but she was able to design a house on the property that fully conforms to zoning. They are requesting to withdraw the application.

Chairman Chittick was pleased they were able to make it conform. Member Higginson asked if the coverage calculations included all of the surfaces. Ms. Whinnery said they did. The Board will hold the hearing open to get through the rest of open hearings.

SPECIAL PERMIT – Filed by Alissa Jones Design, on behalf of their clients, William Bryan and Kristen L. Baker. Special Permit per §300.8.7. The applicants seek to construct a second story addition, a portion of which is within the setback at 706 Jerusalem Road. File #20.03.13.

In Attendance to Represent Agenda Item: Alissa Jones of Alissa Jones Designs, Landowners William Bryan and Kristen L. Baker

Documents used for this hearing (on file in the ZBA office): Nothing new submitted for this hearing

Chairman Chittick asked if there were any questions from the Board members. They had none. There were no questions from attendees on the Q & A of the Zoom Platform.

**MOTION BY CHAIRMAN CHITTICK:
SECONDED:**

**TO CLOSE THE HEARING
ASSOCIATE MEMBER WATKINS**

APPROVED MINUTES

ROLL CALL VOTE: LEE DARST - AYE, CHAIRMAN CHITTICK – AYE, CHARLES HIGGINSON – AYE, DAVID McMORRIS – AYE, MATTHEW WATKINS – AYE & PETER GOEDECKE - AYE

6-0 MOTION CARRIES (LD, WC, CH, DM, MW and PG)

SPECIAL PERMIT – Filed by Cavanaro Consulting, on behalf of their clients, Donald P. & Elyse M. Ryan. Special Permit per §300-9 and §300-4.2. Applicants seek to construct a residential dock at 88B Beach Street. File #20.04.16.

**In Attendance to Represent Agenda Item: John Cavanaro of Cavanaro Consulting
Documents used for this hearing (on file in the ZBA office): Nothing new submitted for this hearing**

Chairman Chittick asked if there were any questions from the Board members. They had none. Mr. Cavanaro of Cavanaro Consulting stated that they had just completed their final Conservation Commission hearing and have been issued an Order of Conditions for this project.

There were no questions from attendees on the Q & A of the Zoom Platform.

**MOTION BY CHAIRMAN CHITTICK: TO CLOSE THE HEARING
SECONDED: MEMBER GOEDECKE**

ROLL CALL VOTE: LEE DARST – AYE, CHAIRMAN CHITTICK - AYE, CHARLES HIGGINSON – AYE, DAVID McMORRIS – AYE, MATTHEW WATKINS – AYE, & PETER GOEDECKE - AYE

6-0 MOTION CARRIES (LD, WC, CH, DM, MW and PG)

DELIBERATIONS:

SPECIAL PERMIT – Filed by Attorney Jeffrey De Lisi of Ohrenberger De Lisi & Harris, LLP on behalf of his clients John J. Starvish and Shelley M. Vanderweil. The applicants seek to reconstruct a dwelling at 449 Jerusalem Road. Subject properties are 449 and 457 Jerusalem Road. The applicants seek Special Permits per sections §§§300-8.7. B, 300-9.7. G and 9.7.H. File #19.10.08.

Chairman Chittick is recused from this hearing and asked Vice Chairman Goedecke to Chair the deliberation. Mr. Goedecke also wrote the draft the decision.

Mr. Goedecke reviewed the decision for the Board. After further deliberation:

**MOTION BY ASSOCIATE MEMBER McMORRIS: TO ACCEPT THE DECISION GRANTING THE
SECONDED: RELIEF SOUGHT
MEMBER HIGGINSON**

ROLL CALL VOTE: MATTHEW WATKINS – AYE, LEE DARST - AYE, CHARLES HIGGINSON – AYE, PETER GOEDECKE – AYE, & DAVID McMORRIS – AYE

5-0 MOTION CARRIES (MW, LD, CH, PG & DM)

APPROVED MINUTES

SPECIAL PERMIT – Filed by Pierce Home Design, LLC, on behalf of their client, Nino Dinunno/KD Custom Builders, LLC. Special Permit per §300-8.7. The applicant seeks to construct a second story addition at 103 Black Rock Road. File #20.02.06

Chairman Chittick extensively reviewed his draft decision for the Board. He was glad they addressed the drainage and he felt the house is compatible with the neighborhood.

After further deliberation:

**MOTION BY ASSOCIATE MEMBER McMORRIS: TO ACCEPT THE DECISION AS AMENDED
GRANTING THE RELIEF SOUGHT
ASSOCIATE MEMBER WATKINS**

SECONDED:

ROLL CALL VOTE: PETER GOEDECKE – AYE, CHAIRMAN CHITTICK - AYE, DAVID McMORRIS – AYE, MATTHEW WATKINS – AYE, CHARLES HIGGINSON & LEE DARST – ABSTAINED

5-0-1 MOTION CARRIES (PG, WC, DM, MW, CH in favor, 0 against, LD – Abstained)

SPECIAL PERMIT – Filed by Whitney Whinnery, on behalf of her clients, David and Angela Abate. The applicant seeks a Special Permit per §8.7. Applicants seek to raze and reconstruct a single-family home, a portion of which is within the setback at 10 Jerusalem Road. File #20.02.14.

This hearing was not been closed and no decision has been rendered. The applicants would like to withdraw the application without prejudice as they no longer need relief from the Board.

**MOTION BY CHAIRMAN CHITTICK: TO ALLOW THE APPLICANTS TO WITHDRAW
WITHOUT PREJUDICE
MEMBER HIGGINSON**

SECONDED:

ROLL CALL VOTE: CHAIRMAN CHITTICK - AYE, LEE DARST – AYE, CHARLES HIGGINSON – AYE, DAVID McMORRIS – AYE, PETER GOEDECKE – AYE 7 MATTHEW WATKINS - AYE

6-0 MOTION CARRIES (WC, LD, CH, PG, DM & MW)

SPECIAL PERMIT – Filed by Alissa Jones Design, on behalf of their clients, William Bryan and Kristen L. Baker. Special Permit per §300.8.7. The applicants seek to construct a second story addition, a portion of which is within the setback at 706 Jerusalem Road. File #20.03.13.

The Board reviewed Lee Darst’s draft decision. After review:

**MOTION BY CHAIRMAN CHITTICK: TO ACCEPT THE DECISION AS AMENDED AND
GRANT THE RELIEF SOUGHT
ASSOCIATE MEMBER WATKINS**

SECONDED:

ROLL CALL VOTE: CHAIRMAN CHITTICK – AYE, PETER GOEDECKE - AYE, CHARLES HIGGINSON – AYE, LEE DARST – AYE, DAVID McMORRIS – AYE, & MATTHEW WATKINS - AYE

6-0 MOTION CARRIES (WC, PG, CH, LD, DM and MW)

APPROVED MINUTES

SPECIAL PERMIT – Filed by Cavanaro Consulting, on behalf of their clients, Donald P. & Elyse M. Ryan. Special Permit per §300-9 and §300-4.2. Applicants seek to construct a residential dock at 88B Beach Street. File #20.04.16

After a brief review:

MOTION BY VICE CHAIRMAN GOEDECKE: TO ACCEPT THE DECISION AS WRITTEN AND GRANT THE RELIEF SOUGHT
SECONDED: ASSOCIATE MEMBER DARST

ROLL CALL VOTE: LEE DARST – AYE, DAVID McMORRIS - AYE, CHARLES HIGGINSON – AYE, CHAIRMAN CHITTICK – AYE, MATTHEW WATKINS – AYE, & PETER GOEDECKE - AYE

6-0 MOTION CARRIES (LD, DM, CH, WC, MW and PG)

MINUTES:

MOTION BY ASSOICATE MEMBER WATKINS: TO APPROVE THE MINUTES APRIL 7, 2020 AS WRITTEN AND MAY 5, 2020 AS AMENDED
SECONDED: ASSOCIATE MEMBER McMORRIS

ROLL CALL VOTE: CHAIRMAN CHITTICK – AYE, LEE DARST - AYE, CHARLES HIGGINSON – AYE, DAVID McMORRIS – AYE, PETER GOEDECKE – AYE, & MATTHEW WATKINS - AYE

6-0 MOTION CARRIES (WC, LD, CH, DM, PG and MW)

ADJOURNEMENT:

MOTION BY CHAIRMAN CHITTICK: TO ADJOURN THE MEETING AT 8:36PM
SECONDED: ASSOCIATE MEMBER DARST

ROLL CALL VOTE: CHAIRMAN CHITTICK– AYE, MATTHEW WATKINS – AYE, LEE DARST – AYE, CHARLES HIGGINSON – AYE, PETER GOEDECKE - AYE & DAVID McMORRIS – AYE

6-0 MOTION CARRIES (WC, MW, LD, CH, PD and DM)

MEETING ADJOURNED AT 8:36PM