



TOWN OF ROCKLAND

Planning Board

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TOWN CLERK, ROCKLAND
APR 28 '21 AM 9:11

Planning Board Minutes Tuesday, March 23, 2021 at 6:45 pm Virtual/Remote Meeting Via Zoom

In attendance – Michael Corbett, Chairman; John Lucas, Randy Hoblitzelle & James Wells. (*Charles Williams absent*)

Call to Order: 6:45pm

The audience, participants and general public should be aware that any and all portions of this open meeting may be recorded by audio and video resources. All or some of this meeting may be rebroadcast periodically by WRPS or other outlets. Persons wanting a DVD copy of this meeting should contact WRPS. A small fee will be charged. Chairman Corbett noted the meeting is being recorded for note taking purposes. The recording will be destroyed once minutes are recorded.

Chairman Michael Corbett we have myself, John Lucas Vice Chairman, Randy Hoblitzelle and we have a new member James Wells, who was just appointed by the Board of Selectmen.

Chairman Michael Corbett when you want to speak if you can turn on your video so we can see you. As this goes along we're going to ask for names and addresses, just like if you are in the town hall we would be doing it that way and have everything on record.

New Business

Form A Endorsement Review - C.W. Garvey, 91 Dexter Road (Map 52, Lots 63,66 & 67)

Carl Garvey we previously did a Roadway Improvement Plan of Dexter Road. It was three lots one, two and three. It always been basically three lots. On the Roadway Improvement Plan, on one of the assessors maps actually lot number two shown on my plan was actually undersized. What we did was we took a piece of lot number three and added it to number two so would be over the required square footage so none of the frontage is changed. We should have had two boxes on that plan, one as a Roadway Improvement Plan and one as a Form A, but for some reason we didn't do that.

Chairman Michael Corbett any questions? Randy? **Randy** I'm trying to recall it's nothing we could put up on the screen quick and if anybody has it? **Carl Garvey** the recorded plan out of the registry and which we showed the hydrants and the proposed roadway with that was to be constructed. The board signed this plan as a Roadway Improvement Plan. So at that time there is a covenant recorded here that last two and three cannot be built upon until the roadway is completed, which is still true today. That lots two and three can't be built on or sold separately until the roadway is built. **Randy** this was a while ago?

Carl Garvey yes basically they were three lots. Lot one is comprised of four of those lots and the other ones will comprise of the remaining lot. Originally was three lots and then we just increased it to make it a portion of a lot, but we did show that, on the Roadway Improvement Plan but somebody from your board or the building department said that they thought, a Form A plan should be on record. **Randy** okay.

Chairman Michael Corbett just a couple quick questions. Your Form A lot here you are dividing it up as opposed to how it's listed in the town assessments book? **Carl Garvey** yes. This is still subject to a covenant they can't go ahead and sell a lot to tomorrow without the roadway being built that's why the covenants recorded at the registry of deeds.

Motion to approve – John Lucas

Second – Randy Hoblitzelle

John Lucas yes, Randy Hoblitzelle yes, James Wells yes and Chairman Corbett yes

Unanimous - Voted 4-0

Form A Endorsement Review – Roderick McLellan, 789/773 Liberty Street (Map 29, Lots 89 & 143)

Chairman Michael Corbett we have another Form A for review 789/773 Liberty Street basically just looking to do a little swap of land.

Roderick McClellan correct. I want to add to my lot A triangle that is 101 square feet it's in the Northwest corner of lot 89. Then my neighbor Chris Saucier will take 101 square feet from my lot adjacent to Liberty Street. It's sort of a rectangle that comes to a point, so it's an even swap 101 square feet. The reason I want to do it is if cars turn around in front of my house when we're on his corner and he can use my corner near the street.

Motion to approve – Randy Hoblitzelle

Second – John Lucas

Randy Hoblitzelle yes, John Lucas yes, James Wells yes and Chairman Corbett yes

Unanimous - Voted 4-0

Open Public Hearing – 7:16pm

PUD Concord Meadows– Conrock, LLC c/o Walter Sullivan, Esq. Sullivan & Comerford, 365 Concord Street (Map 62, Lots 35, 36, 41, 42, 43, 44 & 46)

Walter Sullivan I am representing the applicant and with me is my associate Kayla Macleod, applicant Conrock LLC and Project Engineer John Cavanaro. This area of land that contains approximately 21.3 acres it's going to be 19 new units the 20th will be the existing home.

Matt Dacey we are trying to get approved 20 lot PUD single family detached homes. We did get permission from the water and sewer departments for the connections for the larger proposal development.

John Cavanaro this has always been a Planned Unit Development. Originally it was a little unclear whether or not we could utilize the density in the Planned Unit Development regulations, strictly from the regs which call for a specific density of number of units per acre or if we were to go with the straight conventional yield application.

We came up with sort of a hybrid of the two we looked at the regulations for density and saw that you could utilize as many as four units per acre on a 20 acre parcel, we came up with half of that. In the meantime, we took a harder look at the overall development of that original development was 40 units spanning across the entire 21 acres, now, we are looking at developing essentially half of the 20 acres keeping a more conventional Planned Unit Development.

It is located between French's stream and Concord Street parcel of land that goes back from Concord Street has frontage that comes along of the existing driveway/single family home. The principal 20 acres is by an intermittent stream that runs behind the single-family dwelling then there is 10 acres in the front piece 10 acres in the back piece and there's a large swath of upland that runs all the way back to French's stream. All of the principal guidelines and subdivision control for this type of road we laid out throughout the entire 21 acres brought us into the property, we ran a loop road into the back, half of the second half of the 10 acres brought that back around then we reconnected with the front half of the property and what that did was that yielded 20 lots in total, including the existing single family home we laid all that out with a conventional subdivision and that yielded 20 lots. So we're keeping that existing single family home as is, with the exception of redirecting some of the driveway. About four acres of development really keeping that down into the 2.5 acre lot that will be left with the single family home and then we ran a single cul-de-sac road vented back towards Concord Street and laid out the 19 remaining lots around the proposed roadway. The results is about 8 to 9000 square foot lots within close proximity to one another, which ultimately reduces the overall impact on the land minimizes runoff and but more importantly maximizes open space, it leaves the second 10 acres completely open for open space, this could be a nice buffer to the French's Stream. We leave that all untouched the majority of the wetland on the Westerly side of an intermittent stream it keeps all of the development within that at first 10 acres or so with the ability to connect with walking paths or nature trails that can cross over and get into that upland area.

There are two things we would like to get clarity on one is that the actual Zoning bylaw and second the Rockland Planning Board Rules and Regulations as it pertains to the Planned Unit Development. Under Section 415-47A it gives discretion to the special permit granting authority which is the Planning Board on the Planned Unit Development section 415-47C is for the Planned Unit Developments in Rockland Zoning bylaw it gives leeway and authority to the special permit granting authority to make changes to strict adherence to plot sizes dimensional relief location and height of buildings. That's obviously to enable that Planned Unit Development and take advantage of more dense layout and create creating that open space minimizing infrastructure so. Just want to clarify that the Planning Board is the special permit granting authority and they can clearly grant that. The second is something that we were unsure of at first as well, but we think what this raises the planning board has a requirement for minimum total lot area for a PUD and the Zoning bylaw has a different minimum area, the bylaw calls for 10 acres of land, but it also excludes says no more than about a quarter acre of that land which we assume that land mean the minimum 10 acres may be subject to the rivers Protection Act. Of the 21 acres there's about four acres of riverfront area so that's riverfront as defined by MGL is the from the edge of the river 200 feet landward on this 21 acres we have about four acres of riverfront backing that out we're still well in advance of the 10 acres that are required under the Zoning bylaws. We think we meet that we just want clarity and then the last thing from the Zoning bylaw is the internal streets setback. The internal streets setback of 25 feet, is for non residential uses and, we just wanted to get that clarified we don't think we would need any relief from those.

As far as design regulations, the planning Board, is the special permit granting authority under the PUD. Planning has the authority through your discretion and, that we meet all design guidelines that we would be able to seek some standard waivers as needed, such as buffer zones distance between the buildings and the alignment of the street with the with the main street, not exactly at 90 degrees because of how the alignment of the main road works. If we want to get fire hydrants in accordance with the fire department and the water department if we space them a little bit closer than 350 feet and then any other relief that we would assume would be granted in order to really make it take advantage of the plan during development guidelines.

Chairman Michael Corbett Pat do you have any comments? **Pat Brennan** yes, I've been looking at this project for about the past year. John sent over a couple of the preliminary draft plans and layouts to me to take a look at so I'm familiar with the layout that he's come up with or at least the yield plan the density plans for the 20 units on the conventional subdivision they have all the required frontage wide area in upland area for all those 20, so it is a conforming conventional subdivision plan. I agree with John's interpretation of the bylaws some of the discretion that the Board has and basically what this plan shows, the lot areas almost 63% of the 21 acres will be open space when they're done here, so they are really kind of making the development, a lot more compact and trying to preserve as much of the open spaces. Obviously there's that big upland area open back part it's a preliminary plan there's still a lot of engineering that needs to go into it to review, but they're on the right track. My interpretation of the of the bylaw and the Planning Board rules and regs for the PUD.

Chairman Michael Corbett Randy do you have any comments? **Randy** can you come back to me?

Chairman Michael Corbett John? **John** I'm under the impression that you're not looking for an approval of any kind, for this its just more or less informal and I would assume when you do come for final we will get reports from the Conservation Commission you'll satisfy the requirements? The Fire Department's not satisfied with it right now and that you provide confirmation from Water and Sewer that they're okay with it.

Walter Sullivan this is a preliminary plan. **John Lucas** okay, we did receive a letter from one of the residents regarding I think it was back at some point in time, the driveway that's now being used was supposedly never to be used as a roadway has that been investigated or looked into or anything of that nature? **Walter Sullivan** I'll indicate that that I don't think we started we are looking to report more at the next meeting. **John Lucas** that's all the questions I have right now.

Chairman Michael Corbett James do you have any questions? **James** no.

Chairman Michael Corbett I have a question for Tony Riley just out of curiosity if they go forward with this subdivision do all the lots have to be Form A'd? **Tony Riley** I don't believe so, I think what you're approving now would qualify. **Pat Brennan** yes, it would be if it was approved when they come back with the with the formal plans, it would be approved as a Plan Unit Development but basically, the Planned Unit Development regulations require that they build the roadways and everything to subdivision and the lots would be broken up the way that they would present them on that final plan which I assume would be pretty similar to this preliminary plan.

Chairman Michael Corbett you guys got a copy of the letter that was received today? **Walter Sullivan** yes just shortly before the meeting. This is the first we've heard of that, but we will confirm that, with the title. **Chairman Michael Corbett** are you guys going back before going before the ZBA? **Walter Sullivan** no, I don't believe that we need to. I think our interpretation is with this more modest plan that this is just solely for the Planning board under the PUD.

Chairman Michael Corbett you're just looking to go forward with this right now and come back to us again when you have more finalized plans? **Walter Sullivan** correct any input the board wants to give us on what you've heard so far? **Chairman Michael Corbett** how wide is the roadway? **Pat Brennan** 24. **Chairman Michael Corbett** the road leading in is 24 feet? **Walter Sullivan** yes. **Pat Brennan** John can confirm, but I believe it's 24. **John Lucas** is this going to become a public street? **Walter Sullivan** we don't really have any intention at this point. If the Association looks to have it taken by the town, but at this point that's not our intention. **John Lucas** okay. **Pat Brennan** I think there is something in the regulations about being a private road in the zoning bylaw I saw something about it being a private road. **Walter Sullivan** if that's a condition that's fine I don't remember that in the bylaw, but I'm sure, Mr. Brennan's right. **Chairman Michael Corbett** the Fire Department would like it as wide as possible, and I know they would need a swift path analysis to make sure their fire trucks and everything can go down there turn around. Naturally, the wider the better because all the apparatus down there something should happen, ambulance and everything.

Chairman Michael Corbett how much of your open spaces not wetlands? **John Cavanaro** total open spaces about little under 12 acres. It's 11.8 acres of open space total and about eight and a half acres of up one of that so it's about three acres that's between the development and French's stream then there's more open space at the end of the cul-de-sac, that is over an acre of total area it's about 32,000 feet of upland 22,000 feet of wetland so it's more split yes so that's in addition to the 12 acres, on the other side, but then down near the road we have about 12,000 feet. **Pat Brennan** I got 13.4 acres of total open space 9.24 is upland and 3.8 as wetland.

Chairman Michael Corbett how many of these houses would be affordable housing? Have you thought about that? **Walter Sullivan** we are open to talk about it, haven't really committed to anything at this point. We will be submitting more detailed plans does the board vote either to approve or not approve the preliminary subdivision? **Chairman Michael Corbett** since I've been on the board, we haven't had a PUD assume you're going to change it? **Walter Sullivan** yes I was thinking eliminate some division, you know boards off and vote up or down and then you go forward. Regardless our plan is to provide more detail and move forward.

Chairman Michael Corbett right we'll give you some feedback and I make a motion. **Walter Sullivan** if this is supposed to be like a preliminary subdivision we would love input and obviously we're going to move forward, I just didn't know procedurally where the board actually votes, obviously, we have to come back for the whole subdivision.

Christine M Chairman Corbett there's a question. **Chairman Michael Corbett** I see that and nothing is really getting approved tonight. We don't have any information no reports back or anything Tony what where do you think. **Tony Riley** I don't think you need to vote they're going to come back for the more detailed stuff and then either you're going vote on their final plans. **Walter Sullivan** that's fine.

Chairman Michael Corbett does anybody on the board have any more questions? **Chairman Michael Corbett** we have another chat. Final Plan 40B? still talking about it so far they haven't gone that route. **Walter Sullivan** yes this is not a 40B or our intention.

Chairman Michael Corbett we have another one. Since people are chiming in with chats do have names here, they should give their street address so we have it on record. Wave to chat so we can make it official so we have your name and address. We do have comments from people not in town. We still have a long way to go.

Chairman Michael Corbett before we invite everybody for comments when do you think you'd be ready to come back? **Walter Sullivan** filing with Water, Sewer and Fire will meet with the Fire Chief so we'll have official comments from them. **John Cavanaro** hard to say we're going to have to go through in detail, the requirements for the final plan I can't imagine it being shorter than next couple months. **Walter Sullivan** June, if we can.

Chairman Michael Corbett we have a couple questions here that are coming in. **Chairman Michael Corbett** Sheila Togo 191 Summer Street wants to know is that wetlands? **Walter Sullivan** there are wetlands on the property, I thought Mr. Cavanaro addressed that he also detailed the open space in the breakdown of open space and wetlands. I'm not sure what more detail, we can give.

Chairman Michael Corbett all these prints are available if you go to the Town Clerk or can get emailed electronically to you so you can review everything is available.

Chairman Michael Corbett we have Kathy and Wayne Boyd 343 Concord Street did Mr. Dacey indicate he had ZBA approval? **Walter Sullivan** this is a new filing it strictly with the Planning Board under the PUD. **Chairman Michael Corbett** will open space be restricted in perpetuity? **Walter Sullivan** I think it will be part of your approval NATO certainly beyond the plan is open space and I guess that would be the wording of the planning board. **Chairman Michael Corbett** Scott Crawford 407 Concord Street is the plan for 40 units before the zoning board withdrawn? **Walter Sullivan** we don't have anything in front of the ZBA.

Chairman Michael Corbett just to clarify with everybody you are going to look into the titles on the property? **Walter Sullivan** I will respond to that I will search the title. **Chairman Michael Corbett** I know that came in last minute. **Walter Sullivan** 20 minutes before we came online I'm not going to represent anything without going back and do the research. **Chairman Michael Corbett** Scott Crawford asked for a continuation from zoning last week? **Walter Sullivan** I believe an associate did do that but I don't think we'll be moving forward with the Zoning Board right now we're just before you were not seeking any Zoning relief.

Chairman Michael Corbett we have Andrea Fuchs 251 Concord street is there been a study about the impact of traffic on Concord Street. Will this new sub cause issues with water & sewer on the street? **Walter Sullivan** I think there's been several recently, but we haven't done one but we're certainly happy to address that issue.

Chairman Michael Corbett that would be addressed by water and sewer well when they go to them.

Chairman Michael Corbett Kevin Crane 265 Concord Street is the waterway that is within the construction footprint going to disrupted in any way? does that require pre-approval to do so? **Walter Sullivan** we are not.

Chairman Michael Corbett can I get a motion to continue until June 22?

Motion to continue until June 22 – Mr. Lucas
Second -James Wells
John yes, James yes, Randy yes and Michael Corbett Yes,

Chairman Michael Corbett we will continue that until June 22 while you guys research on things and that will bring our public hearing for Concord Meadows 365 Concord street to a close, for the continuance and will reopen it on the June 22 meeting when they come back before us.

Continued Business – Open Public Meeting 8:00pm

Site & Design Review for CRESCO HHH, LLC, 1015 Hingham Street (Map 4, Lot 11)

Chairman Michael Corbett we have CRESCO listed on here at 1015 Hingham Street, but they asked to be continued. So, as of now, they are on the agenda for April 27.

Administration

Motion to approve minutes from meeting February 23, 2021 - **Chairman Corbett** need to vote at the next meeting to approve because we don't have a quorum.

Motion to Gatehouse Media in the amount of \$1,091.36 for advertisement – Mr. Lucas
Second – Mr. Hoblitzelle
John Lucas yes, Randy Hoblitzelle yes, James Wells yes and Chairman Mike Corbett yes
Unanimous -Voted 4-0

Motion to Pay Secretary in the amount of \$450.00 for meeting March 16th & March 23, 2021 – Mr. Hoblitzelle
Second – James Wells
Randy Hoblitzelle yes, James Wells yes, John Lucas yes and Chairman Mike Corbett yes
Unanimous - Voted 4-0

Chairman Michael Corbett just so everybody is aware 320 Concord Street we do have to fill out some paperwork with the people wanting to build the 40B, even though they go before Zoning and not us, we have to fill out paperwork if we have any comments, so if anybody has any comments just send them to the Planning Board and then we'll write something up. I don't know what we can do about it, but at least if we can make some of the comments, going through the process because not an ideal situation.

Randy I don't know.

Chairman Michael Corbett I can't speak for everybody. Randy 320 Concord Street comments has to be in writing we're not really going to see that at all. Chairman Michael Corbett if you shoot an email to the planning board Chrissi can forward it to me I'll send it directly because I have to submit it by April 2.

Chairman Michael Corbett can I get a motion to close.

Motion to adjourn meeting – Randy Hoblitzelle
Second - John Lucas
Randy Hoblitzelle yes, John Lucas yes, James Wells yes and Chairman Mike Corbett yes.
Unanimous – Voted 4-0

Adjourned 8:10pm

For the Planning Board:

A handwritten signature in black ink, appearing to read "Michael Corbett", written over a horizontal line.

Michael Corbett, Chairman

Chat Comments during the Public Hearing

susan joyce: 40b
 susan joyce: DO NOT APPROVE UNTIL YOU KNOW THAT IT IS A 40B
 susan joyce: Final plan. 40B?
 susan joyce: What's the plan
 Sheila Togo: Is that wetland
 susan joyce: not their intention but that can change
 susan joyce: Susan Joyce former 330 Concord Street
 Sheila Togo: Sheila Webster Togo 191 Summer St
 Kathy & Wayne Boyd: Boyd @ 343 Concord St - Did Mr Dacey indicate he had ZBA approval?
 susan joyce: Demand title searches
 susan joyce: title searches for all properties
 Kathy & Wayne Boyd: Will the open space be restricted in perpetuity?
 susan joyce: TITLE SEARCHES NEED TO BE DONE
 Sheila Togo: Okay, thank you I will
 Scott Crawford: Crawford 407 concord st. Is the plan for 40 units before the zoning board withdrawn?

 susan joyce: WHY?
 susan joyce: Scott Crawford ask if title searches should be done
 susan joyce: Lot 41 and 42
 Scott Crawford: Crawford you asked for a continuance with zoning last week
 CJ & Andrea Fuchs: Andrea Fuchs 251 Concord St, Hi, has there been a study about the impact of traffic on concord street? Will this new sub cause issues with our water and sewer on the street?

 Kevin Crane: Kevin Crane 265 Concord Street. Is the waterway that is within the construction footprint going to be disrupted in any way? and Does it require preapproval to do so.

 susan joyce: Whats the difference between zba and planning why planning
 susan joyce: FRENCHS
 susan joyce: What paperwork?
 susan joyce: I have comments
 susan joyce: THANK YOU!!! I can speak for everyone
 susan joyce: If anyone on the planning board wants to know the real an accurate situation with 320 Concord Please reach out to me

 susan joyce: I will put it in writing