

Norwell Planning Board Meeting Minutes
August 17, 2005 Regular Session

The meeting was called to order at 7:00 p.m. Present were Board Members Richard Parnell Barry, Bruce W. Graham, James M. Ianiri, Karen A. Joseph and Sally I. Turner and Town Planner Ilana Quirk.

DISCUSSION. Draft Agenda. 7:00 p.m.

Member Ianiri moved and Member Barry seconded that the Board approve the draft agenda. The motion was approved 5-0.

DISCUSSION. Minutes. 7:00 p.m.

August 3, 2005 Minutes.

Member Ianiri moved and Member Barry seconded that the Board vote to approve the August 3, 2005 minutes. The motion was approved 5-0.

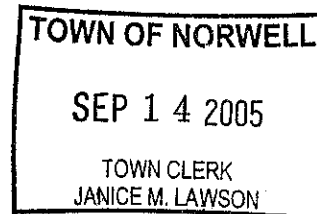
DISCUSSION. Bills. 7:05 p.m.

Coler & Colantonio:

Forest Ridge:	\$ 90.00
Joshua's Landing:	\$ 520.00
Laurelwood:	\$ 267.32
91 Longwater Circle:	\$1,490.00
Turner's Way:	\$ 547.66
Wildcat Hills:	\$ 783.12

BWG Mileage/parking (8/10): \$ 47.00

IMQ Mileage: 7/05 to 8/15: \$ 43.05



Member Turner recused herself from the discussion regarding the bills. Member Ianiri moved and Member Barry seconded that the Board vote to approve the bills. The motion was approved 4-0, with Member Turner abstaining

DISCUSSION. Authorization of Excel training for clerical staff. \$62.50. 7:05 p.m.

The Board discussed a request by the Planner to authorize spending \$62.50 to provide excel training for the new clerical staff, with the remainder of the cost to be borne by the Conservation Commission. Member Turner moved and Member Barry moved that the Board vote to authorize expending \$62.50 for excel training for the new clerical staff. The motion was approved 5-0.

DISCUSSION. 2006 Planning Board Schedule. 7:05 p.m.

The Members reviewed the draft 2006 schedule and determined that the schedule is appropriate. The Members agreed to advise the Planner of any conflicts in advance and to discuss any rescheduling needs in advance. Member Joseph asked that the third meeting in August 2006 be avoided if possible, as is being done this year.

DISCUSSION. Cowings Lane. 7:10 pm.

The Planner submitted two plans, a preliminary and a definitive plan to the Planning Board. The plans are dated July 25, 2005 and were prepared by Merrill Associates, Inc. for Cowings Lane, LLC. The plans were delivered to the Planning Office on August 10, 2005, for submission to the Board at tonight's meeting.

Member Joseph moved and Member Barry seconded that the Board acknowledge receipt of and accept the preliminary and definitive plans for Cowings Lane as of tonight's meeting. The motion was approved 5-0.

DISCUSSION. Site Plan. 91 Longwater Circle. 7:15 p.m.

All members were present. Applicant Ron David, Owner Steve Mack and Engineer Man were present to discuss the application. Engineer Chessia was present for the Board.

TOWN OF NORWELL
SEP 14 2005
TOWN CLERK
JANICE M. LAWSON

Chairman Graham noted that the last meeting was continued to allow Engineer Chessia to review late submitted material and noted that additional late material was submitted following the last meeting. Engineer Chessia stated that he has not had time to review the material submitted to him last Friday. Chairman Graham asked Engineer Man to review the remaining issues.

Engineer Man stated that the public hearing with the Board of Appeals is being readvertised, with the full description of the land that the applicant wishes to be subject to the requested zoning relief.

Engineer Man presented a letter from the existing drainage easement holder, stating that the holder will agree to change the scope of the easement, as necessary to accommodate the new structure and use. The revised easement will be given to the Board of Appeals.

Engineer Man noted that the design of the drainage pond has not changed and that he provided the original plans to Engineer Chessia. Engineer Chessia confirmed that he received and reviewed the original plans and opined that he is not worried about the capacity of the drainage pond because he is convinced that there is excess capacity.

Engineer Man stated that he believes that there is no further issue with the 24" drainage outlet pipe. Engineer Chessia disagreed and stated that he needs further information regarding the watershed area for the pipe in order to assess how much water will be

introduced the pipe and to determine whether the pipe is properly sized. Engineer Man agreed to provide the additional information.

Engineer Man assured the Board members that the maximum drainage assumptions were used in preparing the drainage calculations.

The Board noted that it wished to obtain Engineer Chessia's report, regarding the late submitted material, before making its recommendation to the Board of Appeals.

PUBLIC HEARING. Winslow Commons. 7:30 p.m.

All Members were present. Donald E. Shute and Peter J. McClelland were present.

The Clerk read the public hearing advertisement to reopen the public hearing and read Mr. McClelland's written notice of withdrawal. The Board noted that the applicant wishes to withdraw to redesign the project to include additional land recently acquired.

Member Ianiri moved and Member Barry seconded that the Board vote to acknowledge and accept the applicant's notice of withdrawal. The motion was approved 5-0.

PUBLIC HEARING. Barrel Lane. 7:35 p.m.

All members were present. Engineer Chessia was present for the Board. Present for the applicant were Donald E. Shute, Peter J. McClelland and Engineer Carter of GCG.

The Clerk read the public hearing advertisement to reopen the public hearing. The Clerk announced the materials and correspondence submitted since the last iteration of the public hearing on June 22, 2005.

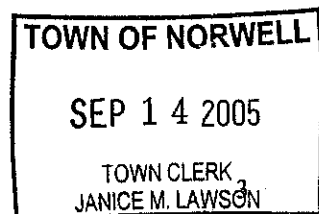
The Planner presented a comparative analysis of the current plan and the compliance plan and of the different impervious surface totals that could result to assist the Board is discussing the waivers.

Waiver Discussion:

The Board reviewed and discussed the waivers formally requested by the applicant, in writing, with the July 27, 2005 submission, and gave the applicant informal direction regarding the waivers as follows.

§3.3.4.8 To not show large trees on the plan

The Members noted that the Board typically provides a partial waiver to require that all 24" trees shall be shown in the roadway layout only. The Members informally advised the applicant that such a partial waiver likely would be granted for this project.



§3.3.4.12 To not provide a profile of the wetlands

The Members asked for input from Engineer Chessia, who indicated that he would recommend the waiver as the wetlands are mostly on slopes. Member Joseph noted that she is concerned about the areas where the wetlands are relatively flat. The Members informally advised the applicant that a waiver of the profile requirement would likely be granted for this project, provided that sufficient spot elevations of the flatter areas of the wetlands are provided so that a full picture of the trapped water conditions can be seen.

§3.3.4.13 To show topography by using 2-foot contours, instead of 5-foot contours

The Board noted that this waiver request would result in greater information than what is required and informally advised that such a waiver likely would be granted.

§4.7.1 To eliminate 5-foot wide bituminous sidewalks on both sides of the road

Member Graham noted that the looped roadway provided by the compliance plan, if it were waived as to roadway width and to require only one sidewalk would be comparable to the dead-end roadway with two sidewalks. Mr. Shute noted that the analysis used assumes that there are only 14 lots for the compliance plan; however, there are 15. It was noted that the compliance plan misnumbered the lots, but including two lots that were numbered "9". Mr. Shute indicated that he did not wish to do the looped roadway.

Member Barry noted that he wants a 26-foot wide roadway and sidewalks on both sides of the road. The other Members noted that they would be willing to agree to a sidewalk on only one side of the street, but not to waive both sides and they would only do so if there were a contribution to the Pedestrian Enhancement Fund. Member Barry acquiesced.

§4.7.2 To reduce roadway pavement width from 26 feet to 20 feet

Member Barry noted that he would not grant this waiver. The other four Members indicated informally that they would be willing to grant a waiver from 26 feet to 24 feet.

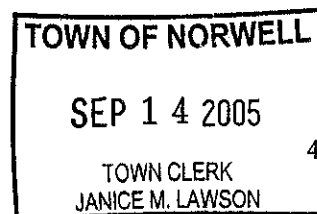
§4.8.1 To allow a dead-end street, with more than 500 feet of length.

Member Barry noted that he would be willing to grant this waiver if the water easement was provided and a swale were provided. The remaining four Members informally agreed that they would be willing to grant this waiver.

§4.11.1 To not conform to typical cross section (width and sidewalks) (Appendix)

§4.11.9 To eliminate bituminous sidewalks

The Members noted that, if the sidewalk requirement is waived to require only one sidewalk, then these regulations would be partially waived to be consistent with the one sidewalk.



§4.28 To allow a roadway to be constructed within 75 feet of a driveway

Member Joseph noted that she would agree to the waiver, as shown on the proposed plan, if the proper radii are confirmed to be present. The other members agreed.

§4.30 To eliminate sidewalks on any portion of the project

The Members noted that they would only be willing to consider waiving one sidewalk.

Discussion of the July 2, 2005 Plan revisions.

Engineer Carter made a brief presentation of the July 26, 2005 plan revisions. He noted that the ANR lots on Circuit Street have been 'added' to the subdivision plan. Member Joseph questioned whether this has been done formally. Engineer Carter stated that he would add a note to the plan to indicate the frontage lots are part of the subdivision and that the drainage calculation for the overall project is based upon all 15 lots.

Engineer Carter noted that the plan includes a second drainage basin.

Engineer Carter noted that there is a remaining issue relating to the slope easements for drainage that may be necessary for some of the lots.

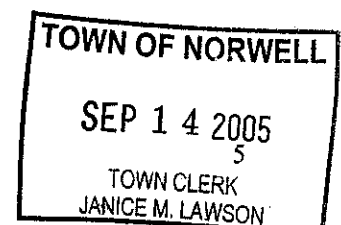
Engineer Chessia confirmed that it is his opinion that the rate issues are resolved, but there is still a downstream flooding issue that must be resolved. Engineer Chessia noted that there will be an increase in volume and that there must be proof that the increased volume is properly controlled on site.

Mr. Shute suggested that the Board of Health be allowed to address runoff when it permits the septic systems.

Engineer Carter noted that there are three remaining issues: the design of the new basin, the resolution of the off site flooding issues and the resolution of how to deal with drainage easements on the individual lots. He stated that he has enough direction to design the basin and will provide additional calculations to Engineer Chessia, regarding the off-site flooding issue.

Engineer Chessia responded that the design of the basin can be worked out, but that the resolution of the off site flooding and the drainage swales may not be so easy. He noted that directing the runoff from the front lots to the rear basin will be critical to avoid off site flooding. If the proper swales are not in place, then Barrel Lane would be flooded.

Engineer Chessia noted that the problem is not designing the swales or building them or creating easements for them. The problem is that the swales must be subtracted from the lot area for the individual lots on which they are located. If that occurs, then there is



insufficient lot are for some of the lots shown on the plan. This is a potentially intractable problem for the number of lots that the applicant clearly desires.

Member Joseph noted that she has concerns about the amount of fill proposed to be brought to the site. A total of 77,000 cubic yards for fill for 15 lots and a road seems very high. Engineer Carter stated that it works out to 10,000 cubic yards for the road and an average of 5,000 cubic yards for each of the lots.

Member Joseph noted again that the amount seems very high and inspection of the required compaction by an on-site geotechnical expert should be provided.

Member Graham noted that the Board requests typically, in a case of such large amounts of fill, that the applicant agree not to truck in or out of the site during school bus operations. Mr. Shute agreed that this would be reasonable.

Member Turner asked if virtually all of the trees on site would be cleared. Engineer Carter that this, essentially, is what is proposed.

Chairman Graham asked the public for comments and input.

Mr. Tom Vorderer of 228 River Street provided pictures and comments on the existing drainage conditions and provided his concerns about increases in flooding off site.

Mr. Jonathan Detwiler of 152 River Street made comments regarding the requirements of §§4.4.1, 4.2 and 4.3 of the Subdivision Rules and Regulations.

Chairman Graham thanked Mr. Vorderer and Mr. Detwiler for their input and the hard work they put into their presentations. The Board will take their comments into consideration and will look carefully at all of the points mentioned.

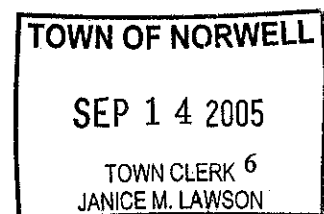
Mr. Shute requested a continuance of the public hearing to allow his engineer time to revise the plans again. He provided the Board with a written request for an extension of the deadline for final action to November 18, 2005.

Member Ianiri moved and Member Barry seconded that the Board grant the applicant's request for an extension of the deadline for final action to November 18, 2005. The motion was approved 5-0.

Member Ianiri moved and Member Barry seconded that the Board continue the public hearing to October 12, 2005 at 7:30 p.m. The motion was approved 5-0.

Discussion. Cowings Lane. Preliminary subdivision plan. 9:30 p.m.

All members were present. Present for the applicant were Eugene Mattie and Project Manager Jack O'Leary.



Mr. O'Leary explained that the preliminary subdivision plan depicts a roadway that would provide frontage for 9 lots; however, the definitive plan proposes a shorter roadway, with frontage for only 7 lots, with 11 acres (9.23 acres of upland and 1.84 acres of upland) to be restricted for conservation, except for the development's drainage basin.

Mr. O'Leary noted that the applicant seeks a preliminary approval for the 9-lot version to establish a basis for a tax deduction when the land is granted to a conservation trust.

Mr. O'Leary noted that the applicant seeks waivers of the dead-end street maximum and the pavement and hopes that the Board will see a public benefit in granting the waiver in exchange for 11 of the 19.77 acres of the site being deeded to a conservation trust and being permanently restricted to prevent further development.

Mr. Mattie stated that he is seeking to do a 'conservation subdivision' that will be respectful of the Herring Brook resource at the rear of the property. He directed Merrill Associates to design a plan that will result in the least amount of grade changes and fill possible. The plan is designed to maintain existing trees and stone walls and to leave a buffer at the front of the subdivision so that the pre-development and post-development look of the land will be as close to the same as possible.

Mr. Mattie noted that a drainage easement would be retained on the conservation parcel for the benefit of the Homeowners Association and that the HOA would be responsible for maintenance, not the conservation trust that takes ownership the conservation land.

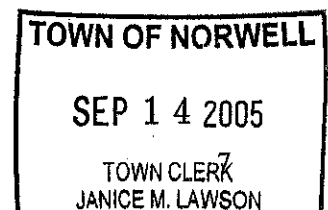
Mr. Mattie stated his intention to go beyond the donation to the conservation trust by imposing further deed restrictions on the building that can occur on the individual lots. He intends to create specific building and clearing envelopes for each lot. He wants to make sure that there is a further buffer for the conservation land, rather than allow clearing on the individual lots right up to the rear property lines.

Mr. Mattie explained that the individual lot owners will have the right to walk on the conservation land, as will some of the area residents (based upon designations by the current owners of the land); however, it is not the intention to provide general public access to the conservation land.

Mr. Mattie noted that he intends to limit the cutting of large trees to the greatest extent possible and intends to stake potential building and clearing envelopes and determine sunlight orientations and adjust as necessary before establishing the final envelopes.

The Board discussed with Mr. Mattie the need to explore potential signage to prevent clearing near the conservation land.

Mr. O'Leary asked that the Board set a date to walk the land, so that he can know when to stake the roadway, as there is often a problem with stakes disappearing. The Board determined that it would add the walking of the land to its previously scheduled



subdivision tour on September 17, 2005 at 8:45 a.m. Mr. O'Leary or Mr. Mattie will be present to walk the bounds.

Mr. O'Leary also asked for the Board's permission for him to contact Engineer Chessia directly regarding the technical review process and to arrange the witnessing of test pits. The Board encouraged that contact, but noted that any engineering meetings should be coordinated with the Planner.

The Board noted that the public hearing date will be scheduled soon and the applicant will be notified of the date.

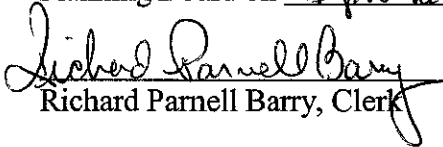
DISCUSSION. Stormwater. 10:05 p.m.

Chairman Graham noted that he requested time of the Selectmen's agenda to discuss stormwater issues, but there has not been a response yet. Since there are no items scheduled for discussion for August 31, 2005, the Board determined that it would not go forward with that meeting until an ANR is received. If an ANR is received, three members will attend and process the ANR.

DISCUSSION. Adjournment. 10:10 p.m.

At 10:10 p.m., Member Ianiri moved and Member Joseph seconded that the Board vote to adjourn. The motion was approved 5-0.

I certify that the above minutes were reviewed and approved by majority vote by the Planning Board on September 14, 2005.


Richard Parnell Barry, Clerk

