

Norwell Planning Board Meeting Minutes
August 3, 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, with the addition of a discussion regarding stormwater. The motion was approved 5-0.

DISCUSSION. Minutes. 7:05 p.m.

July 20, 2005 Minutes.

Member Ianiri moved and Member Barry seconded that the Board vote to approve the July 20, 2005 minutes. The motion was approved 5-0.

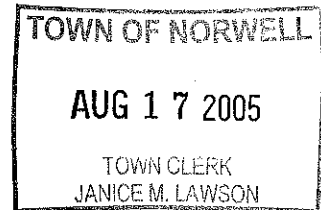
DISCUSSION. Bills. 7:10 p.m.

Member Joseph moved and Member Turner seconded that the Board vote to approve the following bill:

Corporate Express:

Staples: \$.85

The motion was approved 5-0 .



DISCUSSION. Parker Street ANR, Castle Rock Management. 7:05 p.m.

The ANR Plan is entitled: "Approval Not Required Plan Parker Street, Norwell, MA," dated July 25, 2005; prepared by Professional Land Surveyor Kevin J. Kiernan of Allen & Major Associates, Inc. of 25 Wareham Street, Middleborough, MA 02346.

The ANR Plan and application were delivered to the Planning Office on July 26, 2005 and submitted to the Planning Board at the meeting on August 3, 2005. A draft decision, dated August 2, 2005, was distributed to the Board. The Board discussed the ANR Plan and the August 2, 2005 draft decision.

Member Ianiri moved and Member Barry seconded that the Board vote to adopt the findings recommended by staff in the August 2, 2005 draft decision, with a finding that the requirement that the zoning district be placed on the plan had not been satisfied, but

this deficiency is not fatal, and to endorse the July 25, 2005 ANR Plan for Parker Street. The Motion was approved 4-0-1, with Member Joseph abstaining.

DISCUSSION. Mail Update.

The Board reviewed the mail recently received.

DISCUSSION. Fall Subdivision Tour. 7:15 p.m.

The members scheduled a Fall Subdivision Tour for Saturday, September 17, 2005 at 8:30 a.m. The members will meet in the Town Hall parking lot. Member Joseph agreed to drive.

DISCUSSION. Stormwater. 7:20 p.m.

The Members discussed the stormwater dvd and a copy was distributed to all members, together with a questionnaire. The members agreed to finish viewing the dvd by Labor Day and to discuss stormwater by-law issues during September 2005.

DISCUSSION. Site Plan Review. 91 Longwater Drive. 7:25 p.m.

The Board reviewed the site plan materials received for the proposed project and determined that it would wait to make a decision on the project until the applicant's representative arrives.

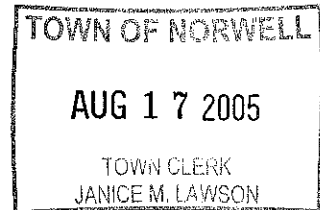
PUBLIC HEARING. Winslow Commons. 7:30 p.m.

All members were present. Professional Engineer John Chessia of Coler & Colantonio, the Board's technical consultant, was present. Present for the applicant was Donald E. Shute. Present for the abutters was Attorney Walter Sullivan, Sr.

Member Barry read the public hearing notice and announced the submissions received by the Board since the last iteration of the public hearing.

The Board reviewed a request by Mr. Shute that the project be withdrawn as additional land is going to be added to the project, requiring readvertising of the project and revised plans are not ready yet. The Board members noted that an applicant has a right to withdraw, if it wishes. The Board was concerned, however, that Mr. Shute is not the applicant and there is not an affidavit indicating that he is an official representative of the applicant. Mr. Shute provided a letter certifying that he is authorized and noted that he would provide a letter from the applicant's representative, Mr. Peter McClelland shortly. Mr. McClelland is the president and treasurer of the corporate applicant. Member Ianiri indicated that he would prefer that the proper person sign any letter of withdrawal.

Attorney Sullivan requested that the Board deny the project at this point, due to noncompliance with the Board's deadlines for submission of materials. The Board



discussed again the right of an applicant to withdraw and the burden that would be involved in preparing a decision to deny.

The Board discussed Mr. Shute's request that the Board forgive or discount the application for a new submittal. The Board reviewed the increase in fees that occurred between 1986 and 2004. Member Ianiri noted that withdrawal is a voluntary thing and would not usually involve a fee reduction when a new application is received later. Member Graham noted that staff time was already spent on the project under the fees already received and that fee likely as been eaten up. Member Joseph stated that the Board's history has been not to grant fee reductions, if a withdrawal of a project occurs and then a refilling occurs. Member Barry stated that he would prefer to discuss this issue at a future meeting.

Member Ianiri moved and Member Barry seconded that the Board continue the public hearing to August 17, 2005 at 7:30 p.m., for the purpose of reviewing a formal withdrawal by Mr. McClelland of the project. The motion was approved 5-0.

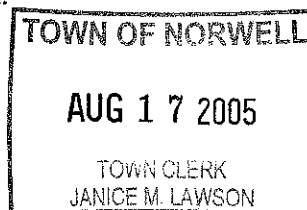
DISCUSSION. Site Plan. 91 Longwater Circle (Lot 75). 8:50 p.m.

All members were present. Present for the applicant Longwater Circle Realty Company were Engineer Donald Springhetti and Engineer Chi Man of Cubellis Saivetz Associates and Architect Dennis McCarthy. Also present were Mr. Steve Mack and Mr. Ron Davis and Mr. Driscoll.

The Board reviewed the submittals and noted an ownership issue that the Planner brought to Engineer Man's attention, that the land described on the application for relief includes only Parcel 18-75 as shown on the Town's Assessor's Map; however, two other assessing parcels are included on the site plan. The Board noted that the assent of the owners of the two other assessing parcels will be necessary. The Board noted that the proposed building would be constructed over a portion of an existing drainage easement and that the assent of the holder of the easement to the reduction in the scope of the easement will be required. The Board noted that a revision to the site plan was received, but was not received in time to be reviewed by the Board's consultant.

Engineer Springhetti gave a presentation and explained that a 20,600 square foot building is proposed for the site, with less parking that would be required under the zoning by-law. He noted that the applicant will provide the necessary assents from the owners of the two parcels shown on the site plan, but that are outside of Parcel 18-75. Engineer Springhetti provided a letter, dated August 3, 2005, with deed attached to it to the Board. He noted that whatever assent is required from the holder of the drainage easement, would be provided.

Engineer Springhetti noted that the Town's Design Review Board has considered the project and recommended approval of it. The Board noted that a copy of the Design Review Board's recommendation has been received.



Architect Dennis McCarthy gave a presentation and explained that the proposed orientation of the building in relation to the other buildings already in existence in the area and to the drainage pond.

Member Joseph asked about the location of the dumpster and the bike rack, if the future parking is installed. Engineer Springhetti stated that the dumpster location and bike rack would move and showed the Board the portion of the revised plan that indicated the new location for the dumpster and stated that would be plenty of room for the bike rack.

Member Joseph asked whether the proposed fire lane would be paved. Engineer Springhetti stated that it would be.

Member Joseph asked whether it would be possible to move three of the proposed parking spaces from the front of the site, to provide a continuous green corridor. Engineer Springhetti stated they could be removed, but that he would prefer to have them put into the future budgeted parking, rather than try to move them elsewhere.

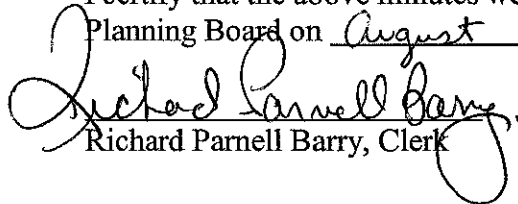
The Board asked Engineer Chessia for his comments and he stated that he had not yet reviewed the most recent submittal, but that he would hope that all of his prior comments have been addressed.

The Board tabled discussion on the matter until August 17, 2005 at 7:15 p.m.

DISCUSSION. Adjournment. 8:20 p.m.

At 8:20 p.m., Member Ianiri moved and Member Barry 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 August 17, 2005.


Richard Parnell Barry, Clerk

