

DEC 08 2005

TOWN CLERK  
JANICE M. LAWSON

Norwell Planning Board Meeting Minutes  
November 21, 2005 Meeting

The meeting was called to order at 7:00 p.m. Present were Board Members Richard Parnell Barry, James M. Ianiri, and Sally I. Turner and Planner Ilana Quirk. Members Bruce W. Graham and Karen A. Joseph were absent. Member Joseph joined the meeting at 7:25 p.m.

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

Member Ianiri moved and Member Barry seconded that the Board approve the draft agenda as amended. The motion was approved 3-0, with Members Graham and Joseph absent.

**DISCUSSION. Minutes. 7:00 p.m.**

November 9, 2005 Minutes.

Member Ianiri moved and Member Barry seconded that the Board vote to approve the November 9, 2005 minutes. The motion was approved 3-0, with Members Graham and Joseph absent.

**DISCUSSION. Bills. 7:05 p.m.**

Member Ianiri moved and Member Barry seconded that the Board vote to authorize payment of the following bills:

Planner Reimbursement (Key for new staff)	\$ 1.25
Planner Mileage:	\$ 31.64
Coler & Colantonio, Inc.	
Barrel Lane:	\$2,158.28
Cowings Lane:	\$ 711.25
Forest Ridge:	\$ 270.00
Holly Berry:	\$ 317.50
Joshua's Landing:	\$ 511.40
Laurelwood:	\$ 273.24

The motion was approved 3-0, with Members Graham and Joseph absent.

**DISCUSSION. 201 Lincoln Street ANR Plan. Ray Bergren Applicant. 7:10 p.m.**

The Board accepted submission of an ANR Plan for 201 Lincoln Street, entitled "Plan of Lots at 201 Lincoln Street, Norwell, MA," dated November 7, 2005, prepared by Ralph H. Cole, Professional Land Surveyor, for Applicant Roy W. Bergren of 201 Lincoln Street, Norwell, MA, consisting of 1 sheet, for land shown on Assessor's Parcel 39-7.

The Board reviewed the ANR Plan and the November 15, 2005 draft decision prepared by the Planner. Member Ianiri moved and Member Barry seconded that the Board vote to adopt the recommended findings set forth in the draft decision and that the Board endorse the November 7, 2005 ANR Plan for 201 Lincoln Street. The motion was approved 3-0, with Members Graham and Joseph absent.

**DISCUSSION. Lot 3 Sean Roach. Holly Berry Subdivision. 7:20 p.m.**

The Board reviewed a grading plan entitled "Holly Berry Trail/Prepared for Sean G. & Lori A. Roche, Lot 3, Holly Berry Trail, Norwell, MA 02061; Drawing SP," Sheet 1 of 1, dated November 7, 2005 and prepared by John Cavanaro Consulting of 687 Main Street, P.O. Box 5175, Norwell, MA 02061 and stamped and signed by Registered Professional Engineer John C. Cavanaro. The plan was delivered to the Planning Office on November 14, 2005.

The owners of Lot 3 request that the grading changes shown on the grading plan be approved by the Planning Board as a field change to the grading required on the approved definitive plan.

Engineer John Chessia of Coler & Colantonio, Inc. was present and informed the Board that he has reviewed the subject plan and that the revised grading shown on the plan will work and that the drainage system, as approved, would continue to function properly if the changes on the plan are approved and implemented.

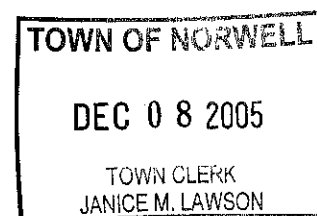
Member Ianiri moved and Member Barry seconded that the Board vote to grant the request by the owners of Lot 3 to approve a field change to the final grading contours shown on the approved definitive plan for Lot 3 to allow the final grading to be as shown on the November 7, 2005 Cavanaro Grading Plan. The motion was approved 3-0, with Members Graham and Joseph absent.

**DISCUSSION. Bills. 7:25 p.m.**

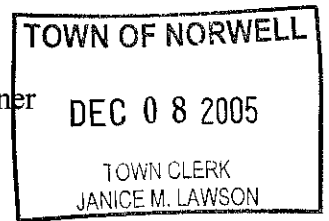
Member Joseph joined the meeting and the Board reviewed the remaining bill for Turner's Way.

Member Ianiri moved and Member Barry seconded that the Board vote to authorize payment of the following bill for Coler & Colantonio, Inc.:

Turner's Way Modification: \$1,387.88



The motion was approved 3-0, with Member Graham absent and Member Turner abstaining.



**DISCUSSION. Turner's Way. Release of Street Light Surety of \$1,000.**

The Board reviewed the status of the street light surety held for Turner's Way to guarantee the sign off by the electric company of the specifications for the street light. The electric company has provided the necessary letter, so there is no longer a need to hold onto the funds.

Member Ianiri moved and Member Barry seconded that the \$1,000 in surety held for the street light installation shall be returned to the Applicant. The motion was approved 3-0, with Member Graham absent and Member Turner abstaining.

**DISCUSSION. PUBLIC HEARING. Cowings Lane. 7:30 p.m.**

All members were present, except Member Graham. Engineer John Chessia was present to assist the Planning Board. Applicant Eugene Mattie was present, together with Engineer Douglas Heald of Merrill Associates, Inc.

The Clerk read the public hearing notice to open the public hearing. The Clerk announced the documents and submissions received since the last iteration of the public hearing.

Engineer Heald made a brief presentation to review the changes made to the plan. There is a small drainage basin on Parcel A. There are some sight distance issues and a few drainage issues.

Member Ianiri asked what will be done about the sight distance issues. Engineer Heald stated that the applicant will have to explore the issue and talk to the abutting property owners of the land where the problem exists (i.e., 200 Summer Street).

The Planner noted that the Planning Board will have to determine if the proper application fee was paid by the Applicant, as no fee was paid for Parcel A, which has a drainage basin on it. Members Ianiri and Barry indicated that they believe that this is a drainage basin lot for which a fee would be owed. Member Joseph determined that this issue should be tabled for the time being.

Engineer Chessia made a brief presentation, noting that the project is progressing well, but that there are few things that need to be addressed.

The sight distance problem (a cedar tree and hedge) located at 200 Summer Street needs to be evaluated and addressed. The cedar tree appears to be on the abutter's property. It is possible that the hedge is the right of way. Applicant Mattie indicated that he will investigate the problem and talk to the Town and the neighbors as necessary. Engineer Chessia noted that, if the cedar tree cannot be moved, it will have to be fully evaluated to determine whether and to what degree it impairs sight distance quality.

Lot 1 has a serious zoning issue and would require zoning relief in the form of a variance. He noted that the current drainage calculations use the existing impervious surface for the existing dwelling as the baseline for this lot. He recommended, if there is a potential for a different house to be built, that an increased impervious surface allotment be used or the applicant will face strict curtailment of the size of the house that could be built.

There are a number of technical engineering issues that likely can be resolved with a conference with the Applicant's engineer. Engineer Chessia noted that he requests a blow up of the detail for Parcel A's drainage as the drainage details are impossible to read. He suggested a 20 scale. Applicant Mattie noted that this would be no problem. In addition, the engineers need to meet to discuss the drainage divides at the property and clarify the issues relating to them. Other than these issues, there are no huge substantive issues remaining.

Member Turner asked how the drainage easement to support the drainage basin on Parcel B would be managed. Applicant Mattie stated that, when the fee is conveyed to the conservation entity, the necessary drainage easement will be retained.

Member Turner asked if the configuration of Parcel B would remain the same. Applicant Mattie stated that this is his intention.

Member Turner asked what would happen to Lot 1 if the variance for the exiting dwelling were to be denied. Applicant Mattie stated that Lot 1 is designed to be a conforming lot for a new home and that it has been successfully perked.

Member Turner asked why a waiver from §7E.2 is sought. Engineer Heald stated that the applicant wishes to have flexibility regarding the location of the utilities as the utility companies often wish to make location changes in the field. The Board members all agreed that at least the side of the street where utilities are proposed to go must appear on the plan. The Board also discussed the need for easements to support the portions of the utilities that above ground and out of the right of way (i.e., transformer equipment, etc.). Applicant Mattie will have to decide whether he wants to chose the locations and put them on the plan and reference the plan in the easement that he retains to provide the right to maintain the utilities or he will have to impose a blanket easement. Applicant Mattie stated that he will have to think about this issue and noted that he prefers to put such items on the edge of two lots, so that the item is out of the way.

Member Turner asked about the street light configuration. Applicant Mattie stated that he wants to do one streetlight at the entrance and one at the end of each driveway and use a smaller, less obtrusive light, with a pole that is only 13-14 feet high and with clear white light. The Board noted that it will need the specifications that he is proposing and that a catalog cut and a photograph of an example should be provided. Applicant Mattie was informed that, if the Association intends to ask the Town to take over the cost of the electricity for the street lights, if the roadway is accepted, Mr. Mattie should talk to the Town Administrator regarding the number of lights that might be allowed. The Board of

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Selectmen has been turning of streetlights and, with new projects, is only taking over the expense of streetlights that it deems necessary for public safety. Mr. Mattie stated that he thought that the cost would be only \$50 per month for all of the streetlights that are proposed. Mr. Mattie was urged, nevertheless, to talk to the TA about this issue as the selectmen may chose to only light half or less and spend only \$25 or less per month. Mr. Mattie stated that he would speak to the TA about this issue.

Member Turner asked about the foundations for the houses on Lots 4 and 7. Mr. Mattie stated that he would wrap the foundations in a special material to prevent wicking, as the foundations would be in the ground water. He did not want to go up to avoid the ground water because that would mean more grading and disturbance. He would rather pump ground water to a day lighted pipe or a dry well. Member Joseph noted her concern that there be no point sources created. It was noted that the Board routinely imposes a condition that no building in the groundwater shall take place.

Member Ianiri noted that he wants a sidewalk on at least one side of the street and asked for an update on the drainage issues. Engineer Chessia noted that there are numerous drainage comments, but they all relate to the same drainage divide issue. Once that issue is resolved, the drainage comments will largely be taken care of.

Member Barry asked how access to the drainage basin on Parcel B will take place. Engineer Heald stated that there would be a 10' side access roadway with a swale to the left of it.

Member Barry asked about how the drainage scenario would work at Station 112. Engineer Heald stated that the water would drain out and dissipate. Member Barry asked where it would dissipate. Engineer Heald stated that the water would dissipate to the neighboring lot. Member Barry asked why this would be allowed. Engineer Heald stated that this is what happens now and so it would be allowed to continue.

The Board reviewed the updated waivers and noted that the Board has no problem with the dead-end street waiver of 85 feet, under the circumstances.

The Board discussed the sidewalk waiver, to eliminate sidewalks altogether, in exchange for the open space that is being provided. There would be a 12-foot wide grass shoulder that pedestrians could walk on. Member Barry noted that it would be difficult for a mother with a baby carriage to walk on the grass shoulder.

The Board discussed the pavement width waiver. The Board previously tentatively agreed to allow a waiver from 26 feet of paved width to 24. The Applicant is still requesting 23 feet of paved width, as this width, with the berms, is a width of 26 feet. Member Barry indicated that he was opposed to 23 feet of paved width as he does not like odd numbers. Members Ianiri and Turner noted that they did not have a problem with the 23 feet. Member Joseph indicated that she would only very reluctantly agree to go with 23 feet of paved width and then only with specific language to indicate that such

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a waiver only was given because half of the land in the subdivision was to be preserved as open space and because this is a low impact development.

The Board discussed the granite curbing waiver request. Mr. Mattie stated that he had no problem with providing granite curbing at the catch basins. He stated that the Highway Surveyor told him that the Highway Department prefers cape cod berm because it makes plowing easier. The Board asked Mr. Mattie to obtain a memo from Highway Surveyor Foulsham.

Member Barry noted that he would not be wiling to waive granite curbing without compensation to the Town. Mr. Mattie noted that he is donating more than 50% of the land in the subdivision to open space. Member Barry noted that he is already aware of that and that is not what he is talking about. Member Barry asked Engineer Chessia to provide a linear foot cost for installing granite curbing.

Member Turner noted that she wants to hear from the Highway Surveyor on this issue for this subdivision and on this issue in general. She asked that the Highway Surveyor be invited to attend a meeting to discuss this issue.

The Board discussed a variety of other waivers, but decided to wait until reviewing the draft decision to give tentative viewpoints on them.

Member Joseph opened the meeting to the public.

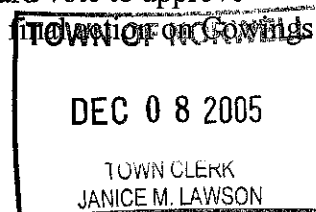
Dot Niland of 178 Summer Street asked whether there would be public access to the open space or whether it would be posted as "no trespassing". Mr. Mattie stated that the open space could be accessed via the subdivision roadway and there would be no such signage. He emphasized that members of the public would not be able to walk over the individual lots or intrude on their back yards.

Kathleen Narkiewicz of 194 Summer Street asked about Lot 1 and whether it was going to have two houses on it. Mr. Mattie stated that it would have only one house on it and only time will tell whether it will be the existing house or a new house. She asked about the barn. Mr. Mattie stated that it has to be removed, but he would be happy to have someone take it away.

Member Barry asked about the large dogwood located behind the barn. Mr. Mattie noted that the tree is in the right of way for the roadway and will have to be moved, but he would be happy to have it moved and transplanted somewhere else.

Mr. Mattie indicated that he wished to have the opportunity to revise the plans one more time. The Board discussed the timing involved and Mr. Mattie provided the Board with a written request to extend the deadline for final action until January 20, 2006.

Member Ianiri moved and Member Barry seconded that the Board vote to approve Applicant Eugene Mattie's written request that the deadline for final action on Cowings



Lane be extended from December 30, 2005 to January 20, 2006. The motion was approved 4-0, with Member Graham absent.

Member Ianiri moved and Member Barry seconded that the Board vote to continue the public hearing on Cowings Lane to January 4, 2006 at 7:30 p.m. The motion was approved 4-0, with Member Graham absent.

**DISCUSSION. Adjournment. 9:35 p.m.**

At approximately 9:35 p.m., Member Ianiri moved and Member Barry seconded that the Board vote to adjourn. The motion was approved 4-0, with Member Graham absent.

I certify that the above minutes were reviewed and approved by majority vote by the Planning Board on December 7, 2005.

Richard Parnell Barry  
Richard Parnell Barry, Clerk

