

Norwell Planning Board Meeting Minutes
April 5, 2006 Regular Meeting

The meeting was called to order at 7:00 p.m. Present were Board Members Richard Parnell Barry, Bruce W. Graham and Karen A. Joseph and Planner Ilana Quirk. Member Sally I. Turner joined the meeting at 7:10 p.m. Member Charles R. Markham was absent.

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

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

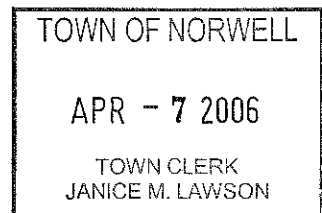
DISCUSSION. March 22, 2006 Minutes. 7:00 p.m.

Member Barry moved and Member Graham seconded that the Board vote to approve the March 22, 2006 minutes. The motion was approved 3-0, with Members Markham and Turner absent.

DISCUSSION. Bills. 7:05 p.m.

The following bills were presented for approval:

Corporate Express (Office Supplies – Folders):	\$ 4.30
Plymouth Registry of Deeds: (Record Annual Signatures(\$76.00



Member Joseph moved and Member Barry seconded that the Board vote to approve payment of the above bills and sign the necessary vouchers. The motion was approved 3-0, with Members Markham and Turner absent.

DISCUSSION. Annual Registry Signatures. 7:05 p.m.

Member Graham moved and Member Joseph moved that the Board members sign the annual signature documents for the Plymouth Registry of Deeds and the Land Court. The motion was approved 3-0, with Members Markham and Turner absent.

DISCUSSION. Holly Berry. 7:10 p.m.

- 1) Landscaping Field Change Request.

The Board reviewed the developer's request that he be granted a field change to allow him to not install the landscaping shown on the approved subdivision plan for the cul-de-sac (a Japanese Red Maple, 16 spreading yews, a perennial flower bed and mulch) and to approve the landscaping that already has been installed (2 Holly trees, a Birch tree, an Evergreen tree and some grass and mulch. The revised landscaping, including some landscaping for the entrance to the development was shown on a handwritten plan provided on March 6, 2006.

Member Joseph moved and Member Barry seconded that the Planning Board vote to approve the requested landscaping field change, provided that the developer take the proper steps to remove the burlap from around the Birch tree and provided further that the developer plant a minimum of 12 stellodoro or lemon drop day lilies or an equivalent drought resistant perennial.

The motion was approved 3-0, with Members Markham and Turner absent.

2) Sidewalk Surety.

The Planning Board discussed the surety issue and the e-mail from the developer indicating that he cannot find a bond that would be suitable.

Member Joseph and Member Barry seconded that the Board vote to require a \$10,000 cash deposit as surety, if a suitable bond is not provided. The motion was approved 3-0, with Members Markham and Turner absent.

3) As-Built Plans.

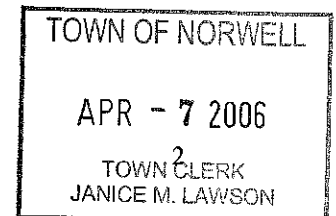
The Board reviewed the latest as-built plans and determined that it would not require that Mass Grid Coordinates be added to them. Member Joseph moved and Member Barry seconded that the Board vote to require that the review fee account be replenished before the as-built plans are approved and to note that Town Counsel review of the deed description is required.

DISCUSSION. Affordable Housing Partnership Membership. 7:15 p.m.

The Board discussed possible candidates to represent the Board to the AHP. Member Graham noted that he would favor someone who has a background in developing land. Member Turner suggested Neil Farmer as someone with the necessary background who might be willing to serve. The Board members agreed that Member Graham should contact Mr. Farmer to see if he would be willing to serve.

DISCUSSION. Clapp Brook Road. 7:20 p.m.

Member Joseph expressed her dismay with the developer's representative's most recent e-mails, which are inefficient and time wasting at best and are not moving the project



forward. The Board discussed the need to approach the project patiently in an effort to persuade the developer to finish the project.

DISCUSSION. 104 Washington Street. Marsh/CVS Liquors Site Plan. 7:25 p.m.

The Board discussed the fact that the drainage materials were not received in time to be reviewed for tonight's meeting and will be reviewed at a future meeting.

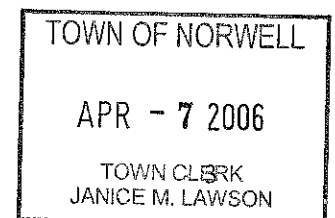
Attorney Hughes gave a brief introduction, noting that 1.3 acres of land has been added to the project and that will eliminate the open space deficiency that existing previously, and provided a letter from VHB engineers, in response to the most recent Coler & Colantonio, Inc. report.

Engineer John Stevenson of VHB made a presentation, noting also that 1.3 acre of land have been added, creating compliance with Aquifer Protection District requirements. The request for parking relief has been withdrawn as the required number of spaces will be provided. The request for relief for the dumpster has been withdrawn as it has been moved to within the commercial district. He stated that all of the parcels in question have been drawn into common ownership.

Member Graham asked Engineer Stevenson to identify any area of conflict between his presentation and the report by C&C. Engineer Stevenson stated that he would like to meet again with Engineer Chessia, but he is not aware of any conflicts.

Engineer Pat Dunford, a VHB traffic engineer, addressed queuing issues. He used a 5:00 p.m. peak traffic analysis and determined that there is not a problem in any direction on Washington Street or High Street. He opined that, even at the busiest time, there will not be a queuing problem at the Drive-Thru. He opined that the proposed truck traffic circulation pattern will work and that limiting the entrance near the junction of High/Washington and Grove to trucks coming from the intersection would confuse customers who are traveling in the opposite direction and miss the first entrance to the project. He noted that he does not favor a wider entrance for trucks as that would create confusion for other incoming traffic. The proposal is in front of Mass Highway for approval and this is what they will want to see for a commercial driveway. He stated that the Level of Service now is LOS B and will remain at LOS B when the project is done, but there will be many safety benefits from the area highway improvements that are being made now.

Member Joseph stated her concern that the truck traffic cannot dock in the rear without having conflicts with other traffic and that there does not seem to be room for the trucks to dock safely. She noted that there will be conflicts with parking spaces that are counted toward the total parking spaces. Attorney Hughes stated that the trucks will be very limited in nature, only 2 semis per week for CVS and less than that for the liquor store, as the store does not use semis exclusively and that deliveries can happen in the morning when the stores are closed.



A CVS District manager (Ed DeMartin) spoke and noted that its truck traffic can be limited to a 2-hour window in the morning and that would work. CVS does not want deliveries that interfere with the customers. He also noted that a new CVS has 1-2 semi truck deliveries at first and then that would increase to 3-4 a week.

Engineer Dunford stated that the truck traffic would use a crawling speed to dock, preventing conflicts. The spaces that are necessary for the docking will be used by employees and they will have to move their cars when there is a delivery.

Member Joseph asked why the signage discussed at the last meeting, indicating no truck traffic on High Street, was not added to the plan. Engineer Dunford stated that it can be added now. Member Joseph asked if there will be bollards to assist the docking trucks and was told that there would be and that they would be at a height of 5 feet.

Member Barry stated that the rate of traffic growth is 10% per year, not 1% per year as noted in the traffic report.

Engineer Chessia gave a brief overview of his report and asked whether the new letter received tonight will involve a new plan set. Engineer Stephenson stated that there will be a new plan set and it will be delivered tomorrow to Engineer Chessia and to the necessary town boards.

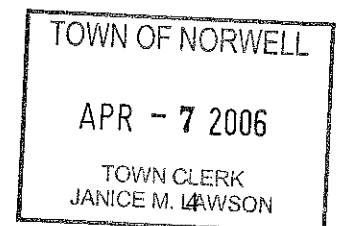
Engineer Chessia noted that the peak traffic time is not 5:00 p.m., as relied upon by VHB; rather, it is in the morning at around 7:30 a.m. and again at noontime. It was noted that the project would not be open for business at 7:30 a.m.; however, Engineer Chessia noted that the proper peak times should be reported and analyzed. He noted that it is his opinion that people in the area would quickly learn the location of the entrances and that any confusion would quickly go away. Also, the current truck traffic pattern has the trucks going up on the curbing and sidewalks and moving within an inch or two of the dumpster in the rear. It is too tight. He recommended again that there be a dedicated entrance, near the High/Grove and Washington intersection entrance only for trucks coming from the signalized intersection and that the entrance be widened and there be signage to instruct the traffic as to how to move.

Mr. Jeffrey T. Keller of 116 High Street stated that he wants the High Street entrance eliminated.

Mr. Robert Virta of 18 Oak Street stated that he wants there to be a High Street entrance.

Mr. Randall Holmes of 121 High Street stated that he wants the High Street entrance eliminated.

Attorney Hughes noted that there will be a landscape buffer for the neighborhood.



The Board noted that there are new plans and the intention to meet on April 12th to discuss drainage will need to be postponed until at least the 26th to allow C&C to review the new plan. The discussion on the project was continued to April 26, 2006 at 7:30 p.m.

DISCUSSION. 134 Washington Street Site Plan Modification. 8:40 p.m.

The applicant was not present and was represented by Engineer Jason Youngquist of Outback Engineering.

Engineer Youngquist gave an overview of the modifications. Member Joseph noted that the project was not built as it was approved and now modifications are being sought to approve what was built. She noted that the project should have been built as it was approved. She stated that she would have a very difficult time voting to recommend that a modification be granted to avoid the initial approval. Other members reserved judgment on this issue.

The Board noted that new plans were received this week, together with new drainage calculations, and they need to be reviewed.

The project was continued to May 10, 2006 at 7:30 p.m.

DISCUSSION. Barrel Lane Deliberations. 9:05 p.m.

Member Joseph noted that she wants to impose a condition requiring that a final drainage calculation report be provided that is signed and sealed.

The Board began its deliberations on the draft decision, dated April 3, 2006 and moved through page 24 of the draft. The Board took the following votes:

REGULATION §3.1.2. Compliance with the Board's Regulations.

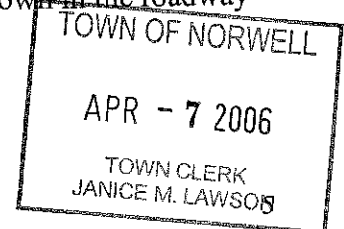
§3.3.4: To show the cross section on the detail sheet instead of the profile sheet.

Motion: Member Joseph moved and Member Barry seconded that the requested waiver from §3.3.4 be granted.

Voted: The motion was approved 4-0, with Member Markham absent and not eligible to vote.

§3.3.4.8: Eliminate the requirement that large trees shall be shown.

Motion: Member Barry moved and Member Turner seconded that the requested waiver from §3.3.4.8 be granted, as large tree were shown in the roadway layout.



Voted: The motion was approved 4-0, with Member Markham absent and not eligible to vote.

§3.3.4.12: Eliminate the requirement for a profile of existing wetlands.

Motion: Member Joseph moved and Member Turner seconded that the requested waiver from §3.3.4.12 be granted because sufficient spot elevations of the flat wetland areas were provided so that a full picture of the trapped water conditions could be evaluated.

Voted: The motion was approved 4-0, with Member Markham absent and not eligible to vote.

§3.3.4.13: Allow 2-foot contours, instead of 1-foot for flat and 5-foot for steep areas.

Motion: Member Joseph moved and Member Barry seconded that the requested waiver from §3.3.4.13 be granted because it would result in more information than what is required.

Voted: The motion was approved 4-0, with Member Markham absent and not eligible to vote.

§4.1: To show large trees only in the area of the roadway.

Motion: Member Joseph moved and Member Turner seconded that the requested waiver from §4.1 be granted.

Voted: The motion was approved 4-0, with Member Markham absent and not eligible to vote.

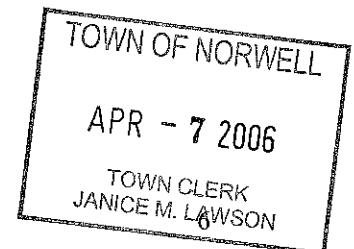
§4.7.1: To eliminate a sidewalk on one side of the roadway.

Motion: Member Joseph moved and Member Turner seconded that the requested waiver from §4.7.1 be granted, provided that a contribution of \$12,650 to the Pedestrian Enhancement Fund be made before endorsement of the Plan.

Voted: The motion was approved 4-0, with Member Markham absent and not eligible to vote.

§4.7.2: To reduce the required pavement width from 26 feet to 24 feet.

Note: On August 17, 2005, the Board indicated, informally, that three of the four members would grant this waiver.



Motion: Member Joseph moved and Member Turner seconded that the requested waiver from §4.7.2 be granted.

Voted: The motion was approved 3-1, with Member Barry in opposition and with Member Markham absent and not eligible to vote.

§4.8.1: To allow a 1,188-foot roadway, 688 feet longer than the maximum 500 feet allowed.

Motion: Member Joseph moved and Member Barry seconded that the requested waiver from §4.8.1 be granted, provided that the easement be labeled as a "water utility access easement" and that the easement shall extend up and down Barrel Lane, to River Street and to Circuit Street, to the full extent of the Applicant's right to grant such an easement.

Voted: The motion was approved 4-0, with Member Markham absent and not eligible to vote.

§4.11.1: To allow variance from the typical cross-section as to pavement width, sidewalks and the 18" berm, required in the Appendix to the Regulations.

Motion: Member Joseph moved and Member Barry seconded that the requested waiver from §4.11.1 be granted.

Voted: The motion was approved 4-0, with Member Markham absent and not eligible to vote.

§4.11.9: To eliminate a sidewalk on one side of the street.

Motion: Member Joseph moved and Member Turner seconded that the requested waiver from §4.11.9 be granted.

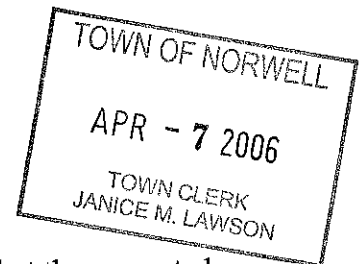
Voted: The motion was approved 4-0, with Member Markham absent and not eligible to vote.

§4.28: To allow a driveway within 75 feet of an intersection.

HELD:

§4.30: To eliminate all sidewalks.

Motion: Member Joseph moved and Member Barry seconded that the requested waiver from §4.30 be partially granted option to eliminate a sidewalk on one side of the roadway, with the required sidewalk to run on the northeasterly side of the roadway and around the cul-de-sac.



Voted: The motion was approved 4-0, with Member Markham absent and not eligible to vote.

REGULATION §3.1.3. Zoning Compliance.

Under §3.1.3, all buildings, structures and lots on a definitive subdivision plan shall conform to all applicable zoning requirements or provide evidence that a variance has been granted.

1) Existing Conditions.

MOTION: Member Joseph moved and Member Barry seconded that the Board find that the Property has the following zoning characteristics:

- It is located in an RA Zoning District and a portion is located in the Zone III of the Aquifer Protection District.
- It has an area of @ 28.3 acres and is located off of Circuit Street.
- It fronts on Circuit Street for a total of @720 feet.

VOTED: The motion was approved 4-0, with Member Markham absent and not eligible to vote.

2) Proposed Division.

MOTION: Member Joseph moved and Member Barry seconded that the Board find that the Subdivision Plan would divide the Property into 15 subdivision lots. A proposal was made to divide 4 of the lots as ANR parcels; however, the Applicant withdrew that request and asked that all of the lots be treated as subdivision lots.

VOTED: The motion was approved 4-0, with Member Markham absent and not eligible to vote.

The Board suspended its deliberations, which will continue on April 6, 2006 at 7:00 p.m.

DISCUSSION. Adjournment. 9:30 p.m.

At approximately 9:30 p.m., Member Joseph moved and Member Turner seconded that the Board vote to adjourn. The motion was approved 4-0, with Member Markham absent.

I certify that the Planning Board approved the above minutes by majority vote on

April 6, 2006.

Sally I. Turner
Sally I. Turner, Clerk

