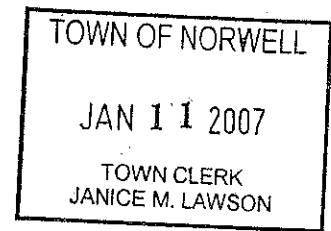


Norwell Planning Board Meeting
December 20, 2006

Minutes



The meeting was called to order at approximately 7:00 P.M. Present were Board Members: Richard Parnell Barry, Bruce W. Graham, Karen A. Joseph, Charles Markham and Sally I. Turner.

DISCUSSION: Draft Agenda.

Member Joseph moved to add discussions of Henry's Lane and Cowings Lane to the agenda. Member Barry moved and Member Turner seconded that the Board accept the amended agenda as presented. The motion was approved 5-0.

DISCUSSION: Regular Session Minutes, December 6, 2006.

Member Barry moved and Member Markham seconded the motion to accept the minutes as presented. The motion was approved 3-0 with members Turner and Joseph abstaining.

DISCUSSION: Bills.

W.B. Mason (Inv. #W31055)	\$11.90
Monadnock Water (Inv. #429696)	\$52.00
Surety Release – Laurelwood (#89-0-820-3728)	\$82,640.00

Member Richard moved and Member Markham seconded that the bills be approved for payment and the vouchers signed. The motion was approved 5-0.

DISCUSSION: Cowings Lane Endorsement Issues (Agenda Addendum)

Member Joseph began the meeting by introducing the Cowings Lane endorsement situation as an item that warranted a quick discussion. She noted that she added Cowings Lane to the agenda so as to find out where the applicant stood in terms of their missing submittals for endorsement. Town Planner Todd Thomas noted that he had been in touch with the applicant's attorney, but had not made much progress in getting the missing submittals in. Member Joseph noted that the applicant, Eugene Mattie, should be notified by the Town Planner to treat the middle of January as the drop-dead date for the missing submittals. The Town Planner agreed to contact Mr. Mattie so as to begin the process moving forward as quickly as possible.

DISCUSSION: Paul Foulsham – Plowing for Private Roads

Highway Department Head Paul Foulsham appeared back before the Board to talk about the cost associated with Chairman Graham's proposal to have the Town plow new subdivision roads (private ways). Mr. Foulsham began the discussion by noting that he was not concerned with the time cost of plowing any private roads in town. He offered that additional manpower and more importantly salt were the main expenses if any additional roads were added to the paving list. Mr. Foulsham added that he was also

concerned with unforeseen costs, upkeep, and liability issues. To this point Chairman Graham noted that he envisioned the plowing agreement to hold the Town harmless for any damages or maintenance costs caused while plowing.

Member Turner noted that she believed a covenant to be an inappropriate vehicle to ensure that a private road is not put up for street acceptance at a given point in the future. She believes that by statute a road can still be put up for street acceptance even if a covenant is in force requiring the road to be private.

Member Markham noted that a covenant is appropriate as the institutional memory needed to ensure its adherence would come in the form of the annual liability release needed for plowing. He further added that that release should also add the "carrot" approach to ensure the Homeowner's Association is doing the required upkeep for their drainage system.

Member Graham ended the discussion by suggesting that the Board move on to other agenda items and agree to take up this topic again at a later date.

DISCUSSION: New Business / ANR Plan for South Street (YMCA):

The Town Planner began the hearing of the ANR plan for the South Street YMCA by noting that the plan is largely compliant with rules and regulations. He highlighted that two issues that needed consideration were if the correct fee was received and if Mary Hurley can sign on behalf of the YMCA. As per the plan itself, Lot 1 (which creates a small piece of land containing the Mill Pond dam to be conveyed to the Town) is labeled in the notes as not a building lot. Provided that the signature authority issue is cleared up, the Planning Board unanimously agreed with the recommendation that this ANR plan be endorsed as approval under the Subdivision Control Law not required. Upon a motion made and seconded, provided that the signed mylar remain in escrow until documentation is provided verifying Mary Hurley's ability to sign on behalf of the YMCA, a 5-0 vote was recorded approving the plan.

DISCUSSION: New Business / ANR Plan for 677 River Street:

The Town Planner began the hearing of the 677 River Street ANR by noting that the plan is substantially compliant with rules and regulations. The plan depicted one large parcel being split in half. The back half of the property labeled "Parcel A" was marked as being conveyed to the Conservation Commission. "Parcel A" is also correctly labeled as "not a building lot without further zoning relief." The markings for the conveyance of the back parcel were clearly indicated on the plan. However, the wetlands lines shown on the plan were found to be confusing by members of the Planning Board. Member Joseph expressed consternation about their representation thereon. However, it was decided that poorly illustrated wetlands lines were not a fatal flaw and a motion was made and seconded that the ANR plan for 677 River Street was endorsed as approval under the Subdivision Control Law not required. A 4-0-1 vote was recorded endorsing this plan, with Member Joseph abstaining from the vote.

TOWN OF NORWELL
JAN 11 2007
TOWN CLERK JANICE M. LAWSON

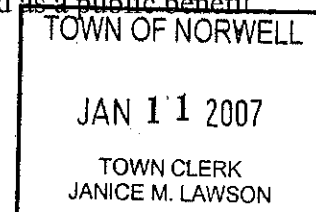
PUBLIC HEARING (CONT.): Sgt. William Calway Drive

The second public hearing for the proposed Sgt. W. Calway subdivision began at 8:00 P.M. with applicant Bill Hoss and his team (consisting of Attorney David Weiss, Wetlands Scientist Steve Ivas, Engineer Todd Piling, and Jack Battista) in front of the Board to discuss their submitted waiver rationale and the one page "compliant" plan. The Board began the meeting by summarizing received correspondence since the last public hearing into the record, which included a memo from the Water Department, the submitted waiver rationale, the one page "compliant plan", and Technical Consultant John Chessia's related comment letter. Attorney David Weiss, representing the applicant, opened the discussion by noting that additional pedestrian enhancement money could be made available for foregoing sidewalk connections to neighboring subdivisions, if it would help the Board look favorably on the waiver requests. After a quick correction of the intent of the pedestrian enhancement fund by Chairman Graham, Attorney Weiss lamented that the site has limited opportunity to provide public benefits. Chairman Graham agreed with Attorney Weiss' assertion. In addition he also stated that he believes that the site is limited in terms of its value to the town.

Following Attorney Weiss brief presentation, Todd Piling, the applicant's engineer led the Board through what he believed to be the engineering benefits of the submitted versus the "compliant" plan. He began his comparison of the two plans by noting that the "compliant" plan would utilize a detention basin as opposed to the infiltration basin proposed with the submitted plan. To this point technical Consultant Chessia noted that under either plan, any development will have to control both the volume and rate of runoff as portions of the flow go into a closed system on Hawthorne. Todd Piling agreed to this assertion, but further pointed out that the submitted plan allowed additional benefits when compared to the "compliant" plan by allowing the water main to be looped to the end of Hawthorne Lane. Finally, Todd Piling noted that there is a flooding problem with the section of Grove Street in question that they would attempt to engineer a solution to, in hoping to obtain waiver requests. Resident Mike Raineri of 45 Otis Hill Road, when the Board asked for public commentary, agreed that there was a flooding problem on this portion of Grove Street and viewed a potential solution to it as a public benefit.

To close out the second installment of the Sgt. W. Calway public hearing, Board members individually spoke as to their position on the waiver requests. Their responses were as follows:

- Member Turner noted that she believed that the waiver for roadway length could be granted by the addition of a fire lane connecting the development to Hawthorne Lane. She added that she was unlikely to be swayed on roadway grading issues.
- Member Joseph noted that she would be unlikely to take any deviations from the rules and regulations on the roadway grading issues. However, under the right circumstances, she would possibly consider granting a waiver for roadway length.
- Member Markham noted that he would entertain a roadway length waiver if drainage above and beyond what is required were offered as a public benefit.



- Member Graham noted that improving the drainage above what is required would let him think about granting a waiver for the length of the roadway. He also added that the potential fire lane to Hawthorne was not a tenable option for him unless it made a through connection to that cul-de-sac.
- Member Barry noted that he remains unswayed by the waiver justifications offered at this point and would be unlikely to change his position.

Member Graham, with each member stating where they stood on the current waiver requests, advised the applicant that even if they were able to improve the drainage offsite, this improvement may not offer enough justification to grant waivers and may not aid in getting the project approved. With the applicant assenting that they would like to carry on, Member Graham noted that he is pessimistic, but will continue with an open mind. The Sgt. W. Calway public hearing was then continued until 3/28/07 at 8:00 P.M. Upon a motion made by Member Barry and seconded by Member Joseph, the deadline for approval was extended until 4/13/07. The vote for this extension was recorded as 5-0.

DISCUSSION: Henry's Lane (Agenda Addendum)

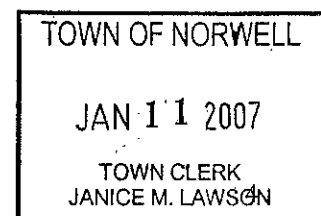
Member Joseph began the discussion of the second topic added to the agenda by noting that she had received complaints that there had been recent icing of Norwell Ave via runoff from Henry's lane. At this time she asked Technical Consultant Chessia about the drainage situation at Henry's Lane. Mr. Chessia replied that he had yet to witness the drainage in a significant rain, but that he might be given the opportunity this weekend with the weather forecast. He also noted that he thought clearing the area where the curbing comes around, allowing water flow across Henry's Lane to the down gradient swale, could solve the problem that caused the reported road icing. Member Joseph, with the Boards assent, instructed the Town Planner to contact Peter Dillon, to have this problem on Henry's Lane remedied.

DISCUSSION: Zoning Map Project

The Board reviewed the request for proposal (RFP) that was created to update the Town's Zoning Map. The Board also took the opportunity to review the response to the RFP received from Ralph Cole on behalf of mr Surveying, Inc. The Board added that they thought that the RFP should ensure that all roads be shown on the map, not just major roads. They also noted that scenic roads should also be included on the map. Finally, it was suggested that the GIS base for the map also be included as a deliverable on the RFP. However, to ensure that the GIS portion does not inflate the cost of the RFP responses, the Town Planner was instructed to receive quotes from each vendor with and without GIS included.

DISCUSSION: Updates on Zoning Proposals

Town Planner Thomas led the Board through the proposed changes to the draft ZBL 3100, Off Street Parking. The Board heard the proposed changes and instructed the planner to continue to work on the project.



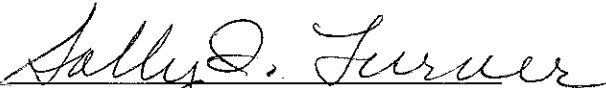
DISCUSSION: Planning Board FY08 Budget

Town Planner Thomas introduced the Board to the last item on the agenda; the Planning Board's draft FY08 Budget. At this juncture Member Joseph noted that she thought the unused line item of the FY07 Budget for engineering could be used to pay for the zoning map update. Upon a final discussion of the proposed FY08 Budget for the Planning Board, member Barry moved and Member Joseph seconded that the budget be accepted as proposed.

ADJOURNMENT.

At 9:45 P.M. Member Barry moved and Member Markham seconded that the Board adjourn. The motion was approved by a unanimous vote of 5-0.

I certify that the above minutes were reviewed and approved by majority vote by the Planning Board on January 10, 2006.


Sally I. Turner, Clerk

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