

Norwell Planning Board Meeting Minutes
February 15, 2006 Regular Meeting

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 Planner Ilana Quirk. Member Graham left the meeting at 8:35 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 5-0.

DISCUSSION. February 1, 2006 Minutes. 7:00 p.m.

Member Ianiri moved and Member Barry seconded that the Board vote to approve the February 1, 2006 minutes. The motion was approved 5-0.

DISCUSSION. Bills. 7:00 p.m.

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

Member Bruce Graham Seminar Reimbursement:

Seminar Fee: \$65.00
Mileage: \$33.82

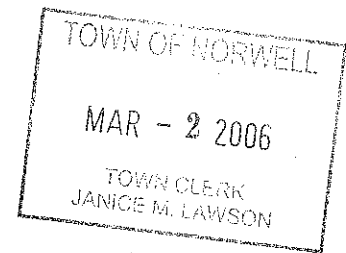
Planner Reimbursement:

Mileage: \$77.59

The motion was approved 5-0.

DISCUSSION. Trunnel Subdivision. Surety. 7:05 p.m.

The Board previously agreed to release a portion of the surety held for this project, upon receiving evidence that the erosion and sedimentation controls are in place and in proper repair and upon confirmation from the Board's engineering consultant that the developer's construction schedule, which states that only landscaping remains, is accurate.



The Board reviewed the reports of Coler & Colantonio which indicate that erosion problems at the site exist and need to be repaired and that more work remains to be done, in addition to landscaping requirements.

Member Ianiri moved and Member Turner seconded that the Board vote to inform the developer that the previously stated conditions for release of surety have not been satisfied and that he must provide evidence that the erosion repairs have been made and must provide a proper construction schedule before release will occur.

The motion was approved 5-0.

DISCUSSION. Master Plan Acceptance. 7:10 p.m.

All members were present. Member Graham reviewed the implementation matrix with the Board and discussed the timing of the final edits to the Master Plan document. The members indicated that they wished to see a final draft before voting to accept the document. The member agreed that each would take two chapters to proof read, when they are ready.

DISCUSSION. Holly Berry. As-built plans. Surety. 7:20 p.m.

All members were present. Engineer John Chessia of Coler & Colantonio was present to advise the Board. Developer Michael Solimando and his land surveyor Paul Mirabito of Ross Engineering were present.

AS-BUILT PLAN DISCUSSION.

The Planner reviewed the four iterations of as-built plans that were submitted between December 22, 2005 and February 13, 2006. The latest as-built plan, submitted to the Planning Office on Monday, February 13, 2006 has not been reviewed by Coler & Colantonio as time did not permit a review to take place.

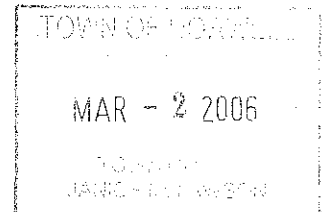
The Board reviewed the issues raised by the January 19, 2006 and February 3, 2006 C&C reports.

Loose bound.

A bound at the property needs to be reset. Surveyor Mirabito stated that he had the bound at issue reset today.

Certification that the roadway is located where it was approved to be.

Mass. Grid Coordinates are not located on the plan. Surveyor Mirabito stated that the coordinates are not required under the old regulations and he does not want to put them on the plan as it would be a lot of work. Engineer Chessia opined that it would not take a lot of work to lift the coordinates from the definitive plan. The Board discussed the fact



that it wants the road ties to existing monuments or a certification that the road is in the required location. Surveyor Mirabito stated that the rules do not require this and he does not want to provide a certificate that the road is in the location shown on the plan. The Board noted that the as-builts are not fully reviewed and this issue will be addressed at a future meeting.

Location of Drainage System

Surveyor Mirabito's location for the boundaries of the drainage system are different than the survey conducted by Coler & Colantonio at the outset of the project with all parties present. The Board discussed the issue at length. Engineer Chessia cannot approve Surveyor Mirabito's survey and Surveyor Mirabito will not certify Engineer Chessia's firm's line.

Member Barry moved and Member Ianiri seconded that the C&C line be used. The motion failed, 2-3, with Members Ianiri, Joseph and Turner opposed.

Member Ianiri moved and Member Turner seconded that the as-built show the Mirabito line as that is what he will certify and the Board wants the line certified. The motion was approved 4-1, with Member Barry opposed.

Location of Warning Sign

The warning sign was installed after C&C inspected on February 2, 2006 and February 9, 2006. Mr. Solimando complained that he should have been given a third inspection on Monday, February 13, 2006. Member Joseph noted that this was an unreasonable request and expectation.

Hague House

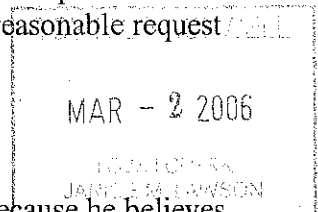
Mr. Mirabito has refused to put the Hague house on the as-built plans because he believes it is not required because it is outside the subdivision. Member Turner noted that it is on the same lot as the drainage basin and has a driveway onto Holly Berry Trail.

Member Turner moved and Member Barry seconded that the Board require that the Hague house be shown on the as-built plan. The motion was approved 5-0.

SURETY RELEASE ISSUES

The Board reviewed Coler & Colantonio's report, which indicates that \$10,700 should be retained for remaining work.

The Planner noted that the developer is required to provide evidence that 521 and 525 Grove Street have changed their addresses for 911 purposes to Holly Berry Trail. Mr. Solimando said that he will work on this issue.



The Planner noted that the amount recommended to be held include the cost of the sidewalk. The sidewalk was installed, but it was done after the November 15, 2006 deadline, during wet conditions and without the required inspection. After a lengthy discussion, the Board told Mr. Solimando that it would require a ten-year surety bond in the amount of \$2500. Mr. Solimando agreed.

The Planner noted that heavy equipment is still located on the property and that an application for street acceptance has been received. The Board noted that if there is still heavy equipment on the property or if the roadway is damaged, it will consider making a negative recommendation on street acceptance.

Mr. Solimando requested that a portion of his surety be released to him.

Member Turner moved and Member Barry seconded that the Board vote to reduce the surety for the project from \$35,500 to \$10,700. The motion was approved 5-0.

DISCUSSION. Planning Board Annual Report. 8:35 p.m.

All members were present. Mr. Barry thanked the Planner for the report.

Member Barry moved and Member Ianiri seconded that the draft report prepared by the planner, dated February 10, 2006 be approved. The motion was approved 5-0.

DISCUSSION. Grove Street Land Donation. 8:35 p.m.

The Board reviewed a draft letter to the Board of Selectmen, regarding a potential donation of land by the Cashin Family Property Trust, located behind 533 Grove Street. The Board reviewed a map of the area.

Member Joseph moved and Member Barry seconded that the Board vote to recommend that the donation be accepted and that the draft letter be adopted and sent. The motion was approved 5-0.

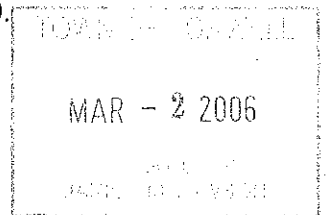
DISCUSSION. Citizen Zoning Petition. Washington Street. 8:35 p.m.

The Board reviewed the citizen sponsored zoning petition received for Washington Street. The Board agreed to set a public hearing date of March 22, 2006.

DISCUSSION. Cowings Lane. Deliberations. 8:40 p.m.

Member Graham left the meeting as he was not eligible to participate in the discussion as he missed on iteration of the public hearing.

The Board reviewed the February 10, 2006 draft decision prepared by the Planner. The Board made the motions and took the votes set forth in the final decision, a copy of which

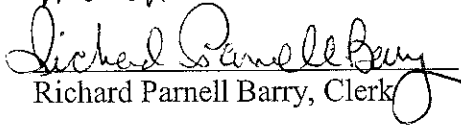


is attached hereto. The Board approved the project, with conditions, 4-0, with Member Graham absent.

DISCUSSION. Adjournment. 9:30 p.m.

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

I certify that the above minutes were approved by majority vote by the Planning Board on
March 1, 2006.


Richard Parnell Barry, Clerk

