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Norwell Planning Board Meeting Minutes
September 27, 2006

The meeting was called to order at approximately 7:05 p.m. Present were Board Members: Richard Parnell Barry, Bruce W. Graham, Karen Joseph, and Charles Markham. Member Sally Turner was not present.

DISCUSSION. Draft Agenda

Member Joseph moved to add a discussion of a possible revision to the parking bylaw to the agenda. Member Barry moved, discussed, and set a date for a luncheon to formally welcome new Town Planner Todd Thomas. Member Joseph moved and Member Markham seconded that the Board accept the amended agenda as presented. The motion was approved 4-0.

DISCUSSION. Minutes, September 13, 2006 Regular & Executive Session Minutes

Member Barry moved and Member Joseph seconded the motion to accept the minutes as presented. The Executive Session minutes were amended per Member Markham's suggestion. The motion was passed 4-0.

DISCUSSION. Bills.

Chessia Consulting (Inv. #36/Sgt. Calway Dr.)	\$2,368.56
Coler & Colantonio (Inv. #9937918/Forest Ridge)	\$1,207.46
Bond Printing (Inv. #7933/T. Thomas-Bus. Cards)	\$ 59.80
Todd Thomas (Mileage & Postage)	\$ 29.52

Member Barry moved and Member Markham seconded that the bills be approved for payment and the vouchers signed. The motion was approved 4-0.

DISCUSSION. Arthur Rowe / Forest Ridge.

Board Members after having read through the amended Performance Secured by Lender's Agreement from Arthur Rowe, in regards to Forest Ridge, were pleased see that the bank extended the agreement date until 2009. Upon a unanimous 4-0 vote, Board members approved the version before them and moved to the Town Clerk's Office for Notary Public Services. The Notary Public Services could not be completed, as Mr. Rowe was not carrying identification with him. To remedy this situation, the Town Planner was instructed to hold the signed Lender's Agreement in escrow until Mr. Rowe could return with proper identification, satisfying the requirements of the Notary Public.

DISCUSSION. Master Plan.

At approximately 7:30, the Board members were presented with a final copy of the Master Plan, provided by Chairman Graham. Chairman Graham highlighted that the plan as presented was in the final phases of reproduction. Chairman Graham related that the

copies had been made and the binders had been ordered. He suggested that Planning Office Assistants Meredith Schmid and Linda Hager assist in putting the plans together when we have all of the materials here in the Planning Office. Chairman Graham pointed out that an implementation committee should be appointed to implement the plan. Member Joseph agreed with this sentiment and noted that this would serve as a good opportunity to set goals that the Planning Board might hope to accomplish for the year. The Master Plan discussion was brought to a close by a vote being called for its acceptance by the Planning Board. The motion passed 2-1-1 as Members Graham and Barry voted in the positive, Member Markham abstained, and Member Joseph voted in the negative.

DISCUSSION. Sgt. William Calway Drive Site Visit (Date Selection)

A date for a site walk was set for Sgt. William Calway Drive. The walk is scheduled for 11/4/06 at 8:30am. The Town Planner was asked to contact the developer to ensure that the centerline of the proposed driveway was correctly staked before the site walk.

DISCUSSION. Laurelwood / Informal Progress Report

The Laurelwood Team came before the Board at 7:45 and issued a progress report as to what has been completed at the site since they were last present at the 8/30/06 Planning Board meeting. A performance analysis of the existing catch basins on Laurelwood was provided. John Cavanaro of Cavanaro Consulting was representing the Laurelwood Team, speaking to the fact that the catch basins as installed satisfy the Permanent Drainage Committee standards. He provided the Board with a five-page document with detailed flow calculations for the as-built catch basins. The performance analysis as submitted ended with a request that the Board accept the existing inlets as a field change, rather than the granite gutter inlets originally proposed on the approved subdivision plans, as they are not needed to satisfy drainage requirements.

John Cavanaro also mentioned the preliminary report provided by Dr Carr on drainage basins #2 and #3. The report, submitted to the Planning Board Office and Technical Consultant John Chessia, highlights issues as to why the basins have failed. Discussion of the basins centered on the tight compaction therein which, according to Dr. Carr's report, was significantly hindering the drainage. The Laurelwood Team advised the Board that they would be bringing in small equipment to dig further test holes in the basins and submit a full report, including a remediation plan, shortly.

Finally, the Laurelwood Team has asked the Board whether the sign delineating the Norwell / Scituate Town Line is necessary on a subdivision road. The Town Planner noted that he had talked to Highway Department Head, Paul Foulsham, who stated that not having the Town Line sign would not impact plowing practices. The Town plans to plow the small area of Scituate across the Town Line and continue down into Laurelwood, back into Norwell. With this established, the Planning Board affirmed that having a Town Line sign in this location was not necessary.

DISCUSSION. Henry's Lane (Temporary Waiver Request & As-Builts)

At 8:00 Peter Dillon came before the Board to discuss issues in regards to Henry's Lane. Mr. Dillon was first seeking clarification on the requirements for the As-Built Plans. He questioned the Board if the As-Built drawings had to be done independently of the person who originally prepared the plans. To this request, Chairman Graham asserted that the Planning Board would like the As-Builts done by an independent party to be chosen by the Board.

Mr. Dillon's second order of business before the Board was a request for a temporary waiver for the moving of the utility pole at the entrance of Henry's Lane. Mr. Dillon explained to the Board that he was seeking permission to possibly begin the paving process with the utility pole still in its original position. He assured the Board that he still plans on moving the pole and that the pole could still be moved before the paving process commences. He stated that he only wished to begin paving without further delay so that he can meet the November 15th paving deadline. At this late juncture in the paving season, Mr. Dillon said he was concerned that he will not be able to get the utility company to finish the pole relocation work in time to allow for paving before November 15th (as late October looks to be the earliest that the pole might be moved). In looking to avoid having the Henry's Lane site largely unprotected all winter, the Board granted Mr. Dillon's temporary waiver request contingent on his abiding by the provisions to be provided by the Planning Board's Technical Engineer, John Chessia. The Board granted this request with a vote of 4-0. The Town Planner was further instructed to provide Mr. Dillon and have him agree to the conditions attached to his granted request as soon as John Chessia could provide them.

DISCUSSION. Clapp Brook Rd. - Progress Report

At 8:15, the Town Planner provided the Board with Progress Reports on incomplete subdivisions, beginning with a brief discussion of Clapp Brook Road. The Town Planner reported that Becky Stockhaus of Alyssa Real Estate called the Planning Office on 9/27/06 with an update as to their progress. Becky stated that the missing street sign for Clapp Brook Road would be replaced by the first week of October. In addition, Becky reiterated that Alyssa Real Estate is currently looking into the basin issues on the property. She further related that their engineer has been out at the site and plans to submit calculations to show that the basin is sufficient as built. She said she expects to have those calculations into the Planning Office for review in the next couple of weeks. The Town Planner was instructed to hand these calculations over to John Chessia upon receipt.

DISCUSSION. Pinson Lane – Progress Report

The Town Planner related to the Board that he met with developer John Tedeschi, Assist Town Counsel Galvin, and Town Administrator Boudreau to discuss the granting of a drainage easement to Mr. Tedeschi for Pinson Lane. The Town Administrator and Mr. Tedeschi agreed to the easement at a cost of \$2,500.00. Mr. Tedeschi agreed to provide evidence that the easement is recorded and provide the Planning Office a plan for the

revisions to the drainage system, which will be reviewed and its installation supervised by Technical Engineer John Chessia.

Mr. Tedeschi had made it clear that once the approved drainage modifications are installed, he will be coming before the Board to release the remaining surety for Pinson Lane. Mr. Tedeschi will also be requesting waivers for the street lighting and street trees that are required of him. He related that he would be supporting his waiver request with signed petitions from the residents of Pinson Lane (stating that they do not want the additional lighting or trees).

The Board then began a brief discussion of the proposed waiver requests as related to them by the Town Planner.

Chairman Graham noted that the Certificate of Vote required that Pinson Lane remain a private way, the developer recorded a covenant so providing, and that Assistant Town Counsel Galvin noted that this is enforceable for Street Acceptance. Finally Member Markham noted that while it might be enforceable for Street Acceptance, it still does not preclude the petition from being made or even a vote being taken at Town Meeting. He believed that even if the Street Acceptance petition passed Town Meeting, it would not hold up to a court challenge.

The Town Planner related that Mr. Tedeschi agreed to contribute to the Pedestrian Fund, as specified in the waiver previously granted for sidewalk installation, but noted that the developer needs clarification as to the amount of the contribution. Member Barry moved and Member Joseph seconded the rate set at \$12.00 per lineal foot. This vote was recorded as 4-0.

DISCUSSION. Hawthorne Lane – Progress Report

At approximately 8:40 a continuation of last meeting's discussion pertaining to Hawthorne Park took place. First, the Town Planner told the Planning Board that it had received a letter from Attorney Paul McAuliffe, counsel for Don Shute, advising the Board to "grab the bond and complete the work" on Hawthorne "if Modern Continental is not going to finish." The letter is a follow up to a request to release Lot 17 and Lot 19 from the covenant covering the Hawthorne Park Subdivision. The Town Planner noted that a follow up phone call was placed to Attorney McAuliffe relating the situation with the basin on Lot 19 per the letter sent to Attorney Gottlieb by Norwell's Conservation Agent. Attorney McAuliffe noted that he is taking the letter under advisement with Mr. Shute and getting back to the Planning Office.

Like the Board's last discussion of Hawthorne, tonight's discussion also focused on the drainage basin, which is located mostly (not partially as originally believed) on Lot #19 (the lot intended to be conveyed to the Conservation Commission). After the Town Planner gave his Progress Report, he noted that since last week an older version of the As-Builts were located.

Furthermore, the Town Planner related that Ward Eisenhaure, who is trying to help finish up the issues on Hawthorne for Modern Continental, stopped by the Planning Office. The Town Planner told the Board Members how, with Mr. Eisenhaure present, he laid out the plans and related the Conservation Commission's concerns in regards to the basin being located on Lot 19. Of the options open to him, Mr. Eisenhaure seemed to want to pursue the Conservation Restriction on Lot 19, as discussed at the 9/13/06 Planning Board meeting. As such, the Town Planner told the Board that he advised Mr. Eisenhaure to get in touch with the Conservation Commission to get that process underway.

As Modern appears to be moving towards obtaining a Conservation Restriction, with Member Markham moving and Member Barry seconding, the Planning Board voted 4-0 that, if requested, they would amend their Certificate of Vote to allow for a conveyance to the Homeowner's Association, subject to a "Conservation Restriction" as per E.O.E.A. standards on Lot 19 instead of the direct conveyance as called for in Condition 10.

Finally, the Planning Board instructed the Town Planner to obtain the Review Fee balance and have Technical Consultant John Chessia out at the site to refresh the punchlist of remaining work items. Once the remaining workload was properly assessed, the Board was open to Town Counsel sending a letter to Mr. Eisenhaure and the bonding company so that pressure could be applied so as to satisfy the newly created punchlist.

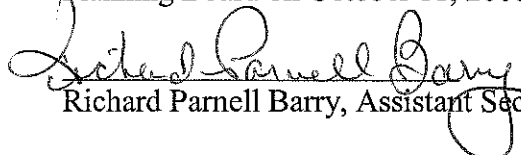
DISCUSSION: Parking Bylaws

The Board then closed out its meeting with a discussion of the Parking Bylaws, as added to the agenda by Member Joseph. Member Joseph voiced that she thought that the minimum parking requirements, especially those in Norwell's industrial areas, were too high. She noted that there are often many empty parking spaces at sites in the Assinippi Industrial Park during the workday. She said that the Board should study and then move to reduce the parking in this area below the 1 spot per 200 square feet of gross floor area currently required. Furthermore, she added that having an all day parking requirement as well as loading zone requirements might be worth looking into. The Board agreed that the Parking Regulations could stand to be updated. At this point the Town Planner added that parking is an area where he thinks he could help the Board. The Town Planner noted that he would work on drawing up proposals for new parking requirements.

ADJOURNMENT.

At 9:22 PM Member Barry moved and Member Joseph seconded that the Board adjourn. The motion was approved by a unanimous vote of 4-0.

I certify that the above minutes were reviewed and approved by majority vote by the Planning Board on October 11, 2006.


Richard Parnell Barry, Assistant Secretary