

**Norwell Planning Board Meeting Minutes
July 11, 2007**

TOWN OF NORWELL
JUL 26 2007
TOWN CLERK
JANICE M. LAWSON

The meeting was called to order at approximately 7:05 P.M. Present were Board Members Bruce W. Graham, Karen A. Joseph, Charles Markham, and Town Planner Todd Thomas. Member Michael J. Tobin arrived at approximately 7:20 P.M.

DISCUSSION: Draft Agenda.

Member Graham requested to add a discussion on the Affordable Housing Trust. Member Joseph moved and Member Markham seconded that the Board accept the amended agenda as presented. The motion was approved 3-0.

DISCUSSION: Regular Session Minutes, June 27, 2007.

Member Markham moved and Member Joseph seconded the motion to accept the June 27, 2007 minutes as presented. The motion was approved 2-0-1 with Member Joseph abstaining since she was not present at the June 27, 2007 meeting.

DISCUSSION: Bills.

Chessia Services (Inv. #224 – 10 Washington)	\$ 247.23
“ “ (Inv. #226 – Henry’s Lane)	\$1,516.68
“ “ (Inv. #227 – John Neil Dr.)	\$ 660.00
“ “ (Inv. #231 – Hawthorne Park)	\$ 282.12
Todd Thomas (June Expenses)	\$ 26.39
Coler & Colant. (Inv. #9941449B-zoning map)	\$1,056.06
TOTAL	\$3,788.48

Member Joseph moved and Member Markham seconded that the bills be approved for payment and the vouchers signed. The motion was approved 3-0.

DISCUSSION: ANR Street Width Determination Policy with Informal ANR Plans off Jordan Lane (Sheehan & Hall).

Member Graham noted that he would approach this agenda item by first discussing the two Jordan Lane plans and then segueing into a more general discussion on instituting an ANR Street Width Determination Policy. The Town Planner then encapsulated what resident Brian Sheehan was proposing with his informal ANR plan. The Town Planner noted that Mr. Sheehan is looking to divide his 2.07-acre parcel into two lots and that he does not have the requisite 150’ lot width along Forest Street to create a second lot from his existing property. Therefore any new lot would need to be created fronting on Jordan Lane, a private way that is of substandard width, grade and construction. The Town Planner added that Mr. Sheehan acknowledged that he needed to improve Jordan Lane and that he was hoping to utilize a deed restriction to limit the location of the driveway to the first 80’ of improved pavement from Forest Street. The improved 80’ feet of Jordan Lane would be paved at 16’ wide and have a crown to provide for minimal drainage.

The Town Planner also noted that if the Board was not inclined to allow the 80’ road improvement predicated on the driveway deed restriction, Mr. Sheehan would look to

TOWN OF NORWELL
JUL 26 2007
TOWN CLERK
ANICE M. LAWSON

create a long not buildable parcel out of lot 2B to limit its frontage along Jordan Lane (thereby reducing the requisite length of pavement and associated costs). The same strategy would be used to eliminate the frontage of Lot 2B along Forest Street, ensuring that the lot only has to meet front setback requirements along Jordan Lane. The Town Planner added that it was not clear if these not buildable (frontage limiting) parcels were allowable, as they were not in compliance with ZBL §2412 & §2433.

Member Graham asked the Town Planner to obtain Town Counsel's opinion on whether these small parcels could be legally created. Member Graham then said that he was disinclined to rely on a deed restriction to ensure the driveway for Lot 2B met the improved section of Jordan Lane. He said that he would require Mr. Sheehan to pave his entire frontage on Jordan lane. Member Markham and Member Joseph agreed with Member Graham. Member Markham said that a deed restriction could be removed in court.

Member Graham noted that he did not think the 16' road width proposed was adequate and that the Board would likely require 20' of paved width and may codify that as a minimum required width in the ANR Street Width Policy. Member Joseph said that she was against the ANR Street Width Policy and that she thought the Board should consider each proposal on its own merits with respect to the local circumstances. Member Joseph said that she would not go lower than a 20' road width and that drainage should be addressed on any proposal on Jordan Lane or in any newly created policy. Member Markham agreed with Member Joseph in that a stated policy might be detrimental, however, he did not think the policy before him was necessarily bad since it simply attempted to offer guidance to residents looking to improve a private way in preparation for an ANR submittal.

Member Graham asked the Board what they thought the required drainage on such an ANR proposal should look like. Member Tobin thought that "country drainage" with swales and a trench would be sufficient for what was proposed. Member Joseph noted that drainage calculations are required for common driveway applications and that she was not ready to offer a specific performance standard for what was in front of her. Member Markham stated that he did not see much future development on Jordan Lane other than what was proposed and suggested that the Board might require the applicant to agree to no further division or subdivision of their lots.

Member Graham asked Board Members what feedback they could offer the applicants about road construction details. As an example, he asked if a 6" gravel base and the typical 4" of pavement was sufficient. Member Joseph responded by saying that 12" of base gravel should be required. Brian Sheehan responded by opining that 12" of gravel base was onerous.

The Planner then offered a brief overview of the proposed road improvements offered by Gordon Hall in conjunction with his ANR plan. He noted that Mr. Hall was looking to divide his 11.92-acre lot into two lots of 7.71 acres and 4.2 acres. The newly created Lot B would be further from Forest Street than his existing lot. Mr. Hall's proposed improvements to Jordan Lane consisted of a 20' wide gravel road and turnaround. The Planner noted that Mr. Hall reportedly owns to the centerline of Jordan Lane and, as a

result, only plans to improve the 20' from the centerline of the road west towards his lot (in effect the west half of the 40' ROW). The placement of this proposed improvement would keep the improved road off the conservation land that extends out from the centerline of Jordan Lane to the east.

The Planner noted that Mr. Hall's improvement to Jordan Lane only begins after his existing driveway and that he was leaving a majority of Jordan Lane in its existing substandard condition. Mr. Hall acknowledged that he was previously told that the Board would require that any improvement to Jordan Lane be a minimum of 18-20 feet of paved road with minimal drainage through his newly proposed lot to where Jordan Lane intersects with Forest Street. Mr. Hall added that he does not control the Healy's land along Jordan Lane and as a result has not shown it improved. Mr. Hall added that his current house was approved on Jordan Lane approximately 50 years ago and that the Planning Board must have determined Jordan lane of adequate width, grade and construction at that time. Member Graham replied by noting that standards of acceptance can change over time, much like how the size and width of an emergency vehicle has changed.

Member Markham noted that it was important for the Board to use the same standard for each ANR road improvement proposed with respect to the two that were currently before the Board. Member Joseph agreed and said that the Board needed to be very careful in its decision making process as they still have outstanding lawsuits on ANR cases regarding adequate width, grade and construction. Member Joseph suggested that the Board continue to work on establishing minimum standards and that this topic needed further review.

DISCUSSION: Impervious Surface Restriction / Henry's Lane.

The Town Planner informed the Planning Board that Henry's Lane resident Paul Cutcliffe has cancelled his appearance to discuss his impervious surface determination. The Planner noted that the Board should continue its discussion on impervious surface in hopes of codifying if credit should be given for pervious pavers when the Planner makes an Impervious Surface Maximum determination. The Planner added that the Board should also discuss and formally vote to not include the surface water area of a pool as an impervious surface.

Member Joseph commented that she believed credit should not be given for pervious pavers within an impervious surface determination and that they could contribute to the failure of the pool structure. Member Graham said that he agreed with Member Joseph and he thought the Board should be more conservative and not allow credit be given for pervious pavers. The Town Planner noted that pervious pavers become impervious over time if they are not cared for properly. The Board agreed to not give any credit for pervious pavers when making an impervious surface determination. The Board then also agreed not to include the surface water area of a pool as an impervious surface. The Town Planner was instructed to send a letter to the Building Inspector codifying these decisions.

TOWN OF NORWELL
JUL 26 2007
TOWN CLERK
JANICE M. LAWSON

The Board also offered feedback on the draft "Impervious Surface Submittal Requirements" document distributed by the Town Planner. Member Joseph said that the Board may want to require an on-the-ground survey. She then instructed the Planner to draft an affidavit and include it with the draft "Impervious Surface Submittal Requirements" that guarantees that the applicant has read what is required of them regarding impervious surface.

PUBLIC HEARING: John Neil Drive Extension Subdivision.

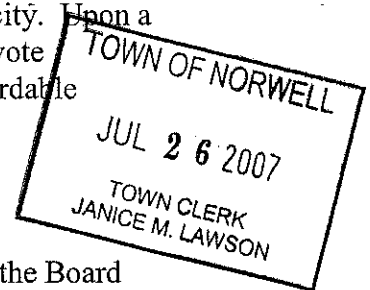
The Town Planner noted that the initial public hearing for the John Neil Drive Extension subdivision was continued until August 15, 2007 at 8:00 P.M. due to an error in the Patriot Ledger's publishing of the notice. The Town Planner added that he had called and sent letters to all the abutters, notifying them of the new public hearing time and date.

DISCUSSION: White Barn Lane 40B Review Scheduling.

The Town Planner noted that the Board should schedule when they would deliberate on what to include in a comment letter to the Board of Appeals regarding the White Barn Lane proposal. Member Joseph suggested that a discussion on White Barn Lane be added to the August 15, 2007 agenda.

DISCUSSION: Affordable Housing Trust (agenda addendum)

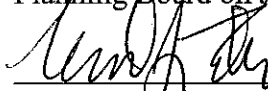
Member Markham spoke about the Affordable Housing Trust created at June's Town Meeting. Member Markham said the Trust was created to help ensure that affordable units stay affordable if their deed restriction lapses. The Affordable Housing Trust is funded in the amount of \$500,000 and can buy affordable units when they become available and allow time for a new deed restriction to be placed on the housing unit. Member Markham said that the Planning Board was to nominate a representative to the Affordable Housing Trust and that he would be happy to serve in that capacity. Upon a motion made by Member Tobin and seconded by Member Joseph, a 3-0-1 vote nominated Member Markham as the Planning Board's designee to the Affordable Housing Trust. Member Markham abstained from the vote.



ADJOURNMENT.

At 9:15 P.M. Member Tobin moved and Member Markham seconded that the Board adjourn. The motion was approved by a vote of 4-0.

I certify that the above minutes were reviewed and approved by majority vote by the Planning Board on July 25, 2007.



Michael J. Tobin, Alternate Clerk