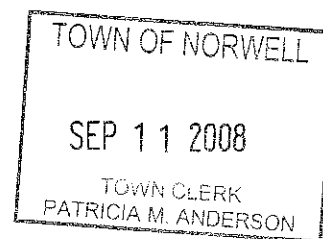


**Norwell Planning Board Meeting Minutes
August 26, 2008**



The meeting was called to order at approximately 7:02 P.M. Present were Board Members Karen A. Joseph, Michael J. Tobin, Sally I. Turner, Charles Markham, Kevin P. Jones and Town Planner Todd Thomas.

DISCUSSION: Draft Agenda

Member Joseph moved to add a discussion on the Harbor Lane Donahue ANR lawsuit. The Town Planner requested to add discussions to the agenda on a wind bylaw, the new ANR submittal for May Elm Lane and the new ANR submittal for Harbor Lane. Member Jones moved that the Board accept the amended agenda as presented. The motion was approved 5-0.

DISCUSSION: August 13, 2008 Regular & Executive Session Meeting Minutes

Member Turner moved to accept the August 13, 2008 regular and executive session meeting minutes as presented. The motion was approved 5-0. -

DISCUSSION: Bills

Todd Thomas (July Reimbursement)	\$ 118.01
Monadnock Water (Inv. #515563)	\$ 88.90
Chessia Consulting (Cowings – Inv. #433)	\$ 222.50
“ “ (Laurelwood – Inv. #435)	<u>\$1,680.00</u>
Total	\$ 2,109.41

Member Tobin moved that the bills be paid and that the payment vouchers be signed. The motion was approved 5-0.

DISCUSSION: ANR Plan for May Elm Lane

The Board discussed the August 6, 2008 ANR Plan of Land for 64 May Elm Lane in Norwell, Mass. The Board made specific findings and accepted the staff recommendations for items B through X on the draft Certificate of Action. The Board accepted staff recommendation A, which stated that the plan was a subdivision, and Member Markham moved that the Board deny the request for endorsement, as approval under the Subdivision Control Law not required. A 5-0 vote affirmed the motion.

DISCUSSION: New #64 May Elm ANR Submittal

The Board reviewed the new May Elm ANR submittal for #64 May Elm Lane. Upon a motion made by Member Markham, the Board voted to accept the plan as received on August 26, 2008. A 5-0 vote affirmed the motion. Upon a motion made by Member Turner, the Board denied the applicant's waiver request for the filing fee by a vote of 5-0.

DISCUSSION: Draft OSRD Timeline

The Board discussed the draft OSRD timeline. Member Joseph mentioned that the Selectmen had requested a copy of this document. Member Jones suggested that a disclaimer be added to the top of the document clarifying that the OSRD timeline is a

working document meant to be an aid, not a regulation, and that the Board reserves the right to alter the document in the future. The Board agreed to this suggestion and accepted the as revised version of the timeline. The Town Planner said he would forward the revised document to Jim Boudreau in the morning.

DISCUSSION: Wildcat OSRD Pre-application Conference

The “Wildcat Development Team”, comprised of Buzz Constable & Rich Beal of A.W. Perry, Brad McKenzie of McKenzie Engineering, and builders Jay and Paul Gallagher, were in attendance for the first Wildcat OSRD Pre-application conference. Member Joseph noted that the Attorney General was yet to approve the bylaw. The Wildcat Development Team and the Board agreed to a site walk before the second date of the Pre-Application process. Engineer McKenzie showed the Board the project’s site context plan, and identified primary and secondary conservation areas. Engineer McKenzie said that approximately 6.5 acres of primary conservation area are within the 73-acre site, which was noted as “not well drained”. The Development team and the Board agreed that the remainder of the Pre-application conference submittals would be submitted before the site walk. The site walk was scheduled for 9:00 am on Saturday, September 20, 2008, meeting at the driveway of #213 Wildcat Lane. The Town Planner was instructed to invite other Town Boards and Commissions to the site walk, as well as attend the next Pre-application conference scheduled for 7:30 pm on Wednesday September 24, 2008.

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Member Joseph asked the developer if they would be willing to pay for a design consultant to review the site and Pre-application Conference submittals. Mr. Constable replied that they would be amenable to the request but would like to add to the pool of potential design consultants offered.

Engineer McKenzie asked the Board about design flexibility and mentioned that they are reticent to change the location of the Waste Water Treatment Plant, as it is already permitted. Mr. McKenzie said that he envisioned a 40-foot right-of-way with twenty-two to twenty-four feet of pavement width and a sidewalk waiver. The development team and the Board also discussed certain buffer requirements. Member Markham said that he wanted a road and any drainage system that the Town would have to maintain as being one which could be accepted, and saw as a public good a design accommodating such.

DISCUSSION: Local Hazard Mitigation Plan

The Town Planner asked the Board to review the spreadsheet containing the Planning Board’s proposed additions to the Local Hazard Mitigation Plan. He added that any additional feedback should be finalized before the September 10, 2008 Planning Board meeting.

DISCUSSION: Lot 2 Driveway Apron at Edgewood Park

The Board discussed builder Jack Robbie’s request to put in a cobblestone driveway apron at Lot 2 in the Edgewood Park subdivision. Mr. Robbie wanted to ensure that the potential existence of a cobblestone driveway apron that intersected the sidewalk did not affect any future consideration of street acceptance for Edgewood Park. The Town

Planner related that Paul Foulsham and John Chessia both opined that they have no concerns with the planned work. Tim FitzGerald, as the Town's ADA Compliance Officer, also agreed to the work, provided that there is no more than a half-inch differential in grade between the cobblestones, or from the cobblestones to the existing sidewalk, thereby satisfying ADA requirements. The Planning Board agreed with Mr. FitzGerald's position.

DISCUSSION: September Plans for Bruce Graham

The Board tentatively agreed to schedule a meeting with Bruce Graham at 9:00 pm on Wednesday September 24, 2008.

DISCUSSION: Wind Power Discussion / Update from Charles Markham

Member Markham told the Board that the Wind Power Committee, on which he serves, recently approached the Board of Appeals about constructing a MET Tower on the high school property to measure wind speed. Member Markham also spoke of the recently promulgated Green Communities Act. He said that further guidance and interpretation of the act would be available from the Commonwealth in November, and that this interpretation would offer additional information about local wind energy bylaws. He added that, as a result, the Wind Power Committee decided to wait on discussing a wind energy bylaw at least until November.

DISCUSSION: Harbor Lane Lawsuit Dismissal and New ANR Filing

Member Joseph told the Board that she had received a letter dated August 25, 2008 noting the dismissal without prejudice of Civil Action No: 08-1054, Dorothy A. Donahue vs. Norwell Planning Board. The Town Planner then noted that the Donahue Harbor Lane ANR plan was resubmitted earlier in the day. The Board decided that the resubmitted plan lacked a revision date. Member Turner said that there was still no mention on the plan regarding the claimed easement to Harbor Lane. The Town Planner was instructed to speak to Town Counsel about these matters. Upon a motion made by Member Markham, the Board voted to accept the plan as received on August 26, 2008. A 5-0 vote affirmed the motion.

ADJOURNMENT

At 10:20 P.M. Member Jones moved that the Board adjourn. I certify that the above minutes were reviewed and approved by majority vote by the Planning Board on September 10, 2008.

Sally I. Turner
Sally I. Turner, Clerk

