

**Norwell Planning Board Meeting Minutes  
March 12, 2008**

TOWN OF NORWELL

APR 03 2008

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, Sally Turner, Michael J. Tobin and Town Planner Todd Thomas. Member Charles Markham arrived during the discussion on Holly Berry.

**DISCUSSION: Draft Agenda.**

Member Turner moved to add an update on the Pathway Committee to the agenda. Member Tobin moved and Member Joseph seconded that the Board accept the amended agenda as presented. The motion was approved 4-0.

**DISCUSSION: February 27, 2008 Meeting Minutes.**

Member Joseph moved and Member Turner seconded the motion to accept the February 27, 2008 meeting minutes as presented. The motion was approved 4-0.

**DISCUSSION: Bills.**

|                        |                       |                 |
|------------------------|-----------------------|-----------------|
| Chessia Consulting     | (Edgewood-Inv.#356)   | \$ 389.45       |
| “ “                    | (Cowings-Inv. #359)   | \$ 613.90       |
| “ “                    | (John Neil-Inv. #360) | \$ 385.00       |
| Todd Thomas            | (Feb. Expenses)       | \$ 17.17        |
| <u>Monadnock Water</u> | <u>(Inv. #110647)</u> | <u>\$ 10.00</u> |
|                        | Total                 | \$1,415.52      |

Member Turner moved and Member Joseph seconded that the bills be paid and that the payment vouchers be signed. The motion was approved 4-0.

**DISCUSSION: 226 Old Oaken Bucket ANR Plan.**

Attorney Michael J. MacKay was present representing the applicant. The Town Planner introduced the plan and recommended against it being endorsed, as it was not compliant with the Board regulations, and it had not been assented to by the Capaldo's as either an owner or applicant. Attorney Mackay said that the Capaldo's were supposed to have stopped in to sign the application.

Upon a motion made by Member Joseph and seconded by Member Turner, the Board voted to formally acknowledge the "Plan of Land in Norwell, Mass" dated January 17, 2008, prepared by Professional Land Surveyor John S. Keefe of Keefe Associates, Pembroke, MA ("The Plan" – consisting of 1 sheet) as submitted on March 12, 2008. A vote of 4-0 affirmed this motion.

Upon a motion made by Member Turner and seconded by Member Joseph, the staff recommendations were adopted and the plan was found to be not substantially compliant with the Board's rules and regulations. A vote of 4-0 affirmed this motion.

Upon a motion made by Member Joseph and seconded by Member Tobin, the plan was denied for the reasons stated. A vote of 4-0 affirmed this motion.

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NANCY M. LAWSON**DISCUSSION: Holly Berry – Review Fee Returned.**

The Town Planner advised the Board that the construction and technical review for Holly Berry Trail was complete and that approximately \$932 of review fees were due to the applicant. Member Turner made and Member Joseph seconded a motion to return the remaining review fee money for Holly Berry Trail, subject to the receipt of the recorded amendment to the homeowner's association. The motion was affirmed by a vote of 5-0. The Town Planner advised the Board that he would hold the corresponding check in escrow until the recorded HOA was received.

**DISCUSSION: Street Acceptance Update (Hawthorne & Edgewood).**

The Town Planner provided an update on the street acceptance progress on Hawthorne Lane. He then asked the Board to sign the Construction Affidavit, and to vote the draft report of the Planning Board required under General Bylaw Article X and MGL c.41, §81G. Under Article X.2, Member Bruce W. Graham moved and Member Charles Markham seconded that the Planning Board vote to report to the Board of Selectmen that Hawthorne Lane is well built and so constructed that it is at least equal to the average construction of existing highways of the Town, has proper grades in relation to abutting land and connecting streets and conforms to the Planning Board's Rules and Regulations. The motion was approved by a vote of 5-0. Under MGL c.41, §81G, Member Charles Markham moved and Member Sally I. Turner seconded that the Planning Board vote to report its recommendation to the Board of Selectmen that Hawthorne Lane should not be accepted as a public way. The Planning Board stated that unless and until the Town has the resources in place to perform all of the tasks required under the Operation and Maintenance Plan and the resources to replace the drainage system, the Planning Board cannot recommend that Hawthorne Lane, or any other street with similar drainage requirements, be accepted as a public way. The above motion was approved 5-0.

With Technical Consultant John Chessia in attendance, the Town Planner provided the Board with an update on the street acceptance progress on Edgewood Park. After talking about the remaining construction issues cited by Mr. Chessia, the Town Planner, and the Highway Surveyor, the Planning Board decided to work on the draft report required under General Bylaw Article X and MGL c.41, §81G over the coming weeks. The Planning Board decided that Edgewood Park should not continue to move forward with street acceptance at this time. The Board also decided that the submitted as-built plan was not acceptable without both the deed description and the driveway for Lot 6 shown thereon. The Board further found that problems addressed in Highway Surveyor's March 12<sup>th</sup> letter should be cured before street acceptance was considered. The Board agreed that the slightly undersized drainage basin #2 was only acceptable because Technical Consultant Chessia agreed with the applicant's calculations that its being undersized was immaterial.

**DISCUSSION: 40B, General Land Area Minimum Changes.**

The Town Planner provided the Board with an update on the previous week's work spent calculating Norwell's General Land Area Minimum (GLAM). Chairman Graham said that he helped with the original calculation and that Norwell was at 1.513%. The Town Planner then added that the new 40B regulations that were promulgated on February 22<sup>nd</sup>

changed the way the GLAM was calculated. He advised that under these new regulations, the 1.5% GLAM threshold was likely unattainable in Norwell. Board Members discussed the changes to the 40B regulations, including that they would have to approve Norwell's future Housing Production Plans. Member Graham told the Board that he advised Selectman Merritt that Norwell needed a more coordinated and organized effort to manage 40B permitting on behalf of the Town. Selectmen Merritt reportedly replied that Town Administrator, Jim Boudreau, was going to work as the point-man for such efforts.

**DISCUSSION: OSRD Bylaw Working Session.**

The Planning Board continued to review the draft OSRD Bylaw. The Town Planner agreed to make the suggested changes and to forward the draft for comment. The Planner scheduled the next discussion of the OSRD Bylaw for the March 26<sup>th</sup> meeting.

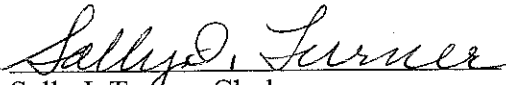
**DISCUSSION: Pathway Committee Update.**

Member Turner provided the Board with an update on the Pathway Committee. She said that the committee had a site walk planned for Lower Main Street on Saturday morning.

**ADJOURNMENT.**

At 10:45 P.M. Member Markham moved and Member Joseph seconded that the Board adjourn. The motion was approved by a vote of 5-0.

I certify that the above minutes were reviewed and approved by majority vote by the Planning Board on March 26, 2008.

  
Sally I. Turner, Clerk

Private Minutes/ 2008/March 26, 2008.doc

