

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

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 the Summer Street ANR.

DISCUSSION: Draft Agenda

Member Tobin moved and Member Joseph seconded that the Board accept the agenda as presented. The motion was approved 4-0.

DISCUSSION: March 12, 2008 Meeting Minutes

Member Joseph moved and Member Turner seconded the motion to accept the March 12, 2008 meeting minutes as presented. The motion was approved 4-0.

DISCUSSION: ANR Plan for 302 Summer Street

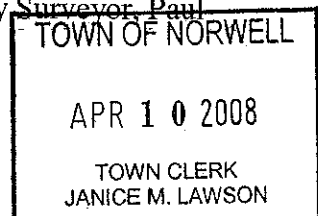
Applicants George & Genevieve Davis and abutter Steve Bjorkland attended the discussion. Upon a motion made by Member Joseph and seconded by Member Turner, the "Plan of Land Norwell, Mass" dated March 1, 2008, prepared by Professional Land Surveyor John S. Keefe of Keefe Associates, Pembroke, MA ("The Plan" - consisting of 1 sheet) was formally accepted as of March 26, 2008. A vote of 4-0 affirmed the motion.

Member Graham opened the discussion by noting that Town Counsel opined on the use of a "tie-line" to depict the back property lines on the plan. He read the following from Town Counsel's March 25, 2008 email to the Town Planner: "I am familiar with the practice of the dotted lines - the answer to your question is that it depends on whether the portion of the lot being broken off is impacted by the dotted line. If the area which is uncertain is on the other side of the property, I have seen PBs approve the plans. If there is uncertainty about the area being divided, I do not think such a plan should be endorsed." Member Graham said that he believed the Board should not endorse this plan given Town Counsel's opinion. He added that the plan was also not technically compliant with the Board's Rules and Regulations. Member Joseph told the applicant that a better-drawn plan should be able to be endorsed when it is corrected and resubmitted.

Upon a motion made by Member Tobin and seconded by Member Turner, the Board adopted the findings previously made and denied endorsement of the plan as approval not required under the Subdivision Control Law by a vote of 5-0.

DISCUSSION: Edgewood Park – Street Acceptance Report

Member Graham said that he visited the site and did not think the access easement to the drainage basin behind Lot 6 was reasonably unimpeded. He added that because the grading for Lot 6 was not complete through the easement, he was not prepared to vote to recommend street acceptance for Edgewood Park. The Town Planner related that he met earlier in the day with Town Administrator, Jim Boudreau, and Highway Surveyor, Paul



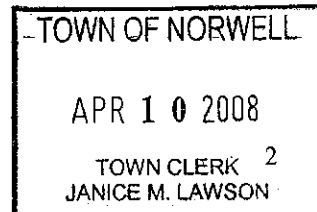
Foulsham, and that they all agreed that it was not in the Town's best interest to recommend street acceptance for roads where either the subdivision or house construction thereon was not complete. The applicant, Mary Williams, protested that she completed the remaining construction during the previous week. Technical Consultant John Chessia agreed that the punchlist had been completed via his site inspection earlier in the day, but added that he would like to see the newly cleaned drainage basin behind Lot 6 function after a rain event before the Town considered accepting it.

Member Graham called for a vote on the draft Street Acceptance Report of the Planning Board. Upon a motion made by Member Markham and seconded by Member Joseph, the Board approved the draft letter (with revision noted thereon) and instructed the Town Planner to send it to the Selectmen. A vote of 4-0-1, with Member Turner abstaining, affirmed the motion. Upon a motion made by Member Tobin and seconded by Member Joseph, the Board said they would require the as-builts for Edgewood Park to be resubmitted with the driveway to Lot 6 depicted once it was constructed. A vote of 4-0-1, with Member Turner abstaining, affirmed the motion. Upon the request of Mary Williams, Member Graham agreed to update the Board of Selectmen that work on Edgewood Park has continued in a workman like manner and that he expects the road to be before Town Meeting for acceptance in 2009.

PUBLIC HEARING: John Neil Drive Extension Subdivision (Cont.)

With Engineers Greg Morse and Deborah Keller, Attorney Marlin Hawthorne, residents Robert Napoli and Francis Nelson, and the Town's Technical Consultant, John Chessia present, the Planning Board's Clerk, Member Turner, read the public hearing notice and the comments received on the as revised January 23, 2008 John Neil Drive Extension subdivision plans. The comments received were as follows:

1. On February 4, 2008, the Applicant's engineer submitted a cover letter dated February 4, 2008, which listed the submitted documents to the Planning Office as well as responses to the Chessia engineering review.
2. On February 4, 2008, the Applicant's engineer submitted a letter to the Planning Office, dated January 23, 2008, setting forth a list of requested waivers.
3. On February 4, 2008, the Applicant's engineer submitted a set of bound drawings to the Planning Office, consisting of 10 sheets, with sheets 1 through 10 dated April 30, 2007, as revised January 23, 2008, prepared by McKenzie Engineering Group, Inc., with sheets 1 through 9 signed and sealed by Engineer McKenzie, with Sheets 3 and 4 signed and sealed by Surveyor Aaberg, and with sheet 10 signed and sealed by Landscape Architect Thompson.
4. On February 4, 2008, the Applicant's engineer submitted a bound volume to the Planning Office, entitled "Drainage Calculations and Stormwater Management Plan for John Neil Drive Extension in Norwell, Massachusetts," dated April 30, 2007, as revised January 23, 2008 prepared by McKenzie Engineering Group, Inc. and signed and sealed by Engineer McKenzie.
5. On February 6, 2008, the Planning Office received the comments of Chief of Police Theodore J. Ross on the Subdivision Plan dated April 30, 2007, as revised January 23, 2008 as follows: "I have reviewed the John Neil Drive Extension subdivision, I have no comments at this time."



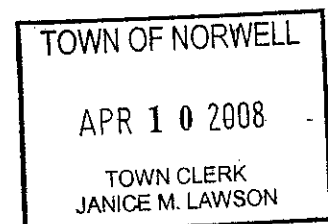
6. On February 11, 2008, the Planning Office received a technical report from Engineer John C. Chessia of Chessia Consulting Services, LLC, the Planning Board's engineering consultant, consisting of 33 pages, reviewing the Applicant's February 4, 2008 submittals, including the revised subdivision plan set dated April 30, 2007, as revised January 23, 2008.

The applicant's engineer, Greg Morse, spoke about the changes made to the revised plan. He said that the rain gardens were revised and a detail drawing was added to the plans. Member Graham asked about conditioning the potential subdivision approval based on the rain gardens functioning as designed. Engineer Morse was amenable to this condition and said that more detail on the rain gardens would be provided during the site plan review for each individual lot, as suggested in Technical Consultant Chessia's review letter. Mr. Chessia said he thought the rain gardens would work because they would be located in fill, but there is a risk to the applicant if they cannot get the engineering to function as designed. Mr. Chessia added that soil testing was not provided beneath the drywells. Member Joseph asked if the roadway meets DEP requirements and the Board's Rules and Regulations if the rain gardens do not work. Mr. Chessia said that it would not. Member Joseph said that there was not enough detail provided about the rain gardens and that side slopes were not given. Member Graham asked if the rain gardens could be conditioned. Engineer Keller said that they could be and that the rain gardens could be more fully engineered when they have a builder and an agreed upon footprint for the house. Member Graham confirmed that the applicant would be amenable to performing the testing and going through site plan review for the rain gardens before applicable building permits were issued. Engineer Keller and Attorney Hawthorne agreed that this seemed reasonable.

Member Tobin asked if the applicant intended to seek a gravel removal permit per the Town's General Bylaw XVI. Engineer Morse replied in the affirmative. Member Turner asked the applicant to address the test pits that were reportedly off the locus. A discussion took place about the viability of the wetland line. Member Graham responded that he discussed this earlier in the day with the Conservation Agent and that he did not expect the line would be changed, and if it were to be changed the applicant would need to reapply for subdivision approval.

Resident Napoli asked about existing drainage concerns with the John Neil Drive cul-de-sac. Mr. Chessia responded that he would look into it and report back to the Board. Resident Nelson asked about the construction on the ANR lot. Member Graham said that any subdivision approval would be conditioned so that the construction of the ANR would be complete and its access to Circuit Street would be established before subdivision construction commences.

Upon a motion made by Member Turner and seconded by Member Tobin, the public hearing was closed by a vote of 5-0.



DISCUSSION: Wind Power & CPC Update (Member Markham)

Member Markham provided the Board an update on the Wind Power Committee and the Community Preservation Committee. He said that the Community Preservation Community was contemplating land acquisitions on Mount Blue Street and Stetson Shrine Road. He said that the Wind Power Committee was in the process of requesting a site study by MassTech Collaborative that would look at municipally owned sites to develop a wind map of the Town. Member Markham added that the high school and the water treatment plant were the most feasible sites for the possible installation of a wind turbine.

DISCUSSION: Historic Commission 3/29 Meeting Attendance

The Town Planner suggested that a Member of the Planning Board attend the Historical Commission's meeting with the Advisory Board on Saturday the 29th. Member Graham agreed to go since the Planning Board was jointly sponsoring the Scenic Road General Bylaw with the Historic Commission.

DISCUSSION: Advisory Board Meeting re: Town Meeting Articles

The Town Planner provided the Board with an update on the March 20 meeting with the Advisory Board regarding the Board's Town Meeting Articles. He added that the Advisory Board voted to recommend changes to Common Driveway Bylaw and the Height Restriction Bylaw, as well as recommending the adoption of the Scenic Road General Bylaw. He said that overall, the Advisory Board seemed supportive of Open Space Residential Design, but declined to recommend the bylaw until the Board had finished it. The Board then discussed the proposed General Bylaw giving the Planning Board the Power to Appoint Committees after the Town Planner related the Advisory Board's reaction to it.

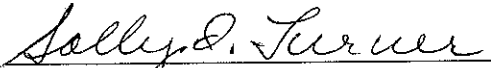
DISCUSSION: OSRD Bylaw Working Session

The Board tabled the discussion of the OSRD Bylaw until a time to be determined during the following week.

ADJOURNMENT

At 10:15 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 April 9, 2008.


Sally I. Turner, Clerk

