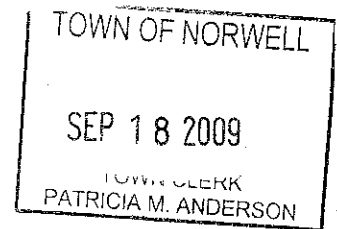


Norwell Planning Board Meeting Minutes
August 26, 2009



The meeting was called to order at approximately 7:05 P.M. Present were Board Members Margaret Etzel, Karen A. Joseph, Sally I. Turner and Town Planner Todd Thomas. Members Kevin P. Jones & Michael J. Tobin arrived late.

DISCUSSION: Draft Agenda

Member Etzel requested that a discussion be added to the agenda regarding the Wildcat OSRD Special permit. Town Planner Thomas requested that discussions be added to the agenda regarding the 435 Main Street ANR and a Board Member committee representation update. Member Turner moved to accept the amended agenda as presented. The motion was affirmed by a vote of 3-0.

DISCUSSION: August 12, 2009 Meeting Minutes

Member Etzel moved to accept the August 12, 2009 meeting minutes as presented. The motion was affirmed by a vote of 3-0.

DISCUSSION: Bills (None)

Discussion: Simon Hill ENF

The Board reviewed the draft comment letter on the Simon Hill Village ENF. Members requested that numerous changes be made to the ENF comment letter, including:

- making sure paragraphs were shorter and more concise;
- adding a bedroom count into the project description;
- giving the letter back its original formatting, supplemented by Member Jones suggested "legal brief style" synopsis after each bold section title;
- removing stated concerns about roadway length and emergency access from the letter; and
- reducing the last paragraph per Member Etzel's suggestions.

The Town Planner said that he would send revised letters out to the Board by the end of business on Thursday. Board Members were asked to return changes or comments to the Town Planner by Monday at noon.

Discussion: Planning Board Priorities List

The Board discussed the current Planning Board Priorities List. From that list, the Board decided to move forward on revisions to the OSRD Subdivision bylaw for Town Meeting. The Board made other certain changes to the list. Member Etzel expressed concern over the lack of wind energy regulation in Norwell. The Town Planner said that he would add wind energy to the list.

Discussion: Wildcat OSRD Special Permit

Morgan Black, an attorney representing the homeowners said that a total failure of the roadway was still within the realm of possibility and asked that any surety returned go to the Utility Trust. Luca Rastelli, a resident of Laurelwood Drive asked that a greater amount than the \$10,000 required under the Laurelwood Modification conditional approval be deposited into the trust. P.J. O'Sullivan, a resident of Laurelwood Drive, echoed Mr. Rastelli's comments and asked that the Trust be made whole via additional funding. Attorney Black reminded the Board that it could assume control of the Trust.

The Board discussed the walking paths that were supposed to be constructed as part of the original Laurelwood subdivision. The Town Planner said that Town Counsel advised that the pathway condition was currently unenforceable due to the Town of Scituate's blocking of path construction through Town property, and that the Board should arrive at a financial settlement tonight. The Town Planner also related that Town Counsel said that the first \$10,000 of any surety released should be held to satisfy the minimum Utility Trust funding required by the Laurelwood Modification conditional approval. Board Members discussed the value of the pathway, which was listed with a total value of \$50,960 on Mr. Chessia's bond estimate. Attorney Recupero offered \$12,750 for the Pathway. Board Members negotiated a higher value with Attorney Recupero. Upon a motion made by Member Jones, the \$50,960 being held for pathway improvements was released from the surety held, with \$20,000 of that sum going into the Pedestrian Travel Improvement Fund, \$10,000 being held in escrow until the Utility Trust Funding is taken over by the homeowners, and the remaining funds being returned to the applicant. A vote of 5-0 affirmed the motion.

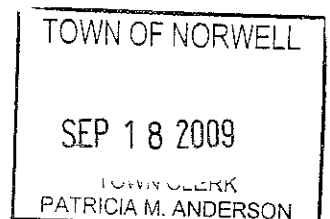
Upon a motion made by Member Turner, the endorsement deadline for the Laurelwood Modification was extended through September 18, 2009. A vote of 5-0 affirmed the motion. Given the new endorsement deadline, the Board established a tentative schedule to endorse the Laurelwood Modification plans on the 16th of September, record the plans on the 17th of September, conduct the pre-construction meeting on the 18th of September, and to begin construction on the 21st of September.

Discussion: Planning Board FY11 and FY12 Budgets

The Board reviewed and approved the draft budgets prepared for FY11 & FY12. The Town Planner was given permission to forward the budgets along to the Selectmen's Office.

Discussion: 435 Main Street ANR Plan

The Board reviewed and discussed the recently submitted ANR plan for 435 Main Street. The Board discussed if an on-the-ground survey was needed for both 435 Main Street and 427 Main Street. The Board determined that it would be unwilling to partially waive any requirements for an on-the-ground survey. The Town Planner was instructed to contact the surveyor and have him resubmit the ANR plan without the un-surveyed lot included. The Board agreed that the submittal should be done without a fee. Upon a motion made by Member Turner, the ANR plan for 435 Main Street was accepted as submitted by a vote of 5-0.



Discussion: Planning Board Committee Representation Update

Member Turner offered an update on the Stetson Ford Planning Committee. She said that the committee completed its final planning report for the house. The committee's reported recommendations were to complete modest improvements to the house so it could be rented for the next two to five years. Member Etzel, as the Planning Board's representative to the Community Preservation Committee, expressed concern about the funding request.

ADJOURNMENT:

At 11:30 P.M., Member Jones moved 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 September 16, 2009.


Sally I. Turner, Clerk

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