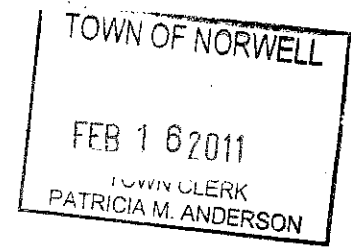


PLANNING BOARD
TOWN OF NORWELL

Post Office Box 295
Norwell, Massachusetts 02061
(781) 659-8021



**Norwell Planning Board Meeting Minutes
January 26, 2011**

The meeting was called to order at approximately 7 p.m. Present were Board Members Kevin Cafferty, Kevin Jones, Karen A. Joseph, Sally I. Turner, and Margaret Etzel. The meeting was held in the Planning Office.

Discussion: Draft Agenda

Member Cafferty made a motion to add the acceptance of the Lincoln Street ANR submission to the agenda. The motion was affirmed by a vote of 5-0. Member Jones made a motion to accept the agenda as modified. The motion was affirmed by a vote of 5-0.

Discussion: December 8, 2010 Minutes

Member Cafferty made a motion to accept the January 5, 2011 minutes. The motion was affirmed by a vote of 5-0.

Discussion: Bills

- Horsley Witten (Inv. #28880, 10/31/10): \$2971.82
- Horsley Witten (Inv. #29011, 11/30/10): \$ 575.00

The Horsley Witten October bill for the ANRAD filing exceeded the funds allotted and agreed upon by HW and the Pathways Committee/Planning Board/CPC because of additional surveying and meetings required by Con Com. A change order approval may be required from CPC. Member Cafferty made a motion to pay the bills as presented. The motion was affirmed by a vote of 5-0

Discussion: Laurelwood Utility Fund Release

Steven Guard and Mark Barros appeared before the Board in representation of the Utility Trust. It has been established that the funds the town is holding are for a reserve account. As a condition of releasing the funds, an agreement, acceptable to town counsel, has been drafted that removes all liability of the town after these funds are released. Under the agreement the funds are to be released to a joint account formed between the Town and the Utility Trust. The treasurer informed staff that the Town could not form a joint account with the Trust without having full control of the funds. There are questions as to whether a joint account such as this could be set up at all.

Town control of the funds would not be consistent with the purpose of the emergency reserve funds, since release of the funds through the Town would take time not available

in a crisis situation. The Board decided that the better option would be to release the funds to the Utility Trust and require that periodic financial reports be submitted to the Board. The fund should not drop below \$10,000 except in emergency situations and in those circumstances the funds would be replenished as directed by the Utility Trust document. The applicant requested that as alternative to monthly bank statements being forwarded to the Town, an annual report would be submitted to the Board that would show current account balances. It is thought that an annual submittal would be less burdensome to the Trust and the Planning Office.

Town Counsel is aware that the joint account requirement in the agreement is not going to be a viable option, but has advised that the agreement not be modified in the event that the Town wishes to pursue this arrangement in the future.

Member Cafferty made a motion to require annual statements and no monthly statements. The motion was approved by a vote of 5-0.

Member Cafferty made a motion to release the approximately \$10,000 to the Utility Trust and not require a joint account with the Town. The motion was approved by a vote of 5-0.

Discussion: Wildcat Hill OSRD Definitive Subdivision Endorsement

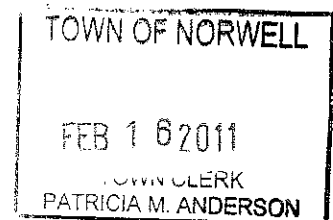
Plans have been revised to reflect condition of approval and some minor corrections discovered during this subsequent review. John Chessia has reviewed all plans for consistency. The surety covenant has been revised to further clarify that it includes the Wildcat Lane water main improvements.

The Open Space Restriction does not provide for public access to all open space. The applicant will revise this and other documents for consistency. The public shall have access to all land dedicated for open space. After legal documents are revised staff will review for consistency with approved documents.

Plans will be held in escrow until everything is complete. Copies will be made of the plans before filing at the registry.

Member Jones made a motion to approve:

That each condition of approval in the certificate of vote required before endorsement (11-45) have been satisfied; **the TERMINATION OF 2006 WILDCAT HILL DEVELOPMENT NORWELL, MASSACHUSETTS**; the CERTIFICATE OF INCUMBENCY AND AUTHORITY dated January 26, 2011; the DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS INCLUDING EXHIBITS A, A-1, B, B-1, C, D, E, E-1, E-2; the DECLARATION OF TRUST OF WILDCAT HILL HOMEOWNERS ASSOCIATION TRUST; the WILDCAT HILL OSRD DEFINITIVE SUBDIVISION LOT 1 DRIVEWAY RESTRICTION; the WILDCAT HILL, LLC OPEN SPACE AND CONSERVATION RESTRICTION; the LEGAL CERTIFICATION OWNERS AND MORGAGEES; the WILCAT HILL OSRD



DEFINITIVE SUBDIVISION TOWN OF NORWELL PLANNING BOARD
PERFORMANCE GUARANTEED BY A SURETY COVENANT; the
COMPREHENSIVE OPERATION AND MAINTENANCE PLAN / LONG-TERM
POLLUTION PREVENTION PLAN FOR WILDCAT HILL dated November 19, 2010 as
revised December 22, 2010 and December 30, 2010; the WILDCAT HILL OSRD PLAN
SHEET SUMMARY RECORDING INDEX dated January 20, 2011;

with the stipulation that the motion would be voided if three remaining issues were not
satisfied: (1) open space restriction is clarified, (2) legal documents are executed, and (3)
legal documents are consistent with the last reviewed and approved submission.

The motion was approved by a vote of 5-0.

Member Jones made a motion to endorse the OSRD DEFINITIVE SUBDIVISION PLAN
PERMIT PLAN SET dated January 28, 2010 as revised April 28, 2010, August 18, 2010,
October 28, 2010, December 30, 2010 and January 13, 2011. Plans shall be held in escrow
until remaining legal document issues are addressed.

The motion was approved by a vote of 5-0.

Member Jones made a motion to endorse the OSRD CONSTRUCTION PLAN
CONSTRUCTION SET dated April 9, 2010 as revised July 14, 2010, August 18, 2010,
October 28, 2010, December 6, 2010, December 30, 2010 and January 13, 2010. Plans shall
be held in escrow until remaining legal document issues are addressed.

The motion was approved by a vote of 5-0.

Discussion: Lincoln Street ANR

Member Cafferty made a motion to accept ANR submission. The motion was affirmed
by a vote of 5-0.

Discussion: MAPC Professional Technical and Planning Assistance Funding

A grant proposal will be submitted to MAPC. Staff will work with Member Cafferty on
grant specifics.

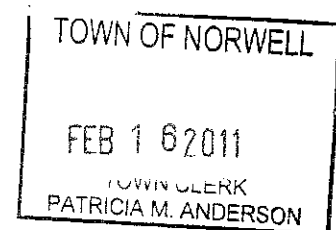
Discussion: Hingham Lumber

Member Joseph recused herself from the discussion. Hingham Lumber has presented a
preliminary proposal for a new store in Norwell center. The proposal would include the
demolition of the existing building at 711 Main Street and construction of a new 12,500
s.f., single story hardware store.

Discussion: By-law Review

The Board will review by-law change proposals at the next meeting and requested that
place holders be included on the warrant for articles revising the OSRD bylaw and
Business A setback provisions.

Discussion: Forest Ridge



East Boston Savings Bank contacted B. Galvin and may exchange the lenders agreement to a cash surety if a lot is sold. There is some developer interest in one of the lots and it may soon be under contract. More information will be available next week.

Discussion: Board Member Committee Representation Report

Pathways: Horsley Witten is finalizing plans in preparation for the Notice of Intent filing with the Conservation Commission. There are now two vacancies on the commission with the resignation of David Vose. Staff will post vacancy openings in the Mariner.

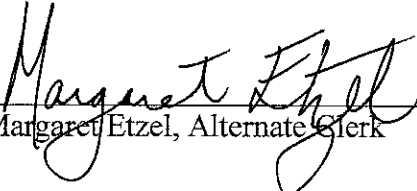
CPC: Town meeting articles include funding for the improvements of several town cemeteries.

AHP: Karen Sunnaborg's contract has been completed. She will be assisting in the development of the housing production plan and will study ways to purchase and rehab market rate homes into affordable units.

ADJOURNMENT:

At 11:00 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 the majority vote by the Planning Board on February 9, 2010.



Margaret Etzel, Alternate Clerk

