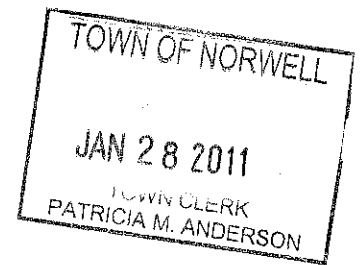


PLANNING BOARD
TOWN OF NORWELL

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



**Norwell Planning Board Meeting Minutes
January 5, 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 Jones made a motion to accept the agenda as presented. The motion was affirmed by a vote of 5-0

Discussion: December 8, 2010 Minutes

Member Jones made a motion to accept the December 8, 2010 minutes. The motion was affirmed by a vote of 5-0

Discussion: Bills

- Chessia Consulting 01/03/10 (Wildcat OSRD): \$2,195.00
- Chessia Consulting 12/06/10 (Wildcat OSRD): \$2,917.50
- Chessia Consulting (Henry's Lane): \$ 592.50
- Schwaab, Inc. (ink pads for date stamp): \$ 40.74
- Bond Printing (business cards): \$ 84.80

Member Cafferty made a motion to pay the bill as presented. The motion was affirmed by a vote of 5-0

Discussion: Advisory Board Budget Hearing

The meeting with the Advisory Board will be in the Osborn room on January 25 at 8:00 p.m. Staff will have car mileage and expenses calculated before meeting.

Discussion: Cowings Cove

Eugene Mattie updated the Board regarding the Maxwell Trust lot conveyance. The land has still not been conveyed, but the lawyers for the trust have stated that the documents were submitted to the registry. The Board refuses to release any additional lots or to entertain his proposal for a decorative covered bridge over the sidewalk until the lot conveyance is complete and the documents have been submitted to the Planning Department.

Discussion: Forest Ridge

Town Counsel has drafted a demand letter to East Boston Savings Bank and the developer, Arthur Rowe, to demand for surety/release of funds held in the lenders

agreement. The lenders agreement expires on March 1, 2010 and the subdivision will not be complete on that date.

Public Hearing: Lincoln Street Scenic Road (MBL 14D-41-16)

Rick Grady appeared on behalf of the applicant and explained the proposal. No trees would be removed to provide access to the building lot and a 16' wide opening would be made in the existing stone wall. The stones would be used to taper the wall into the lot along the proposed driveway. The applicant agreed to add a snow fence during construction, two feet from the driveway to protect the 30" diameter pine tree located to the left of the driveway. The applicant also agreed to construct headwalls at the ends of the concrete pipe to be installed beneath the driveway and parallel to the roadway for drainage. These will be added to the conditions of approval for the scenic road modifications.

Member Etzel made a motion to approve the scenic road proposal. The motion was affirmed by a vote of 5-0

Public Hearing: Pleasant Street Scenic Road (MBL 23B-65-13)

Rick Grady appeared on behalf of the applicant and explained the proposal. The plan was revised to show that only two feet would be removed from the wall for the driveway opening.

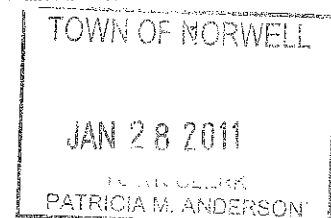
Member Etzel made a motion to approve the scenic road proposal. The motion was affirmed by a vote of 5-0.

Discussion: Wildcat Endorsement

The Board has not had sufficient time to review the documents that the applicant has submitted for endorsement as many of the remaining legal documents were submitted just prior to the Planning Board meeting.

The town consultant, John Chessia, reviewed the submitted mylar set of plans and they are consistent with the approved plans. Frank Mazzacappa at DEP told John that DEP is satisfied with the proposal and the plan had been approved with their approval of the engineering report. The subdivision plan showing the system has been forwarded to DEP as per 1/5/10 letter from D. Keller at MEG. John believes an additional approval could be required for the sewer connection since it is over 1000 feet long and will look into this.

Rich Beal discussed the funding proposal for the lot owners association. For the WWTP, DEP requires a minimum \$50,000 to be in a reserve account for capital improvements by the 16th year of operation and the applicant's proposed budget provides for substantially more. The capital budget takes into account the lifespan of the drainage, septic system and roadway/bridge costs and provides for 75% replacement cost. The initial capital funding by the applicant will be approximately, but not less, than \$100,000 and the applicant has submitted an 11/30/2010 bank statement from Citizens Bank for the Wildcat Hill Homeowners Association Trust with a balance of \$107,568.60. In addition to this, new purchasers will be required to pay three months of homeowners association



dues upfront for capital expenses. Lot sales will also add approximately \$5,826 a year to the capital fund. Yearly contributions from homeowners to the capital fund would be approximately \$260 per lot/year. Maintenance of the drainage, septic system, roadway/bridge and trails would total approximately \$150,468 a year, which would require an annual contribution of \$3,271 per lot/year. Included in the maintenance figure is daily inspections, monitoring and reporting to DEP for the septic system.

Steve Kapp, from Contech Systems, was present to address any concerns about the bridge. He explained that the bridge is an arch culvert buried structure with a typical pavement deck. The bridge would be modular system with replaceable components and built to MassDOT standards. The bridge structure itself will require little to no maintenance and the design life is minimum 75-100 years, but will probably exceed that. There is no active streambed to accelerate deterioration and the structure will be designed for full highway loading. Annual maintenance is not required by the state and would not be necessary. Replacement costs are difficult to ascertain as modules will be individually replaced as necessary.

HOA funding is in place to maintain and replace the bridge. If the town accepts the road the town would accept full responsibility of the bridge and no money would be required to be transferred from the HOA to the town in the approved legal documents.

If there is not full build out of the subdivision the declarant (A.W. Perry) is responsible for maintenance until the lot owners take over the lot owners association.

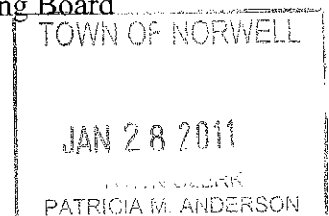
The applicant's attorney, Jeff Angley, believes all the documents should be recorded simultaneously. He is still working on the mortgages of record required in the conditions of approval.

Discussion: Laurelwood Utility Trust Funding

The homeowners have accepted responsibility of the Laurelwood Utility Trust and are seeking to obtain the funds that the town secured to fund the Trust. The homeowners are asking for the \$10,000 to fund the Utility Trust capital expense reserve account and not for maintenance costs or to pay themselves back for costs incurred in the repairs to the septic pumps. The Trust requires a minimum \$10,000 to be in the reserve account at any time.

Town counsel, Bob Galvin, appeared before the Board and stated that the town had collected money, with no obligation, to fund the Laurelwood Utility Trust (which had not been funded by the developer in violation of the Trust agreement). The Board will demand a release of liability for the Town, agreed to by the Trust, in order for the Board to release the \$10,000 it has secured from the developer. The Town will have no role in the Trust.

Member Jones made a motion to approve the release of the \$10,000 contingent upon the acceptance and signing of the agreement finalized by B. Galvin. The Planning Board



designates Member Joseph to sign the release of funds to the Utility Trust. The motion was affirmed by a vote of 5-0.

Discussion: Forest Ridge Update

B. Galvin sent a letter to A. Rowe and East Boston Savings Bank informing demanding the funds.


Discussion: Board Member Committee Representation Report

CPC: \$80,000 may be granted to Habitat for Humanity to construct the affordable home on Circuit Street.

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 January 26, 2010.


Sally I. Turner, Clerk

