

PLANNING BOARD
TOWN OF NORWELL

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**Norwell Planning Board Meeting Minutes
April 25, 2012**

The meeting was called to order at approximately 7:00 p.m. Present were Board Members Margaret Etzel, Ken Cadman and Kevin Jones. Sally I. Turner and Kevin Cafferty arrived at 7:10. The meeting was held in the Planning Office.

Draft Agenda

Member Jones moved that the Board approve the draft agenda. The motion was approved by a vote of 3-0 (Member Turner and Member Cafferty were not present).

Bills

Tibbetts Engineering (Invoice 57848): \$2223.39

Member Jones moved that the Board approve the bill. The motion was approved by a vote of 5-0.

Minutes:

March 21, 2012

Member Jones moved that the Board approve the minutes as amended. The motion was approved by a vote of 5-0.

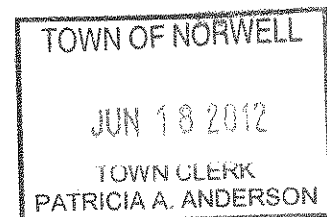
March 28, 2012

Member Jones moved that the Board approve the minutes. The motion was approved by a vote of 5-0.

Affordable Housing Production Plan

Karen Sonerborg will be contacted regarding minor changes to be made to report. Staff will draft a letter to the Selectmen informing them of the Planning Board approval of the revised plan.

Member Jones moved that the Board approve the housing plan as amended. The motion was approved by a vote of 5-0.



Harvest Place Definitive Subdivision

MOTION: Member Jones moved and Member Cafferty seconded that the Planning Board find that the requirements of §6.1 to 6.3.7 have been satisfied, except as noted or conditioned or waived as noted; provided that the waivers voted above shall be automatically rescinded unless all of the conditions of approval are fully satisfied.

VOTE: The motion was approved 4-0.

MOTION: Member Cafferty moved and Member Turner seconded that the Planning Board find that the requirements of §6.4 have been satisfied, except as noted or conditioned or waived as noted; provided that the waivers voted shall be automatically rescinded unless all of the conditions of approval are fully satisfied.

VOTE: The motion was approved 3-1 with Member Jones voting against.

MOTION: Member Cafferty moved and Member Turner seconded that the Board find that all of the requirements of §6.5 through §6.12 have been satisfied, except as noted or conditioned or waived as noted; provided that the waivers voted shall be automatically rescinded unless all of the conditions of approval are fully satisfied.

VOTE: The motion was approved 4-0.

MOTION: Member Cafferty moved and Member Turner seconded that the Board vote to find that the requirements of §7A have been satisfied, except as noted or conditioned or waived as noted; provided that the waivers voted shall be automatically rescinded unless all of the conditions of approval are fully satisfied.

VOTE: The motion was approved 3-1 with Member Jones voting against.

MOTION: Member Jones moved and Member Cafferty seconded that the Board vote to find that the requirements of §7B were satisfied, except as noted or conditioned or waived as noted; provided that the waivers voted shall be automatically rescinded unless all of the conditions of approval are fully satisfied.

VOTE: The motion was approved 4-0.

MOTION: Member Jones moved and Member Cafferty seconded that the Board vote to find that the requirements of §7C have been satisfied, except as noted or conditioned or waived as noted; provided that the waivers voted shall be automatically rescinded unless all of the conditions of approval are fully satisfied.

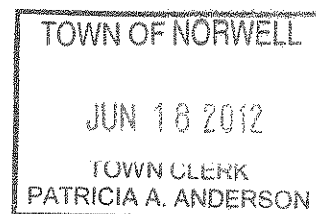
VOTE: The motion was approved 4-0.

MOTION: Member Jones moved and Member Turner seconded that the Board vote to find that the requirements of §7D have been satisfied, except as noted or conditioned or waived as noted; provided that the waivers voted shall be automatically rescinded unless all of the conditions of approval are fully satisfied.

VOTE: The motion was approved 4-0.

MOTION: Member Cafferty moved and Member Jones seconded that the Board find that the requirements of §7E have been satisfied, except as noted or conditioned or waived as noted; provided that the waivers voted shall be automatically rescinded unless all of the conditions of approval are fully satisfied.

VOTE: The motion was approved 4-0.



MOTION: Member Jones moved and Member Cafferty seconded that the Board find that the requirements of §7F have been satisfied, except as noted or conditioned or waived as noted; provided that the waivers voted shall be automatically rescinded unless all of the conditions of approval are fully satisfied.

VOTE: The motion was approved 4-0.

MOTION: Member Jones moved and Member Cafferty seconded that the Board find that the requirements of §7G have been satisfied, except as noted or conditioned or waived as noted; provided that the waivers voted shall be automatically rescinded unless all of the conditions of approval are fully satisfied.

VOTE: The motion was approved 4-0.

MOTION: Member Cafferty moved and Member Turner seconded that the Board find that the requirements of §7H have been satisfied, except as noted or conditioned or waived as noted; provided that the waivers voted shall be automatically rescinded unless all of the conditions of approval are fully satisfied.

VOTE: The motion was approved 3-1, with Member Jones voting against.

MOTION: Member Cafferty moved and Member Turner seconded that the Board vote to find that the subdivision plan adheres to all applicable zoning requirements.

VOTE: The motion was approved 4-0.

MOTION: Member Cafferty moved and Member Turner seconded that the Board vote to determine that only the waivers enumerated have been granted and that no other waivers, either expressly or impliedly, have been granted.

VOTE: The motion was approved 4-0.

MOTION: Member Cafferty moved and Member Turner seconded that the Board vote to determine that any approval of the Application and endorsement of the definitive subdivision plan, dated 1/03/2011, as revised through 3/20/2012, and construction plan dated 2/17/2012, as revised through 3/5/2012, shall be subject to the terms and conditions of approval noted in Sections VI and VII and to the terms and conditions of approval and, furthermore, that any and all waivers granted shall be granted subject to full compliance with all of said conditions; and, furthermore, in the event of an appeal that eliminates any of the stated conditions of approval, the approval shall be deemed revoked for noncompliance with the underlying regulation at issue.

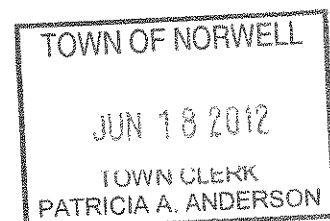
VOTE: The motion was approved 4-0.

MOTION: Member Cafferty moved and Member Turner seconded that the Board vote to grant Definitive Subdivision approval subject to the enumerated conditions and provided that all waivers granted are expressly subject to full compliance with all conditions.

VOTED: The motion was approved 3-1, with Member Jones voting against.

Public Hearing: 296 Circuit Street Scenic Road

The Board discussed the creation of a tree easement within the subdivision property on the eastern side of the stone wall along Circuit Street. The applicant will provide a landscape plan that includes seven (7) trees taken from the list of approved trees in the Planning Board Rules and Regulations. This plan may be incorporated into the subdivision endorsement set.



Member Cafferty moved that the Board approve the scenic road application and plan dated 2/17/2011 as revised through 3/16/2012.

The motion was approved by a vote of 3-1, with Member Jones voting against.

ANR 21 Birchwood Lane

Finding B: Member Cafferty moved that finding B was not satisfied. The motion was denied 3-2 with Member Cafferty and Member Turner voting in the affirmative.

Finding I: Member Jones moved that finding I was not satisfied. The motion was approved 5-0.

Finding J: Member Jones moved that finding J was not satisfied. The motion was approved 5-0.

Finding O: Member Jones moved that finding O was not satisfied. The motion was approved 5-0.

Finding X: Member Cafferty moved that finding X was not satisfied. The motion was approved 3-2 with Member Jones and Member Cadman voting against.

Member Jones moved that findings B-H, K-N, P-W were satisfied. The motion was approved by a vote of 5-0.

Member Jones moved to find that the plan was substantially compliant with the regulations and to approve the ANR plan. The motion was affirmed by a vote of 3-2.

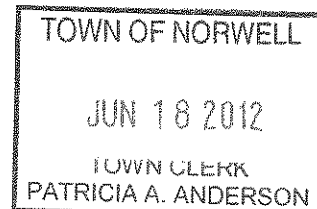
Barrel Lane Commons Lot Release

Don Shute appeared before the Board. There are some outstanding issues remaining with the basin. The basin is not completely growing and water is still being diverted into the temporary basin until the basin is stabilized. There is also a drainage pipe that carries water to the basin that lies flat. The pipe either needs to be adjusted or data needs to be submitted that demonstrates it would work in the present configuration.

The Board will require an additional engineering firm produce an as-built of the basin to ensure it is constructed according to the plans as allowed by condition 20 of the certificate of vote. The applicant is required to pay for this as-built plan.

Wildcat Paving/Lot Releases

Jack Spurr and Rich Beal appeared before the Board. Paving of the phase 3 roadway has been completed connecting phase 4 with phases 1 & 2 and they are requesting the release of lots 10, 18 & 25. These lots have frontage on the phase 1 & 2 roadway sections.



Lot 10 is a temporary basin lot. The applicant has submitted calculations that show the remaining temporary basin directly across from lot 10 should be able to handle the additional storm water from the paving of the phase 3 roadway and the loss of the temporary basin on lot 10.

Lots 18 & 25 drain to basin D. The applicant explained the proposal for basin D as a functioning wetland. The basin will take several years to fully develop naturally and presently is acting correctly with some water remaining in the lower areas of the basin. The applicant is actively maintaining the basin and keeping water at proper depth to grow the wetland plants.

Lots 10 & 18 need site development plans and water recharge will be reviewed at that time.

Member Cafferty made a motion to approve the release of lots 10, 18 & 25. The motion was approved 4-1 with Member Etzel voting against.

ADJOURNMENT:

At 10:30 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 the majority vote by the Planning Board on May 16, 2012.


Sally Turner, Clerk

