



PLANNING BOARD  
**TOWN OF NORWELL**

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TOWN CLERK

2014 MAY 15 AM 10:06

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**Norwell Planning Board Meeting Minutes  
December 11, 2013**

The meeting was called to order at approximately 7:00 p.m. Present were Board Members Sally Turner, Darryl Mayers, Margaret Etzel and Brad Washburn. Ken Cadman was absent. The meeting was held in the Planning Office.

**Draft Agenda**

*Member Mayers moved that the Board approve the draft agenda. The motion was approved by a vote of 4-0.*

**Bills**

Stenbeck and Taylor/Barrel Lane	Invoice 7880	\$2,400.00
Horsley Witten	Invoice 33611	\$11,560.58

*Member Mayers moved that the Board pay the bills. The motion was approved by a vote of 4-0.*

**Minutes**

*September 25, 2013: Member Etzel moved that the Board approve the minutes. The motion was approved by a vote of 4-0.*

*October 9, 2013: Member Etzel moved that the Board approve the minutes. The motion was approved by a vote of 3-0 with Member Washburn abstaining.*

**FY2015 Budget**

*Member Etzel moved that the Board accept the proposed budget and forward to the Town Administrator. The motion was approved by a vote of 4-0.*

**2014 Meeting Schedule**

*Member Washburn moved to approve the proposed 2014 meeting schedule. The motion was approved by a vote of 4-0.*

**Public Hearing: Wildcat Lot1 Driveway and Sight Easement Modification**

Member Mayers read the notice at 7:30 P.M.

*Member Etzel moved that the Board open the public hearing. The motion was approved by a vote of 4-0.*

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Deb Keller from McKenzie Engineering presented the modification of the OSRD subdivision which shifts the driveway on lot 1 from the northern to the southern, uphill side of the property. This shift provides better sight distances for vehicles exiting the lot, would substantially reduce the amount of excavation necessary for driveway construction, protects a few original trees and enables a steep slope with past erosion issues to not be further disturbed.

The legal documents altering the easement are to be drafted and reviewed by town counsel prior to recording.

*Member Washburn moved to approve the revised condition 34 from the original certificate of vote to reflect the new plan set. The motion was approved by a vote of 4-0.*

*Member Etzel moved that the Board vote to grant Definitive Subdivision Modification approval in order to amend condition 34 and to revise Definitive Subdivision Plan Set Sheet 16 as it pertains to the sight distance easement on lots 1 & 2 as depicted on the plan dated March 19, 2013, entitled "Proposed Driveway Location Plan Lot 1 of Wildcat Hill, Wildcat Lane, Norwell, Massachusetts," consisting of one (1) sheet, prepared by McKenzie Engineering Group. The motion was approved by a vote of 4-0.*

#### **Discussion: Barrel Lane Alterations**

The applicant for Barrel Lane, Don Shute, is attempting to sell Barrel Lane Commons to Toll Brothers Development. Toll Brothers would like to modify the grading of the site as they believe that the project is not developable as designed due to septic issues. McKenzie is the engineer on the project.

The current status of the site is a completed roadway (no sidewalk) with interim roadway as-built approved and a drainage basin that has not been built specifically to the plan set. The original basin work was done over the summer of 2011 and an as-built was submitted by McKenzie in November of that year. The Board, as per the conditions, decided to have an outside engineer complete an as-built of the basin at the applicant's expense. The Board hired Stenbeck and Taylor (S&T) to do the work, which was completed in early summer 2012. The S&T plan identified some deficiencies in the construction of the basin that would need to be corrected. At some point after that the applicant had some additional grading work completed on the basin. Planning Staff was notified in September 2013 that work had been completed and S&T did a revised as-built. This revised as-built plan shows that the basin is still not constructed to the plan specifications.

The applicant and Toll Brothers are interested in modifying the grading of the house lots in order to make the septic systems work and in the process render the existing storm

water basin adequate to control the site. McKenzie has developed a new grading plan with drainage calculations based on the existing basin as-built completed by S&T.

The applicant believes the alterations would be classified as field change under conditions 48C and 51 of the decision and a full subdivision modification would not be required. The Board, however, determined that a modification would be required in order for the Board to undertake a comprehensive review of grade changes for the entire site.

**Discussion: Birchwood**

Of the remaining issues with the development, the iron bound has been reinstalled and the roadway catch basins have been cleaned. The clearing of the basins on Fieldstone and Birchwood, the issues with the as-built, and the review fee funds Kahane owes the town remain.

Kahane is claiming that he doesn't own the Fieldstone roadway or the lot that has the basin easement and that the homeowners should have been maintaining the basins under the homeowners association agreement starting at the end of 2009.

Kahane stated that the surveyor, Vautrinot, is going to send him a survey file, which he will then forward to the Board, to provide evidence that the as-built is correct.

**ADJOURNMENT**

*At 9:45 p.m., Member Washburn moved that the Board adjourn. The motion was approved by a vote of 4-0.*

I certify that the above minutes were reviewed and approved by the majority vote by the Planning Board on March 26, 2014.

  
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**Darryl Mayers, Alternate Clerk**

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