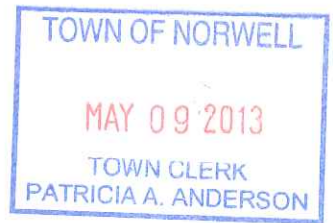


PLANNING BOARD  
**TOWN OF NORWELL**

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



**Norwell Planning Board Meeting Minutes  
March 6, 2013**

The meeting was called to order at approximately 7:00 p.m. Present were Board Members Margaret Etzel, Ken Cadman, Kevin Cafferty, Kevin Jones and Sally Turner. 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 5-0.*

**ANR 497 Mt. Blue Street**

Attorney, Adam Brodsky, representing the applicant submitted a letter to the Board in support of the ANR based on the Corcoran v. Sudbury decision. The Board determined the access was illusory due to the abundance of wetlands between the roadway and the upland portion of the proposed property based on the Gates v. Dighton case.

*Member Jones moved that findings B-W were satisfied and X was not satisfied. The motion was approved by a vote of 5-0.*

*Member Jones moved that finding A was not satisfied and to deny the ANR request. The motion was approved by a vote of 5-0.*

**Public Hearing: Bay Path Lane OSRD**

*At 7:30, Member Jones moved to open the public hearing. The motion was approved by a vote of 5-0.*

The applicant submitted letters from Norwell Building Inspector, Tim Fitzgerald, and home concept plans for review.

The application for the project is substantially complete with the exception of the Order of Resource Area Delineation (ORAD), which the applicant has applied for with the Conservation Commission.

The Board discussed issues related to the Special Permit process, including the requirement for 4 out of 5 votes for approval of waivers and the Special Permit. A decision is required 90 days from the opening of the public hearing.

Diane Tillitson (Attorney), Dana Ottobello (Engineer) and Rebecca Bushand (Landscape Architect) were in attendance for developer Eugene Mattie and presented the proposed 8 lot project:

**Trails:** The walking trails within the network are proposed to be 4-6 feet wide and would consist of woodchips. These trails would tie into existing walking trails on both Norwell and Hingham town land. Existing stone walls would be preserved where possible throughout the site and selective clearing would be utilized to reduce impacts to the environment. Parking would be located in the existing cul-de-sac.

**Roadway:** The existing length of Bay Path Lane is 1,480 feet. The extension proposal includes 480 feet of new roadway (120' to be constructed in the existing town right of way and 360' feet within a new right of way). The total roadway length with the extension would total 1,960 feet.

**Roadway Waiver:** The attorney for the applicant stated that of the 16 subdivision approvals since 1995, half required a waiver from the 550 foot roadway length limit. It was also claimed that the waiver was in the public interest because public trails would be provided connecting to existing town trails, open space would be preserved and easements would be provided for Water Department connections.

**Emergency Access:** Access would be provided in an emergency situation through the trail network on the Norwell Water Department land to the east of the property.

**Water Dept. Easement:** An easement would be provided through the property to allow a potential future connection to the Norwell homes abutting Queen Anne Lane. The easement would not go through to Queen Anne Lane, but to the rear of the homes in that area.

Town Engineering Consultant John Chessia Comments:

1. The applicant needs to deduct the basin area from the unit calculation.
2. The applicant should address how the open space will be deeded.
3. The applicant should address grade issues that produce a hump in the roadway.
4. The applicant should address with the Highway Dept. the retaining wall that is proposed within town property.
5. The applicant should address the 75 and 100 foot buffer areas that are required by the OSRD bylaw as they relate to this project as the OSRD was not created for roadway extensions.



Board Comments:

The Board continues to have concerns regarding the proposed connections and requested the applicant to further explore means of connecting with a paved bike path through to Queen Anne Lane.

The Board also continues to find the access for emergency vehicles impractical and that emergency access to the site from Queen Anne Lane is more plausible.

The rock outcropping on lot 1 seems to block driveway access and this should be addressed by the applicant.

Public Comments:

- \*The new access to trails would be a positive development for the residents of Bay Path Lane, Franklin Road and the Norwell Homes area.
- \*No access to Queen Anne Lane, particularly vehicle access, should be allowed.
- \*The project would allow for the type of home construction that retired residents could downsize into.
- \*Open Space would be a benefit to the town for recreation and water resources.

*Member Jones moved to continue the public hearing to 4/10/2013. The motion was approved by a vote of 5-0.*

**2013 Zoning Bylaw Modifications**

*Member Jones moved to approve the proposed Business A by-law modification. The motion was approved by a vote of 5-0.*

**ADJOURNMENT**

*At 9:45 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 April 24, 2013.

*Sally O. Turner*  
Sally Turner, Clerk

