

PLANNING BOARD  
**TOWN OF NORWELL**

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**Norwell Planning Board Meeting Minutes  
April 9, 2014**

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

**Draft Agenda**

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

**Bills**

Chessia Consulting	Barrel Lane	Invoice 1235	\$115.00
	Turners Way	Invoice 1237	\$236.00
	Barrel Lane	Invoice 1205	\$1,521.00

**Minutes**

*2/26/2014 Member Mayers moved that the Board approve the minutes. The motion was approved by a vote of 3-0-1 with Member Turner abstaining.*

**Turners Way Subdivision**

Member Turner recused herself.

The Board is currently holding lot 10B and approximately \$30,000 in a cash as surety for the project. Improvements have recently been made and the applicant, David Turner, is requesting a release of the lot and the cash surety. There is an estimate to complete from Chessia Consulting completed in March 2014 that lists the following items:

1. Removal and Disposal of Drainage Structure Sediment: The applicant provided receipts to show that work has been completed on an annual basis. The basins were most recently cleaned in July of 2013. Waiver from the requirement is being requested.
2. Install the remaining three (3) bounds required on-site: The applicant has installed 21 bounds, which they are claiming is adequate to identify the roadway layout. Waiver from the requirement is being requested.

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3. Street Trees remaining to be installed number 22. The applicant claims that 49 existing trees were maintained during construction and still exist on-site along the right-of-way. Waiver from requirement is being requested.

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4. Engineering Inspections. Waiver from the requirement is being requested.

5. Roadway Paving. The top coat of pavement was installed for the full length of the roadway. The first 900 feet did not meet compaction in some areas. The estimate to complete includes a full milling of the first 900 feet of top course and reinstallation of the hot mix at a cost of approximately \$38,000. As this is an overlay of a top course that was installed 20 years ago a waiver from the requirement is being requested. (Originally, it was thought that the paving company would supply a surety bond, but the company has since declined to provide it.)

6. Street Sign. A standard Norwell street sign is required to be installed.

*Member Mayers moved that the Board grant waivers on the engineering inspections, street trees, bounds and catch basin sediment removal, but will require that the applicant install the street sign and provide a cash surety in the amount of \$15,000 for a period of ten years to ensure the integrity of the roadway from STA 0+00 to STA 9+50. The motion was approved by a vote of 3-0.*

**Public Hearing: Scenic Road Stetson Shrine Lane Cemetery**

*At 7:40 Member Washburn moved to open the public hearing. The motion was approved 4-0.*

Gregg McBride presented the Town Cemetery proposal to the Planning Board. Though the opening of the stone wall is larger than would typically be allowed it is being requested in order to construct an opening that would allow the necessary vehicles and traffic into the site without interfering or conflicting with the through traffic on Stetson Shrine Lane.

*Member Washburn moved to close the public hearing. The motion was approved 4-0.*

*Member Cadman moved to approve the opening as shown in the submitted plans. The motion was approved 4-0.*

**Public Hearing: Bay Path Lane OSRD**

*At 8:10 Member Washburn moved to open the public hearing. The motion was approved 4-0.*

This OSRD Special Permit application is back before the Board on a remand order from the courts. Since the denial of the Special Permit in May 2013, the applicant filed and received a variance on the roadway length requirement from the Board of Appeals, which was a significant reason for the denial of the plan.

Attorney Diane Tillotson presented the proposal to the Board.

Of the eight (8) findings the Planning Board needs to make to approve the Special Permit, three were approved at the conclusion of the original hearing in 2013: §4850.7.b.2, §4850.7.b.4 and §4850.7.b.5. As a result of the variance for roadway length and the remand order the Board will be reconsidering the five (5) findings that were originally denied.

The Board discussed findings §4850.7.b.1, §4850.7.b.3, §4850.7.b.6, §4850.7.b.7 & §4850.7.b.8 and heard public testimony:

No yield plan has been provided as it is not required by the zoning by-law only a yield formula is required and the applicant completed that which demonstrated that eight (8) units were possible. With a conventional subdivision there is a probability that the number of lots allowed would be smaller, but public open space would not be created.

The connection through the open space for emergency vehicles would be constructed using an underlayment surface to provide support for vehicles.

Abutters are in support of the project stating that the improvements and connections to existing pathways would be beneficial for the neighborhood.

*Member Cadman moved to close the public hearing. The motion was approved 4-0.*

*Member Cadman moved that the project was compliant with §4850.7.b.1. The motion was seconded and based on a vote of 4-0, the motion was approved.*

*Member Cadman moved that the project was compliant with §4850.7.b.3. The motion was seconded and based on a vote of 4-0, the motion was approved.*

*Member Cadman moved that the project was compliant with §4850.7.b.6. The motion was seconded and based on a vote of 4-0, the motion was approved.*

*Member Cadman moved that the project was compliant with §4850.7.b.7. The motion was seconded and based on a vote of 4-0, the motion was approved.*

*Member Cadman moved that the project was compliant with §4850.7.b.8. The motion was seconded and based on a vote of 4-0, the motion was approved.*

*Member Cadman moved that the Planning Board vote to **approve**, after reconsideration of the five (5) above enumerated factors set forth in the OSRD Special Permit Bylaw, the Special Permit for the Bay Path Lane OSRD Development Plan with Conditions to be determined at a future meeting.*

*The motion was seconded and based on a vote of 4-0, the motion was approved.*

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## **Barrel Lane Subdivision**

John has done a light table review of the mylars for endorsement and the plans are acceptable.

The amended documents for the lot 4 drainage easement required prior to endorsement have been submitted and are acceptable to Town Counsel.

*Member Washburn moved to accept the revised lot 4 drainage easement language, and as the 20 day appeal period has passed, to endorse the subdivision modification plan set.  
The motion was approved by a vote of 4-0.*

*Member Washburn moved to approve the \$380,000 Estimate to Complete submitted by Chessia Consulting dated 4/8/14.  
The motion was approved by a vote of 4-0.*

## **ANR George Road**

A new letter from the Fire Chief was submitted dated 2/25/14 that the new roadway would be adequate for emergency vehicles.

A letter from Ohrenberger Associates was submitted dated 4/9/14 from the abutters regarding the applicant's legal access to the roadway.

*Member Washburn moved that findings B-X were satisfied.  
The motion was approved by a vote of 3-1 with Member Turner voting against.*

*Member Washburn moved that finding A was satisfied and to approve the ANR plan.  
The motion was approved by a vote of 3-1 with Member Turner voting against.*

## **ANR 618 & 713 Grove Street**

The plan was submitted by Certified Mail on April 8, 2014.

*Member Cadman moved that findings I and J were not satisfied.  
The motion was approved by a vote of 3-0-1 with Member Washburn abstaining.*

*Member Cadman moved that finding A was not satisfied and to deny the plan.  
The motion was approved by a vote of 3-0-1 with Member Washburn abstaining.*

A revised plan was submitted at the meeting.

*Member Turner moved that the Board accept the plan.  
The motion was approved by a vote of 3-0-1 with Member Washburn abstaining.*

*Member Cadman moved that findings B-X were satisfied.  
The motion was approved by a vote of 3-0-1 with Member Washburn abstaining.*

*Member Cadman moved that finding A was satisfied and to approve the plan.  
The motion was approved by a vote of 3-0-1 with Member Washburn abstaining.*

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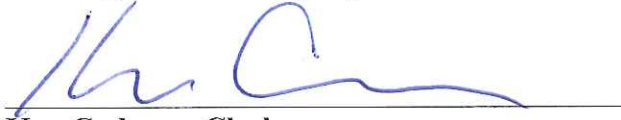
**ANR Circuit Street Block 59 Lot 2**

*Member Cadman moved to accept the plan.  
The motion was approved by a vote of 4-0.*

**ADJOURNMENT**

*At 10:40 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 May 14, 2014.



**Ken Cadman, Clerk**

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