



TOWN OF NORWELL
Norwell Town Offices, Room 112
345 Main Street
Norwell, Massachusetts 02061
(781) 659-8021

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2022 APR 28 AM 9:10
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*Office of Planning Board &
Town Planner*

Norwell Planning Board Meeting Minutes March 23, 2022

The meeting was called to order at 7:00 PM. with Chair Brendan Sullivan presiding. Also present were Town Planner Ilana Quirk, Vice Chair Brian Greenberg, and Board Members George Woodland, and Donald Mauch. Michael Tobin arrived at 7:17 PM. The meeting was held at the Planning Office.

CALL TO ORDER/AGENDA

Motion by Mr. Mauch to open the meeting. Duly seconded and unanimously voted.

Motion by Mr. Sullivan to approve the agenda as submitted/amended. Duly seconded and unanimously voted.

APPROVAL OF MINUTES

The minutes of the March 9 meeting were distributed and reviewed.

Motion by Mr. Greenberg to approve the Minutes of the March 9, 2022 meeting as submitted. Duly seconded and unanimously voted.

CURRENT MAIL

The following mail was received at the Planning Office:

HINGHAM, PB, SCENIC ROAD PERMIT, MARTINS LANE
PEMBROKE, PB, GRANTED SITE PLAN APPROVAL, 715 WASHINGTON ST
PEMBROKE, PB, SP, PH, MULTIUNIT DWELLING, 100 CENTER ST
SCITUATE, PB, PH, SP. ADU 31 PEGGOTTY BEACH ROAD

BILLS

The following invoices were presented for payment:

CHRISTOPHER SULLIVAN, MEETING MINUTES, 3.9.2022 \$150.00
CHESSIA CONSULTING, SCHOONER ESTATES \$675.00
CHESSIA CONSULTING, 111-119 WASHINGTON ST \$405.00
CHESSIA CONSULTING, HITCHING POST LANE \$828.00

Ms. Quirk indicated that the Hitching Post Lane invoice included a SWPPP review and utility company correspondence.

Motion by Mr. Mauch to approve the invoices as submitted. Duly seconded and unanimously voted.

CITIZEN COMMENTARY

None

SUBDIVISION, SITE PLANS, SPECIAL PERMITS & OTHER PROJECTS

111, 113, 119 Washington Street* Public Meeting

Site Plan Review

Assessors Map 11, Lots 11-13

Project: Addition/Drive-Thru Pharmacy

Status Update

Licensed site professional Joe Polsinello present to discuss his AUL review of the site. This site hosted a Sullivan Tire center, including gas tanks, in the 70s. Most contaminated soils were removed when the tanks were taken out in the late 80s, and natural attenuation probably neutralized any residuals, but he would need to inspect the site to verify. He recommended that he visit the site to test the soils and prepare a Health and Safety Plan, covering the disposal of any hazardous materials found on site, to be kept on file by the Board.

All parties discussed the proper procedure as to whether the HSP must bear an LSP stamp and be filed with DEP. Mr. Polsinello maintained he could only use his stamp on materials to be filed with DEP, and such a filing was not required for this plan. Mr. Mauch noted that the materials they had seemed to state otherwise. Ms. Quirk added that she did not notice any restriction on the use of the stamp, and would like a certification bearing a LSP stamp that the owner's proposed use would not violate the terms of the AUL; however, Mr. Polsinello claimed he had written the director of the LSP Board regarding proper use of the stamp. If the owners started construction without an HSP, this alone would violate the terms of the AUL.

After further discussion, the matter was continued pending completion of the HSP, Board review of all materials, and clarification from DEP as to procedure.

John Neil Extension Subdivision Public Meeting/Status Review*

Status of PH

The public hearing has been advertised for April 13.

Wompatuck State Park Parking/Access Trail

Horsley Witten Contract Amendment

The Board discussed a change order request from Horsley Witten for \$3000 to finish work at the Wompatuck Parking Lot /Access Trail off Grove Street. Mr. Mauch asked for a cost breakdown which was provided and reviewed. The lot is getting a lot of use but there may be a need for more fencing. Mauch commented that his understanding was that the change order from November was supposed to provide all the funding needed to complete the project, but Ms. Quirk suggested that that change order may have been for work performed by the builder, JAM Corporation.

Mr. Mauch commented on the tendency of CPA-funded projects to require repeated infusions of funds, and the need for a mechanism to cut funds off when they are misused. Chair Sullivan

sympathized with Mauch's frustration but noted that clawing back the funds in litigation would ultimately have cost more than granting the change order. HW had submitted a significantly lower bid that, although ultimately inaccurate, would have been difficult for Pathways to justify turning down. Mr. Mauch opined that continually granting change order requests set a poor precedent and enabled irresponsible behavior.

Chair Sullivan questioned the need to approve this change order given that the funds had already been allocated, but Ms. Quirk stated that this request would have to be funded out of the second CPA grant for the project, which was jointly sponsored by the PB and Pathways Commission and thus required PB approval. The additional \$3000 is for "continuing construction and administration services, including monitoring and reporting" as well as preparation and submission of the request for Certificate of Compliance to the Conservation Commission; HW claims this will be their last request for funds.

Conservation Agent Will Saunders indicated that Horsley Witten was more involved at the site than anticipated due to erosion control issues; they are requesting the additional to monitor the final punchlist items including grading, cleanup, landscaping, and submission of the Certificate of Compliance. He supported the request as reasonable.

Mr. Greenberg questioned whether JAM being was paid extra for its missteps; Ms. Quirk clarified that JAM was not paid extra, but HW evidently incurred extra costs to address JAM's mistakes for which it is now seeking reimbursement.

After further discussion regarding conducting the site inspection in-house and checking the original contract to see if it included the cost of the CoC filing, the Board voted to approve the change order. Mr. Greenberg suggested that the Board consider deducting these funds from payment of a future JAM invoice.

Motion by Mr. Greenberg to approve the Horsley Witten change order request for \$3000. Duly seconded and unanimously voted.

Schooner Estates Subdivision* Surety Reduction Requests*

Project 12 Lot Subdivision (3 existing/9 new)

Approved: Def. Sub. Approval: 8/30/2019

Def. Sub. Plan End: 2/12/2020

John McSharry present. Ms. Quirk advised that a sale is pending on Lot 6 that could fall through if it were not released for construction. Mr. Chessia added that the only thing holding up its release was the removal of jersey barriers; Chair Sullivan visited the site and verified that these had been removed.

Motion by Mr. Greenberg to release Schooner Estates Lot 6 for construction. Duly seconded and unanimously voted.

NEXT MEETING

April 13, 2022 – Town Hall, Room 112, 7 PM

ADJOURNMENT

There being no further business, motion was made by Mr. Woodland to adjourn at 8:25 PM. Duly seconded and unanimously voted.

I certify that the above minutes were reviewed and approved by a majority vote of the Planning Board on 4.27.22.



George Woodland III, Clerk

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Post to Planning Board Webpage

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