

Office of Planning Board

TOWN OF NORWELL – COUNTY OF PLYMOUTH

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**Norwell Planning Board Meeting Minutes
7/28/2020**

The meeting was called to order at 7:00 P.M. with Chair Brendan Sullivan presiding. Also present were Town Planner Kenneth Kirkland, Vice-Chair Jamie Crystal-Lowry, and Board Members Brian Greenberg, Scott Fitzgerald, and Michael Tobin. Scott Fitzgerald was present but non-vocal during the Nash Pasture hearing. The meeting was held remotely, as allowed under the Executive Order dated March 12, 2020 suspending certain provisions of the Open Meeting Law, Gen. L. c. 30A §20 et seq. and 940 CMR 29.01 et seq.

CALL TO ORDER/AGENDA

Motion by Ms. Crystal-Lowry to approve the agenda as submitted. Duly seconded and unanimously voted by roll call.

Brian Greenberg:	Aye
Jamie Crystal-Lowry:	Aye
Michael Tobin:	Aye
Brendan Sullivan:	Aye
Scott Fitzgerald:	Aye

APPROVAL OF MINUTES

The Minutes of the June 16, July, 15 and July 22 meetings were distributed. Approval of the July Minutes was tabled to allow the Board members time to review.

Motion by Mr. Sullivan to approve the Minutes of the June 16, 2020 meeting as submitted. Duly seconded and unanimously voted by roll call.

Brian Greenberg:	Aye
Jamie Crystal-Lowry:	Aye
Michael Tobin:	Aye
Brendan Sullivan:	Aye
Scott Fitzgerald:	Aye

CITIZEN COMMENTARY

None.

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SUBDIVISIONS AND LAND DEVELOPMENTS

Proposed Memory Care Facility – Commercial Development Project

Public Informational

Site Plan Review

Lot 89, Cordwainer Drive

Assessors Map 11D, Block 17, Lot 89

Attorney Adam Brodsky, representing Applicant Anthemion LLC, along with Susan Spratt, McKenzie Engineering Group, and Katya Podsiadlo, Verdant Landscape Architecture. Applicant proposes to construct a two-story 60-bed memory care facility. The subject property is located in Business District C1. They obtained an Order of Conditions from the Conservation Commission on June 30, and are meeting with ZBA the following day. They have also responded to the majority of consulting engineer Chessia's comments, and believe any remaining issues can be addressed through conditioning.

Ms. Spratt advised that in response to comments from Mr. Chessia, they had dug thirty (30) test pits, primarily on the northwest and southwest corners of the lot. Testing confirmed the soils on type as type-B loamy sand, with a 2.41% infiltration rate. They also reconfigured the stormwater management system, eliminating basin P2, increasing P1's capacity to take the runoff from P2, and adding a basin P3 to detain runoff from the access road. Post-development peak rates are expected to be lower than under existing conditions. Septic and wastewater management systems are under review by the Board of Health.

Mr. Chessia believes that Applicant has worked through the drainage issues he raised but suggested that the Board discuss whether the proposed screening is adequate. Applicant was asking to use the residential portion of the lot as part of the buffer, and the facility might be visible to abutters on High Street in the winter if the properties had been cleared to the lot lines. Ms. Podsiadlo noted that they could not plant over the septic field, but could add some evergreen shrubs or trees in a strip between the end of the septic field and the existing vegetation. They will site these plantings to maximize their screening effect.

No comments from the public were received prior to the vote.

Motion by Mr. Sullivan to adopt the findings of fact set forth in the Town Planner's memorandum dated June 30, 2020 and forward a POSTIVE recommendation on the site plan submitted by Anthemion LLC for Lot 89, Cordwainer Drive, subject to the recommended conditions. Duly seconded and unanimously voted by roll call.

Brian Greenberg:

Aye

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Jamie Crystal-Lowry:	Aye
Michael Tobin:	Aye
Brendan Sullivan:	Aye
Scott Fitzgerald:	Aye

Nash Pasture f/k/a Davis Drive – 2-Lot Residential Subdivision
Continued Public Hearing
Definitive Subdivision Plan
Summer Street
Assessors Map 3B, Block 10, Lot 4

Rick Grady, P.E., and Nicholas Leing present for Grady Consulting, LLC, along with Mr. Eugene Mattie.

Mr. Grady advised that since the June 16 meeting, they had revised their proposal to combine the two (2) driveways into one (1) curb cut and shared driveway that splits into two (2) driveways twenty (20) feet in. The common portion of the driveway is proposed to be 18' wide. They consulted with the Fire Department and at their request have added an ambulance turnaround to the proposed new house lot. They also drafted a waiver request letter containing language speaking to the public benefit of each request.

Chair Sullivan advised that he was uncomfortable with the project as proposed, given the long list of waivers required of both the Board and ZBA, and asked if any similar projects had been approved in Town. Mr. Kirkland cited Hickory Hill Lane, but Ms. Crystal-Lowry pointed out that this had been built before the OSRD Bylaw had been enacted. Mr. Sullivan also asked Mr. Grady whether he had considered proposing an OSRD, which could accomplish a similar result without requiring the waivers and variances. Mr. Grady indicated he had not, as the original concept had been put together by the original developer, and he would have liked to have been asked the question earlier along in the process.

Ms. Crystal-Lowry agreed that the current Plan didn't seem to meet the regulatory philosophy the Town was moving towards, and noted for the record that Mr. Kirkland's guidance was advisory and didn't guarantee Board approval of any proposal, as that authority ultimately rests with the Board. Mr. Grady indicated he was aware of this, but pointed out that Mr. Kirkland is the point contact with the Board, and Applicants were under the impression that they had addressed all the Board's concerns.

Mr. Tobin commented that he had no issue with the project design or scope, but noted it would put the Board in the position of approving a subdivision while waiving almost all of the requirements for one; Ms. Crystal-Lowry agreed this would put the Board in an awkward position and would

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set an undesired precedent. Mr. Greenberg was inclined to grant the waivers requested based on the Board's prior guidance and the small size of the subdivision, but noted it didn't look like the Plan had the support of the Board.

Mr. Grady noted disappointment in the Board's position but assented to a continuation to come up with a conceptual OSRD. All parties briefly discussed the filing process. Mr. Kirkland indicated they would need to withdraw this proposal and file for a special permit for the OSRD, posting a new legal ad and notifying all abutters within 300-feet. Mr. Kirkland suggested that the new conceptual Plan be submitted to the Planning Dept. by August 5 to allow time for Chessia to review.

Motion by Mr. Sullivan to continue the public hearing to August 26, 2020 at 7 PM. Duly seconded and unanimously voted by roll call.

Brian Greenberg:	Aye
Jamie Crystal-Lowry:	Aye
Michael Tobin:	Aye
Brendan Sullivan:	Aye
Scott Fitzgerald:	Present, Not Voting

20 George Road – 2-Lot Residential Division of Land

Public Informational

Approval Not Required (ANR) Plan

20 George Road

Assessor's Map 23B, Block 65, Lots 1, 8, 10, & 12

Mr. Kirkland advised he had received an updated Plan with the additional lot shape details and perimeter calculations requested at the previous meeting. The Plan was timely filed and stamped, met the standard for required findings of fact, and is consistent with the Master Plan, Zoning Bylaw, and the Subdivision and Land Development Rules and Regulations. He recommended endorsement subject to the condition that proof of filing with the Registry of Deeds be submitted to the Planning Dept. Office.

Motion by Mr. Sullivan to adopt the findings of fact outlined in the Staff memorandum dated June 5, 2020 and ENDORSE the ANR for 20 George Road subject to the recommended conditions. Duly seconded and unanimously voted by roll call.

Brian Greenberg:	Aye
Jamie Crystal-Lowry:	Aye
Michael Tobin:	Aye

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Brendan Sullivan: Aye
Scott Fitzgerald: Present, Not Voting

Lot 84, Winter Street – 2-Lot Residential Division of Land

Public Informational

Approval Not Required (ANR) Plan

Lot 84, Winter Street

Assessor's Map 10C, Block 50, Lot 84

The subject Plan of land proposed to transfer 0.25 acres, denoted as Parcel A, from Block 50, Lot 84 on Winter Street to Block 50, Lot 49 on Cross Street; the Winter Street lot, which is unbuildable, would retain its existing frontage.

Mr. Kirkland indicated that the Plan was timely filed and stamped, met the standard for required findings of fact, and is consistent with the Master Plan, Zoning Bylaw, and the Subdivision and Land Development Rules and Regulations. As Applicant owed back taxes, he recommended approval subject to the conditions that proof of filing with the Registry of Deeds and resolution of the tax matter be submitted to the Planning Dept. Office.

Motion by Mr. Sullivan to adopt the findings of fact outlined in the Staff memorandum dated July 2, 2020 and ENDORSE the ANR for Lot 84, Winter Street, subject to the recommended conditions. Duly seconded and unanimously voted by roll call.

Brian Greenberg: Aye
Jamie Crystal-Lowry: Aye
Michael Tobin: Aye
Brendan Sullivan: Aye
Scott Fitzgerald: Present, Not Voting

TOWN PLANNER'S REPORT

The Applicant for Hitchin Post Lane just submitted a Definitive Plan that will be ready for review at the next meeting.

NEXT MEETING

August 26, 2020 7 PM., Remote via Zoom

ADJOURNMENT

There being no further business, motion was made by Mr. Tobin to adjourn at 8:22 PM. Duly seconded and unanimously voted by roll call.

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Brian Greenberg:	Aye
Jamie Crystal-Lowry:	Aye
Michael Tobin:	Aye
Brendan Sullivan:	Aye
Scott Fitzgerald:	Present, Not Voting

I certify that the above minutes were reviewed and approved by a majority vote of the Planning Board on September 16, 2020.



Kenneth Kirkland, Town Planner

Pursuant to Board vote on June 16, 2020, for duration of State of Emergency

Copy filed with: Office of Town Clerk
File

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