

Office of Planning Board

TOWN OF NORWELL – COUNTY OF PLYMOUTH
Planning Department
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TOWN OF NORWELL
TOWN CLERK
2021 FEB 25 AM 8:49
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Norwell Planning Board Meeting Minutes 11/18/2020

The meeting was called to order at 7:00 P.M. with Chair Brendan Sullivan presiding. Also present were Town Planner Kenneth Kirkland and Board Members Brian Greenberg and Michael Tobin. Unable to attend were Scott Fitzgerald and Jamie Crystal-Lowry. 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 Mr. Greenberg to open the meeting. Duly seconded and unanimously voted by roll call.

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

Motion by Mr. Greenberg to accept the agenda as posted. Duly seconded and unanimously voted by roll call.

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

APPROVAL OF MINUTES

The minutes of the September 16 and October 7 and 28 meetings were distributed and reviewed.

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

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

Scott Fitzgerald: Absent

*Motion by Mr. Greenberg to approve the Minutes of the October 7, 2020 meeting as submitted.
Duly seconded and unanimously voted by roll call.*

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

*Motion by Mr. Greenberg to approve the Minutes of the October 28, 2020 meeting as submitted.
Duly seconded and unanimously voted by roll call.*

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

BILLS

Planner Kirkland indicated that the following invoices had been electronically approved by Chair Sullivan and forwarded for processing in accordance with Accounting Department procedures during the State of Emergency; any Bills so processed must be memorialized in the Minutes of the next meeting.

Vendor	Invoice	Description	Voucher
Chessia Consulting Services	2452	Hitching Post Lane	\$1,000.00
Chessia Consulting Services	2458	Schooner Estates	\$586.50
Chessia Consulting Services	2467	Nash Pasture	\$145.00
Chessia Consulting Services	2471	Cowings Cove	\$759.00
Chessia Consulting Services	2473	Schooner Estates	\$705.50
Chessia Consulting Services	2478	Lot 89, Cordwainer Drive	\$1,687.50
Chessia Consulting Services	2479	Hitching Post Lane	\$1,206.50
Chessia Consulting Services	2500	Schooner Estates	\$2,367.00
Chessia Consulting Services	2504	Lot 89, Cordwainer Drive	\$125.00
Chessia Consulting Services	2514	Cowings Cove	\$518.00
Mass Pavement Reclamation	2020-245	Pathway Phase III	\$2,252.50
Mass Pavement Reclamation	2020-252	Pathway Phase III	\$5,193.84

Norwell PD	151513	Pathway Phase III	\$446.04
Norwell PD	151520	Pathway Phase III	\$396.48
Norwell PD	151523	Pathway Phase III	\$247.80
Norwell PD	151577	Pathway Phase III	\$396.48
Norwell PD	151591	Pathway Phase III	\$371.70
Norwell PD	151594	Pathway Phase III	\$421.26
Norwell PD	151597	Pathway Phase III	\$421.26
Norwell PD	151656	Pathway Phase III	\$297.36
Norwell PD	151657	Pathway Phase III	\$198.24
Norwell PD	151663	Pathway Phase III	\$297.36
Norwell PD	151669	Pathway Phase III	\$297.36
T.L. Edwards, Inc.	86880	Pathway Phase III	\$2,525.29
T.L. Edwards, Inc.	86882	Pathway Phase III	\$7,562.73
T.L. Edwards, Inc.	86883	Pathway Phase III	\$7,519.33
P.A. Landers	274319	Pathway Phase III	\$690.00
ATS Equipment	815223-0001	Pathway Phase III	\$270.00

SUBDIVISIONS AND LAND DEVELOPMENTS

Bay Path Square – Drive-Thru Addition to Approved Site Plan

Public Informational

Site Plan Modification

119 Washington Street

Assessor's Map 11B, Block 20, Lots 11-13

Paul Mahoney and Charles Hajjar present for Hajjar Management, along with Scott Rogers, Holmgren Engineering, and Shaun Kelly, Vanasse & Associates.

Town Planner Kirkland noted that the 3,500 sq. ft. expansion to the northerly ("On Rye") side previously recommended by the Board had been approved by Zoning. Applicants are seeking a minor modification to add a single-lane drive-through to the addition.

Mr. Rogers added that Walgreens pharmacy would be occupying the end addition and would like a drive-through pick-up lane for prescriptions. This would result in a small decrease in landscaping, but the remaining coverage would remain above the required percentage; there would also be a small increase in pavement, but the proposed infiltration system could handle the extra capacity. The drive-through lane would be 28-ft. wide to allow for a passing lane and delivery truck navigation, and have a five-car stacking capacity on the left (north) side of the building. The new lot would have a total of sixty-six (66) spaces, as they have added two (2) landscaped islands to the front of the site. They have also relocated a fenced-in area in the rear to allow access to a

drain manhole. They have discussed the proposed changes with the ZBA on November 4, and are going back before them on December 9, depending on the PB's recommendation.

In response to a query from Chair Sullivan, Mr. Kirkland indicated that he had not sent the proposal to Chessia for review, as he first wanted to see the Board's opinion as to whether the proposed changes were major or minor. Mr. Kirkland feels the existence of the drive-through lane will reduce overall parking lot usage, and forwarded a positive recommendation with the same recommended conditions from the previous site plan.

Motion by Mr. Greenberg to approve the site plan modifications, with conditions as recommended in the Town Planner's Staff Memorandum, and forward a positive recommendation to the ZBA. Duly seconded and unanimously voted by roll call.

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

Norwell Estates – 15-Lot Residential Subdivision

Public Informational

Definitive Subdivision Plan

Curtis Farm Road

Assessor's Map 21C, Block 59, Lots 43-55, 61, & 62

Scott Miccile and Keith Curran present for Toll Brothers, which bought 13 of 15 lots in the subdivision, and then assumed responsibility for finishing the subdivision road when the original Owner declined to do so.

Mr. Miccile noted that they had installed the sidewalks in wintertime, about a year and a half ago. Consulting engineer John Chessia's review for the Board indicated deficiencies in compaction testing of the gravel, which he did not directly witness. They have had the sidewalk inspected by Ryan Roy, Whitestone Engineering, last fall and this fall, and his report indicated that the sidewalks were performing as intended. They are requesting relief from the gravel compaction requirements based on this finding.

In response to a query from Chair Sullivan, Mr. Miccile indicated he believed there was enough funds in the surety account to finish the road topcoat and remaining punchlist items from the Construction Cost Estimate if there were no additional significant issues. He additionally requested

confirmation that the Board would reduce the bond if Toll Bros. works with Chessia to address the remaining issues.

Mr. Chessia commented that the pavement for the sidewalk was set down before the underlying gravel had been properly tested; full compliance would require taking the pavement up, testing the existing gravel for sieve and compaction, and replacing it if it did not meet specifications. There is a fair chance the existing gravel would pass the testing, but there were sufficient funds on the Construction Cost Estimate to cover the cost even if it had to be replaced.

Mr. Kirkland noted that Toll Bros. could request a surety review, which encompasses updated cost estimates and remaining work to be completed. After some further discussion regarding the current cost of building materials, Chair Sullivan recommended that all parties to inspect the sidewalks in the Spring, after further freeze-thaw cycles, and reminded that Mr. Miccile that engineering inspection and oversight by Mr. Chessia when work is done would avoid similar issues going forward.

Later in the meeting, Robin Daniels, 350 Circuit St., called in representing the Norwell Estates Homeowners' Association. Chair Sullivan provided a summary of the discussion and the decision to inspect the sidewalks in the Spring. Mrs. Daniels encouraged the Board not to reduce the bond until it is satisfied the sidewalk is built to Town standards.

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

Motion by Mr. Tobin to open the continued public hearing. Duly seconded and unanimously voted by roll call.

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

A continuation request was received at the Planning Dept. Office. Mr. Kirkland noted that the related variance matter was before ZBA on December 9.

Motion by Mr. Tobin to continue the public hearing to December 16, 2020 at 7 PM. Duly seconded and unanimously voted by roll call.

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

Hitchin Post Lane – 5-Lot OSRD Residential Subdivision

Continued Public Hearing

OSRD Definitive Plan

Circuit Street

Assessor's Map 25A, Block 69, Lots 25 & 26

Motion by Mr. Greenberg to open the continued public hearing. Duly seconded and unanimously voted by roll call.

A continuation request was received at the Planning Dept. Office as revised materials has not been submitted in sufficient time for engineering and staff review.

Motion by Mr. Tobin to continue the public hearing to December 16, 2020 at 7 PM. Duly seconded and unanimously voted by roll call.

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

MISCELLANEOUS

FY 2022 Budget

Mr. Kirkland is anticipating budgetary guidance for next year from Town Administrator Morin next week. The proposed budget will be discussed in December.

COVID-19 Deadline Update (Chapter 201 Sections 33-38 of State Acts of 2020)

Mr. Kirkland advised that the statutory deadline for governing bodies to act on or record applications and submissions, suspended in March, is being reinstated as of December 1st. This should present no issues as the Board has been meeting all deadlines notwithstanding the suspension.

2021 Town Meeting

Mr. Kirkland advised that two (2) articles approved at the previous Town Meeting will have to be revoked next year. The Attorney General's Office rejected the article eliminating the Stormwater Bylaw from the Zoning Bylaw due to the continued public hearing's (June 16, 2020, the date the Board actually opened, deliberated, drafted a formal Town Meeting recommendation, and closed the hearing) was not advertised. Town Planner Kirkland disagrees with the rejection, and feels sufficient public notice was provided in accordance with MGL c.40A §5 ¶2, and that the continued public hearing was held in accordance with the COVID guidance regarding public hearings scheduled to be opened after the March 10 Declaration of Emergency.

Additionally, FEMA has rescinded the updated flood zone maps referenced in the 2020 Town Meeting Article and will be issuing new maps. Thus, the article updating the Floodplain Bylaw to reference the new maps will also have to be revoked.

2021 Meeting Schedule

Mr. Kirkland presented the draft meeting schedule and submission deadlines, (which account for holidays) to the Board; the schedule must be presented to Town Clerk by the end of the year.

TOWN PLANNER'S REPORT

Town Planner Kirkland advised that the Complete Streets Committee has asked that the \$20K distribution motion from the Pedestrian Improvement Fund which the Board approved in June, be amended to allow the funds to be used for both design and construction expenses in an increased area extending from Town Hall to Norwell Center. After a brief discussion of construction progress, remaining expenses, and the possibility of extra state grant funding, the Board voted to grant the request.

Motion by Mr. Greenberg to amend the June 16, 2020 Board vote to allow the \$20,000 distribution from the Pedestrian Improvement Fund to be used for design and construction of the Main Street sidewalk from Town Hall to Norwell Center. Duly seconded and unanimously voted by roll call.

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

NEXT MEETING

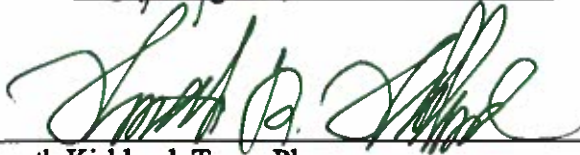
December 16, 2020, 7PM, remote by Zoom

ADJOURNMENT

There being no further business, motion was made by Mr. Tobin to adjourn at 8:15 PM. Duly seconded and unanimously voted by roll call.

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

I certify that the above minutes were reviewed and approved by a majority vote of the Planning Board on 2/24/2021.



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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