

PLANNING BOARD
TOWN OF NORWELL

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Norwell Planning Board Meeting Minutes
July 27, 2016

The meeting was called to order at approximately 7:00 p.m. with Jamie Crystal-Lowry presiding. Also present were Board Members Ken Cadman, Don Mauch and Scott Fitzgerald. Patrick Campbell was absent. The meeting was held in the Planning Office.

Agenda

A motion was duly made by Member Mauch and seconded to approve the agenda. The motion was approved by a vote of 4-0.

Bills

W.B. Mason	Invoice I35953385	\$159.29
Horsley Witten	Invoice 38879	\$493.20
Mass Pavement Reclamation	Invoice 5	\$50,825.00
Mass Pavement Reclamation	Invoice 6	\$14,250.00
Tibbetts Engineering	Invoice 61788	\$320.90
Tibbetts Engineering	Invoice 61789	\$1685.19
Traffic Guard Direct	Invoice 6693	\$40.00

Minutes

A motion was duly made by Member Mauch and seconded to approve 7/13/16 minutes. The motion was approved by a vote of 3-0. Member Fitzgerald recused himself.

Wildcat Lot and Surety Release

Jay Gallagher and Scott Flaherty appeared before the Board to request a surety release of \$43,000 in cash and Lot 32.

The Board is currently holding a \$390,000 performance bond for roads A & B (Bayberry and Highfield), a \$156,000 performance bond with \$75,000 in a passbook account for roads C & D (Summit and Lot Phillips) and Lot 32 for contingency costs.

The 7/19/16 estimate from Chessia Consulting determined that the cost of the remaining work for roads A & B is approximately \$371,000 and C & D is approximately \$188,000.

Two trees that were supposed to be saved during construction died and cost of two trees have been added to the estimate to complete. The drainage and erosion issues that have occurred onsite will be corrected when the final pavement is installed in the fall.

A motion was duly made by Member Mauch and seconded to reduce the cash surety to \$32,000 (release \$43,000) and release lot 32 from the surety covenant. The motion was approved by a vote of 4-0.

ANR First Parish Church Block 58 Lot 51

Dexter Robinson and Larry Mayo appeared before the Board. The First Parish Church is attempting to determine ownership of the triangle of land bounded by River, Dover and West Streets. Land Court had required Planning Board approval on an ANR plan before they would make any determinations.

A motion was duly made by Member Mauch and seconded to deny the ANR plan based on the negative findings for items C, E, F, G, I, J, K, L, M, O, Q, R, W & X. The motion was approved by a vote of 4-0.

427 Main Street OSRD Subdivision Pre-Application Conference – dual meeting with Conservation Commission

In attendance:

Brad MacKenzie, Russ and Derek Campanelli - Applicant

Nancy Hemingway (agent), Ron Mott and Stacy Minihane – Con Com

The applicant submitted two options for the location of the roadway dated 7/13/16:

Alternative 1- Abandons a section of the existing driveway to avoid the wetland areas. Wetland impact would be 1,244 sf. Wetland replication would be 2,488 sf. This option puts the roadway within the 75 foot buffer required in the OSRD bylaw for both abutting properties. Many mature trees would also have to be removed in order to construct the roadway.

Alternative 2- Follows the existing driveway. Wetland impact would be 2,735 sf. Wetland replication would be 5470 sf. This option puts the roadway within the 75 foot buffer required in the OSRD bylaw for only one abutting property.

The Board discussed the options and found that Alternative 1 would essentially eliminate any buffer between the roadway and the house at 435 Main Street. In addition, the number of mature trees that would be lost as a result of this option makes this option unappealing though additional wetlands would be impacted. As goals of the OSRD are to protect surrounding properties and minimize impacts on the natural environment the Board found that the preferred option is Alternative 2.

Conservation: The Commission always tries to reduce impact to BVW as much as possible, though mature trees are an important resource. The Commission would like to see which trees would have to be removed or potentially killed under each alternative. However the

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wetland regulations are a quantitative not a qualitative system with regards to wetland square footage and the tree issue may be irrelevant to their decision. However, it may be less of an overall wetland impact to use the existing driveway as proposed under Alternative 1. At this point there is not enough information with regards to the BVW, but the project could potentially be a limited access project which would allow Con Com to waive certain performance standards.

The applicant will flag trees to be removed.

Cape Cod berm is not being proposed. Instead a system of swales similar to Wildcat OSRD will be designed. This may require a wider clearing area.

A motion was duly made by Member Mauch and seconded to convey a preference for Alternative 2 in order to provide a 75 foot buffer for the house at 435 Main Street and to reduce the impacts to the mature forest in the area. The motion was approved by a vote of 4-0.

Public Hearing: Prospect Street Scenic Road

At 8:30 a motion was duly made by Member Mauch and seconded to continue the hearing on the Prospect Street Scenic Road from July 13th. The motion was approved by a vote of 4-0.

Glenn Ferguson, Highway Director, appeared before the Board. He stated that the reason for the violation was that he was under the impression when he took over the position that the project was fully permitted and ready for construction. The engineers hired to do the work should have performed all work associated with the permitting.

The Board found that the Highway Director knew about the issue prior to cutting the trees due to a discussion he had with the Planning staff and Peggy Etzel on-site before the cutting. The Highway Director's opinion was that they had to be cut because the contractor had been secured and construction work was already progressing.

There was further discussion regarding the condition that was voted on previously to require 14 trees be planted in the vicinity of the intersection. The Highway Director believes there is not enough space to locate that number of trees in that area without affecting sight lines.

A motion was duly made by Member Mauch and seconded to close the public hearing. The motion was approved by a vote of 4-0.

A motion was duly made by Member Mauch and seconded to modify the condition to install 14 trees in the vicinity of the intersection. The condition will require 14 trees be installed anywhere in town, but will be subject to approval of a plan by the Board. The plan will be submitted to the Planning Board by September 14th. The motion was approved by a vote of 4-0.

Committee Liaison Position Discussion and Updates

CPC: Two projects have been formally closed out. They are continuing their review of past projects to see where funds should be returned to the CPC fund.

By-Law Review Committee: A working session on the table of contents is scheduled

Active Subdivisions

Birchwood:

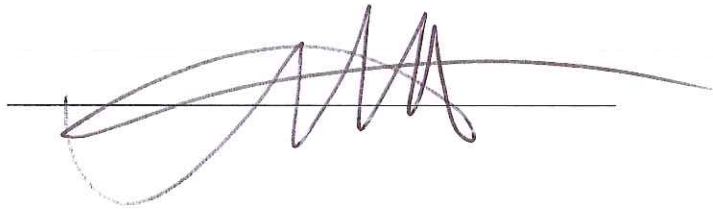
A motion was duly made by Member Crystal-Lowry and seconded to send a letter to Alex Kahane, Birchwood developer, notifying him of a meeting on 8/24/16 to discuss a demand on the remaining cash surety in order to pay an overdue invoice from Chessia Consulting. The motion was approved by a vote of 4-0.

ADJOURNMENT

A motion was duly made by Member Crystal-Lowry and seconded to cancel the 8/10/16 Planning Board meeting. The motion was approved by a vote of 4-0.

At 9:30 p.m., Member Mauch 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 a majority vote of the Planning Board on September 14, 2016.

A handwritten signature in dark ink, consisting of a series of loops and a long horizontal stroke, positioned above a horizontal line.

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