

PLANNING BOARD
TOWN OF NORWELL

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2016 JUL 28 AM 9:36

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**Norwell Planning Board Meeting Minutes
July 13, 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 Patrick Campbell (7:10), Scott Fitzgerald was absent. The meeting was held in the Planning Office.

Agenda

A motion was duly made by Member Cadman and seconded to approve the agenda. The motion was approved by a vote of 3-0.

A motion was duly made by Member Mauch and seconded to take the agenda out of order. The motion was approved by a vote of 3-0.

ANR: Bowker Street Block 39 Lots 45 and 46

A motion was duly made by Member Mauch and seconded that finding O was not met in order to improve legibility of the plan. The motion was approved by a vote of 4-0.

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

Public Hearing: Circuit Street Scenic Road

At 7:20 Member Campbell read the public hearing notice.

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

Brad McKenzie appeared before the Board representing applicant Steven Vazza of Barrel Lane LLC. This is an "after the fact" hearing on this application as the work has already been completed. Work included the removal of 18 feet of stone wall to provide driveway access to a new single family house. McKenzie stated that the application was not filed before the wall removal due to a miscommunication between McKenzie Engineering, the developer (Vazza) and his builder about who was going to file for the scenic road wall opening. A building permit was issued for the property on June 2, 2016.

The Board discussed the fact that Vazza had recently constructed a house on the lot directly adjacent to this house. For that house he had filed a scenic road application for the work and, therefore, he was aware of the requirements of the town for scenic roadways. At that

time, the Board had required that he move the driveway, which was originally offset from Parsons Walk, to be directly across from Parsons Walk to improve safety. The thought being that the driveway should either be directly across the street or as far from the intersection as possible. On this plan the driveway is offset only about 50 feet from the entrance to Parsons Walk. As the house and garage is already built there are no options for moving the driveway further from Parsons Walk to improve safety. It is unlikely that the Board would have approved the driveway in its current location. The Board also discussed the need to enforce and protect the scenic road bylaw.

A motion was duly made by Member Mauch and seconded that the Board, in accordance with the Scenic Road Bylaw, fine Barrel Lane LLC \$3,600 for the period between when the building permit was issued on 6/2 and when the scenic road application was filed on 6/15. The motion was approved by a vote of 4-0.

A motion was duly made by Member Crystal-Lowry and seconded to add a condition that the stone wall along Circuit Street be extended to the southern property line at Barrel Lane. The motion was approved by a vote of 4-0.

A motion was duly made by Member Campbell and seconded to approve the scenic road stone wall opening with the fine and draft conditions as amended. The motion was approved by a vote of 4-0.

Public Hearing: Prospect Street Scenic Road

At 8:00 Member Campbell read the public hearing notice.

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

The Highway Director had 4 trees removed from Prospect Street near the Grove Street intersection in order to facilitate a turning lane. The trees that were cut were 5", 8", 12" and 18" respectively.

Abutter, Margaret Etzel, appeared before the Board. Several trees had been cut down on her property on the northeast corner of the intersection. It is her opinion that someone on the Highway Department staff must have known that this was a scenic road and not to cut onto her property beyond the limit of work stakes that were in place. Also, no abutters were notified when the tree cutting was going to take place in the area.

The Board discussed the belief that all applicants should be treated the same whether it is a private developer, individual homeowner or public entity. In this case, the Board found that someone within the Highway Department knew about the scenic road requirements and chose to move forward with the tree removal to preserve the contractors schedule for work in the intersection. In addition, the Board was dismayed over the late communication and lack of appearance by the Highway Director at the hearing.

The Board discussed the maximum penalties under the Scenic Road Bylaw. As a total of 43 inches of tree was cut the Board could require up to fourteen (14) new 2" caliper, 4' high

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trees to be installed in the area. The tree work commenced on 6/2 and the application was filed on 6/14, which could command a fine of \$3,300.

A motion was duly made by Member Mauch and seconded that the Board, in accordance with the Scenic Road Bylaw, fine the Highway Department \$3,300 for the period between when the building permit was issued on 6/2 and when the scenic road application was filed on 6/14. In addition, the Highway Department shall be required to install fourteen (14) new 2" caliper, 4' high trees that shall first be shown on a landscaping plan for the area to be approved by the Planning Board. The motion was approved by a vote of 4-0.

The hearing was continued to the next Planning Board meeting on 7/27/16.

Minutes

A motion was duly made by Member Mauch and seconded to approve amended 6/22/16 minutes. The motion was approved by a vote of 3-0. Member Crystal-Lowry recused herself.

427 Main Street OSRD Subdivision Pre-Application Conference

Brad McKenzie, Derek and Russ Campanelli appeared before the Board to discuss the proposed project.

75' Buffer Zone: This buffer zone is required in order to protect nearby property owners and the town from the negative impacts of a roadway. McKenzie submitted two alternative plans for the roadway location. Alternative 1 has more of the roadway in the required 75 foot buffer zone and Alternative 2 has reduced impact to the buffer zone, but increased impact to the wetlands in the center of the access area for the lot.

Alternative 1: The property owner that would be most affected by this design, Susan Burwick at 435 Main Street, has been contacted by the applicant regarding the proposal. She has not commented as of yet, but requested that the applicant stake the center line of the proposed roadway in Alternative 1 and her property lines in order for her to develop an opinion on the matter.

Alternative 2: Wetland impacts are increased and the roadway would be less safe due to a necessary reverse curve design. ASHTO standards would not be required due to limited speeds on the roadway.

The Conservation Commission will be contacted about setting up a dual meeting to discuss the roadway alternatives.

75' Driveway Offset: The driveway across the street is within the 75' distance requirement from the proposed roadway. The owner of the property has not yet been contacted.

Committee Liaison Position Discussion and Updates

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Bylaw Review Committee: Table of contents for the Town's bylaws and regulations is nearing completion and the committee is performing its final review.

Pathway Committee: The committee toured the Forest Street construction and developed a punch list of items for the contractor to address prior to completion. Horsley Witten is working on the plan set for the approved design of the Forest Street to Norris Reservation and Town Center Pathway.

Complete Streets: The consultant, Stantec, has received the requested information and data to begin their analysis of the Norwell roadway system and the development of the Complete Streets Prioritization Plan.

Zoning Bylaw Amendments 2017 (OSRD, height calculations, transitional zones..et al.)

Height regulations: Members Cadman and Campbell will continue their analysis of the bylaw in relation to surrounding towns.

OSRD: The goal of amending this bylaw will be to create a bylaw that leads to subdivisions that maintain the character of the town, while continuing to encourage developers to build in Norwell.

Washington Street/Transitional Zones: Staff is continuing analysis of Washington Street existing conditions.

ANR applications

A motion was duly made by Member Campbell and seconded to accept the ANR plan for First Parish Church block 58 lot 51.. The motion was approved by a vote of 4-0.

Active Subdivisions

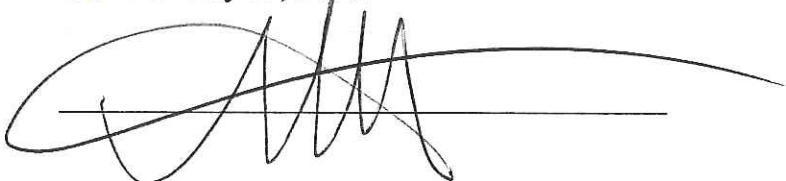
Bay Path Lane: Town Counsel spoke with Diane Tillotson, attorney for the Bay Path Lane project, and they agreed to accept four (4) lots instead of five (5) lots to increase the leverage the Board holds to get the Conservation Restriction finalized.

A motion was duly made by Member Mauch and seconded to revise the original lot release to only lots 1, 4, 5 & 8 making it consistent with Town Counsels advice. The motion was approved by a vote of 4-0.

ADJOURNMENT

At 10:00 p.m., Member Campbell 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 July 27, 2016.



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