



TOWN OF NORWELL
 Planning Department
 Norwell Town Offices, Room 112
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Norwell Planning Board Meeting Minutes

9/27/2017

The meeting was called to order at 7:01 P.M. with Chair, Donald Mauch, Sr., presiding. Also present were Board Members Scott Fitzgerald, Patrick Campbell and Brendan Sullivan; and Town Planner, Kenneth Kirkland. Unable to attend was Vice Chair, Jamie Crystal-Lowry. The meeting was held in Meeting Room 2 of the Town Hall.

CALL TO ORDER/AGENDA

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

APPROVAL OF MINUTES

The minutes of the September 13, 2017 meeting were distributed and reviewed.

Motion by Mr. Fitzgerald to approve the minutes of the September 13, 2017 meeting as submitted. Duly seconded and unanimously voted.

BILLS

The following invoices were presented for approval:

Christopher Sullivan	\$150	9/13/17 minutes
Plymouth County Registry of Deeds	\$77	Fee for registering signatures

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

SUBDIVISIONS AND LAND DEVELOPMENTS

Norwell Estates - Grade Change / Stormwater Remediation Plan & Consent Form

Dave Bauer, Toll Brothers (TB) and Al Loomis, McKenzie Engineering, present.

Mr. Mauch advised that the revised remediation plan had just been received by the PB today. He felt it represented a workable solution, and thanked all parties for their time, effort, and patience. He asked that any comments be directed at the PB through the Chair, and not to TB directly.

Mr. Mauch also noted that tonight's discussion was regarding the lots along Circuit Street only, but advised that the plan for Curtis Farm Road is also close to completion. He pointed out the installation of a longer 12 inch pipe and a modified swale on lot 14, and advised that TB has proposed building a fieldstone wall using some of the rocks on site.

Mr. Campbell asked why the drainage was daylighted at the back of lot 15. Consulting engineer John Chessia advised that this would help slow down the flow of stormwater. Mr. Campbell also pointed out a typo in the back of lot 10, misidentifying it as lot 14, and asked about a missing culvert under lot 15; Mr. Mauch advised that the culvert had been eliminated earlier in the process.

Mr. Sullivan asked whether the drainage pipe could be shorter. Mr. Chessia felt that it possibly could be, but it might be the length it is based on elevations in the area. Mr. Loomis had no objection to a shorter pipe, but Mr. Bauer advised that the current pipe and location had already been vetted with future resident, so they would like to keep it the way it is.

Andrew Daniels, 350 Circuit Street, thanked the PB and TB for their perseverance. He also asked whether the open pipe by his driveway could be replaced with an area drain, as his engineers had told him this would provide sufficient drainage to the area. They didn't want to delay the process further, but had some concerns regarding children and pets with the open pipe.

Mr. Chessia felt the open pipe design was preferable from the town's standpoint, as area drains are prone to clogging and could cause drainage problems if not properly maintained, but was willing to defer to the PB's judgment.

Mr. Loomis agreed that such drains can get clogged when they can't easily be accessed but felt this wouldn't be an issue here, given its location near the driveway. However, he indicated that he would also defer to the PB. Mr. Daniels added they were aware they would be responsible for the drain's maintenance.

Mr. Mauch asked whether a screen could be placed over the open pipe. Mr. Chessia advised that bars could possibly be placed over the opening. Mr. Campbell pointed out that any type of screen would limit the flow of stormwater coming through the pipe.

Mr. Mauch agreed that the open pipe would be better from the town's standpoint, as it was less prone to clogging, and advised Mr. Daniels that the PB could only approve the plan in front of them this evening. They had the flexibility to make changes after they take ownership of the property, but would be responsible for the system's maintenance and functioning. Mr. Daniels advised all that they didn't want to delay the process further.

Motion by Mr. Fitzgerald to approve the drainage modification plan dated 9/27/17 submitted by McKenzie Engineering Group for the Circuit Street lots of Norwell Estates as submitted. Duly seconded and unanimously voted.

Mr. Loomis advised that he is currently working on the drainage plan for Curtis Farm Road and expects it to be ready within the next few days. After checking with Board members and Mr. Chessia, Mr. Mauch set a meeting for October 4 to review that plan.

Wildcat Hills II - Final as-builts

Jack Spurr, A.W. Perry, and Jay and Paul Gallagher, J.P. Gallagher Construction, present.

Mr. Mauch advised that he, Mr. Kirkland, and Mr. Chessia met with Mr. Spurr and the Gallaghers several weeks ago to review Mr. Chessia's punchlist of outstanding issues at the development. Their discussion as to landscaping encompassed (1) replacement of landscaping destroyed by weather and wildlife, and (2) waivers requested as to quantity and species.

Mr. Mauch indicated at that meeting that they could proceed with replacing the damaged/destroyed landscaping and he would be inclined to recommend approval of the landscaping waivers to the PB, but it would be up to the Board to actually approve the waivers. He advised the PB that all plantings had already been made and asked Mr. Spurr why this was done. Mr. Spurr advised that they left the meeting thinking that if the plantings were done with the proper intent, the PB would view and approve them at this meeting.

Mr. Mauch advised Mr. Spurr and the Gallaghers that they did not have the authority to actually make the plantings before the PB's approval of the waivers, and felt their doing so set a bad precedent for developers taking action without proper authorization.

Paul Gallagher replied that his impression was they had been given the authority to plant at the meeting with the understanding the plantings would have the PB's approval if done as discussed. He advised that the plantings are doing well, and he didn't think the PB would vote on them without seeing the work that was done. Jay Gallagher added that they had spent significant money on the plantings, and they thought they were doing the right thing. However, neither Mr. Chessia nor Mr. Kirkland indicated that this was their understanding of the discussion.

Mr. Campbell asked how the process would have played out if the applicants hadn't already done the plantings. Mr. Mauch advised that the PB would have voted to grant the waivers and then the plantings could go in. Paul Gallagher replied they were aware that the plantings were subject to review in the field, and they were not trying to skirt the process. Mr. Spurr added that they took this action in an attempt to save time and move on to the remaining items on the punchlist.

Mr. Chessia advised that the list of outstanding punchlist items gone down but a few items still remained, including homeowners encroaching into the open space, some issues with rain gardens, and some missing trees and trash remaining.

With regards to the project surety, Mr. Spurr advised that there were two insurance bonds adding up to about \$500,000 and a cash account containing about \$30,000. He asked that the PB release the insurance bonds tonight, and they will meet with Mr. Chessia and Mr. Kirkland to further narrow down the issues on the punchlist, adding that some have already been addressed.

At this point, Mr. Mauch asked Mr. Chessia for his recommendation as to reducing the surety. Mr. Chessia felt that the insurance bonds could be released from surety based on last week's site visit. Mr. Mauch asked Mr. Kirkland to look into the composition of the insurance bonds and come up with a way to reduce the funds held in surety to the \$32,000 cash. Mr. Kirkland will provide the necessary forms; Mr. Spurr advised that he may need the original bond certificates in order to redeem them.

Motion by Mr. Campbell to approve the landscaping waivers as requested by A.W. Perry, Wildcat Hill LLC. Duly seconded and unanimously voted.

Motion by Mr. Campbell to approve the surety reduction for Wildcat Hill down to \$30,000. Duly seconded and unanimously voted.

OTHER BUSINESS

Committee Liaison Reports

Mr. Campbell advised that the Complete Streets Committee had re-submitted its grant application to MassDOT for a sidewalk between Circuit and Main streets. He also advised the PB that his term as liaison to this committee runs through June of 2020.

Mr. Sullivan advised that the Pathways Committee will be getting out its RFP for the Wompatuck parking lot and access road study hopefully tomorrow. Phase III of the site plan for the Committee's Gaffield to Norwell Center pathway is coming before the PB in October.

Mr. Kirkland advised that he had received correspondence from Selectman Gregg McBride recommending that work on the section of the Norwell Center pathway leading to the Norris Reservation be started while 40 River Street is in litigation.

Town Planner's Report

Mr. Kirkland advised that he had closed out 370 Washington Street with a memorandum of understanding and landscape plan that had been stamped and distributed to all parties. Forest Ridge would be next on the agenda in terms of inspections.

He and Nicole have been able to finish the archiving project upstairs; they are now creating a spreadsheet and tagging system for the old plans.

Mr. Kirkland has been in contact with John Kopacz, and he will likely be filing a plan for a traditional subdivision. He has decided to switch to a traditional subdivision from an OSRD because the development costs were similar. The layout that Mr. Kirkland saw seemed to make more sense from a planning aspect. It is likely to be a lengthy process given the neighboring agricultural use and the process of separating the farm from the developable area.

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Adjournment

*There being no further business, motion was made by Mr. Fitzgerald to adjourn at 8:23 P.M.
Duly seconded and unanimously voted.*

I certify that the above minutes were reviewed and approved by a majority vote of the Planning Board on October 25th, 2017.



Scott Fitzgerald, Clerk

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