

PLANNING BOARD
TOWN OF NORWELL

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TOWN OF NORWELL
TOWN CLERK

2017 JUL 27 AM 8:25

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Norwell Planning Board Meeting Minutes
7/12/2017

The meeting was called to order at 7:05 P.M. with Chair, Donald Mauch, Sr., presiding. Also present were Board Members Scott Fitzgerald and Patrick Campbell. Unable to attend were Jamie Crystal-Lowry and Brendan Sullivan. The meeting was held in the Town Hall Gymnasium.

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

Agenda

After a motion was duly made and seconded, it was unanimously voted to approve the agenda as submitted.

Minutes

The minutes of the June 21 meeting were distributed and reviewed. Approval of the June 28 minutes was tabled due to a lack of quorum of attending Board members.

Motion by Mr. Campbell to approve the Minutes of the June 21, 2017 meeting as submitted. Duly seconded and unanimously voted.

Bills

Massachusetts Municipal Association invoices totaling \$455, which were approved at the June 28 meeting, were presented for signature. No additional invoices were presented for approval.

103, 111, & 113 Washington Street Site Plan Review Request

Mr. Mauch advised that this discussion was related to the ANR and site plan only, as the request for a special permit review was not received in a timely manner.

Attorney Walter Sullivan and engineer Peter Palmieri, of Merrill Associates, were present. Mr. Palmieri advised that this site was part of a bigger parcel created by an ANR in April, and provided details of the site plan. He is willing to provide any additional information requested by consulting engineer John Chessia.

Mr. Campbell asked Mr. Palmieri whether the applicant owned the adjoining Rite Aid parcel, which they did. He also asked about a possible connection between the parking area for the adjoining 7-Eleven and the proposed development. Mr. Palmieri doesn't remember showing that connection and thought it may have been part of an earlier plan.

Mr. Mauch asked whether any proposed agreements or leases were in place; neither Mr. Palmieri nor Attorney Sullivan were aware of any. Mr. Mauch also asked whether any of the units were

intended for pet care or grooming, noting that there was a pet grooming business next door. Attorney Sullivan advised that no units had been identified for pet care use, and they had been hired specifically to develop the property for retail use.

Consulting Engineer John Chessia pointed out the likely need for a state highway curb cut and uncertainty as to the drainage system being proposed. He requested additional details as to the drainage system, snow storage areas, proposed signage, and grading information to better describe runoff.

Mr. Mauch asked that the applicants respond to the issues raised by Mr. Chessia and then come back before the PB. Mr. Campbell additionally asked the applicants to check the zoning regulations regarding salt use in the aquifer protection district.

Circuit Street Lots 25 & 26 Preliminary Subdivision Plan Approval Request

Applicant Mark Raimondi and Gary James, James Engineering, were present.

Mr. James discussed a plan for a five-lot subdivision on 17 acres off Circuit Street, with an 850 ft. roadway. They have confirmed the resource area delineations with the Conservation Commission. The lots border town land, and the applicant is willing to donate parts of it back to the town.

Mr. Campbell asked Mr. James whether they had considered building an OSRD, given the site's geometry and location next to town land. He noted that this would allow for smaller lots and a shorter road, as well as the possibility of connecting trails. Mr. Mauch pointed out that a shared treatment system would be possible with an OSRD, and that the Conservation Commission would closely scrutinize a traditional subdivision given the land's proximity to wetlands. Mr. James indicated they would look further into this option.

Consulting engineer John Chessia noted that the plan as presented would require numerous waivers to implement. He pointed out that a subsurface stormwater system is proposed, the road exceeds the allowable length, and lot 2 doesn't comply with the zoning bylaws as to lot width. He added that the site will be difficult to develop given the likely soil conditions, and the stormwater regulations will also be troublesome.

Mr. Mauch agreed that the special permits and waivers required would be extensive, and asked the applicant to respond to Mr. Chessia's comments and then come back before the PB. He suggested in particular that they research the waivers required to implement the plan and consider the site's suitability for an OSRD.

Mr. Campbell asked whether they intended to build themselves or sell the land with the permits in place. Mr. Raimondi replied he intended to sell to a builder as he was retiring.

Discussion - Pending Legislation (§ 81)

At Mr. Mauch's invitation, former selectman Rick Merritt briefed the PB on Senate Bill 81, a zoning reform bill currently under consideration.

Mr. Merritt advised he had read through much of the bill, and attended a recent information session in Hingham. He felt the bill would further erode local control by removing special

permit controls. He also noted that the bill includes financial penalties for noncompliance and has significant support in the legislature. He stated the bill, if enacted, may pit town officials against residents if officials are rendered powerless to act on local concerns. He felt the legislation should be challenged and was willing to testify or help draft testimony as needed.

A hearing on the bill is likely sometime this fall. Mr. Mauch will work with Mr. Merritt and Mr. Kirkland to come up with written testimony, and will reach out to Representative O'Connor for assistance. He will keep the PB apprised as to new developments.

Scenic Road Public Hearing: River Street Tree Cutting/Paring

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

Mr. Fitzgerald read the Notice of the Joint Public Hearing on behalf of the Planning Board and Tree Warden. Arborist Luke Fiske for National Grid (NG) and Tree Warden, Glenn Ferguson were present. Also present were about 10 area residents.

Mr. Mauch advised all present that the PB's jurisdiction stops at the town easement, and this proposal will require removal of trees beyond the easement. Trees on private property were a matter between the property owners and NG, and he requested that any discussion be limited to the trees in the easement.

NG's proposal involves the removal of 34 trees between poles 78 and 14 in the town easement, and the paring of other trees. Mr. Mauch and Mr. Ferguson reviewed the plan with NG representatives. As the tree replacement formula under the scenic road bylaw would have yielded more trees than Mr. Ferguson had places for, they agreed to 45 four-foot replacement trees in total: 25 will be 3-inch caliber and 10 will be 2-inch caliber; these will be planted by NG landscapers. An additional five 3-inch and five 2-inch caliber trees will be provided to Mr. Ferguson to plant at his discretion.

Mr. Ferguson and NG have already signed off on the agreement. Mr. Mauch advised all that, with the smaller trees going in, there will be a noticeable difference in the appearance of the road.

Mr. Fiske advised that NG had classified the line along River Street as poor-performing due to tree-caused outages. In addition to the trimming and removal work, they plan to replace bare wire in this area with coated wire and condense the lines so they are not spread out on the poles. Some poles would need to be increased in height by 5 feet to meet current safety/clearance standards; junction poles with primary taps would need to be 45 feet in height.

Mr. Mauch asked whether NG had received consent from property owners regarding the targeted trees on private property. Mr. Fiske advised that they are in the process of getting this, and so far just two owners have declined. When property owners decline, NG mounts the wires with less clearance and gets a sign-off from the state.

Mr. Mauch also asked whether NG had any statistics on outages, noting that residents had indicated they didn't notice excessive outages. Mr. Fiske did not personally have any figures but other departments did.

Mr. Mauch noted that about 480 people would be impacted, and asked whether the primary purpose of the project was to better serve these residents or to channel the power elsewhere. Mr. Fiske indicated that the priority was serving the residents, and any ability to channel elsewhere would be a secondary benefit.

Fred St. Ours asked what kinds of trees the replacements will be, noting that most of the trees coming down were Ash. Mr. Fiske advised that NG was working with Mr. Ferguson to choose the species. Mr. St. Ours also asked whether damage to soft shoulders would be repaired, and whether the wood could be left behind for use as firewood. Mr. Fiske indicated that significant damage, such as a rut in the ground from repair trucks, would be repaired and that wood could be left behind at customer request.

Marie Molla asked whether a homeowner has to reimburse the town or National Grid if they refuse to allow a tree's removal or pruning and this causes an outage. Mr. Mauch advised that this would likely require a change to the bylaws that would have to be approved at town meeting.

Several residents asked questions concerning trees and work on their property. Mr. Fiske stated in closing that they were hoping to begin work sometime this year. They still had questions from the Conservation Commission, and may have to appear before additional boards.

Motion by Mr. Campbell to approve the Scenic Road application as submitted and negotiated by the Tree Warden. Duly seconded and unanimously voted.

Motion by Mr. Fitzgerald to close the public hearing. Duly seconded and unanimously voted.

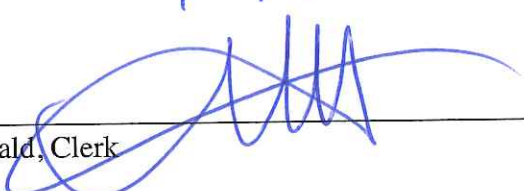
Committee Liaison Discussion/Updates

Mr. Campbell reported that the Complete Streets Committee did not receive a \$400,000 grant for a sidewalk between Circuit and Main Streets. Mr. Mauch briefly advised there was no news from the Bylaw Review committee.

Adjournment

There being no further business, a motion was made by Mr. Fitzgerald to adjourn at 9:21 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 7/26/17.



Scott Fitzgerald, Clerk

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