



PLANNING BOARD
TOWN OF NORWELL

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2016 JUL 22 AM 9:37

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**Norwell Planning Board Meeting Minutes
June 22, 2016**

The meeting was called to order at approximately 7:10 p.m. with Don Mauch presiding. Present were Board Members Ken Cadman, Don Mauch, Patrick Campbell (8:00 arrival due to recusal from 427 Main Street Project), Scott Fitzgerald and ~~Jamie Crystal-Lowry~~. The meeting was held in the Planning Office.

Agenda

Member Cadman moved that the Board approve the agenda. The motion was approved by a vote of 3-0.

Bills

Horsley Witten Group	Invoice 38762	\$825.00
Chris DiIorio	FY2016 Miles	\$438.74
WB Mason	Invoice I35276017	\$69.10
Chessia Consulting		
103 Washington St.	Invoice 1554	\$64.70
329 Washington St.	Invoice 1555	\$115.00
Bay Path Lane	Invoice 1558	\$305.50

Member Cadman moved that the Board approve the expenditures. The motion was approved by a vote of 4-0.

Minutes

6.8.16: *Member Cadman moved to approve the minutes. The motion was approved by a vote of 3-0.*

427 Main Street OSRD Pre-Application Conference

Brad McKenzie and Russ Campanelli appeared before the Board and presented the pre-application existing conditions materials and a preliminary lot plan for the site.

Zone II: The Zone II areas shown on the applicant's maps appear to be from the 1988 version that was revised in early 2010. Updated information will be forwarded to the applicant.

Conservation Issues: Nancy Hemingway (Con Com agent) and Marynel Wahl Halatsis (Con Com Chair) appeared before the Board to discuss conservation concerns. Conservation would like to know about drainage across the site and unknown connections between wetlands. There is a dug channel that links some wetlands and it appears that this was done sometime in the past to redirect a stream. The ORAD that was approved by Conservation showed only the BVW (Bordering Vegetated Wetland) line and there are additional components within the BVW area that should be more detailed such as flow channels. Having that additional information could alter the development pattern of the site. The applicant will be required to show existing drainage and water flow patterns on the site. Marynel Wahl Halatsis indicated that she thought the project did not meet Conservation Commission requirements.

Main Street Culvert: The Board would like more information regarding the culvert that allows the water from the site to cross Main Street and into the wetland areas on the south side of Main Street. The water in these areas eventually flows through a culvert on Forest Street where flooding of the roadway has occurred in the past.

Preliminary Project Layout: The project would feature an approximately 900 foot roadway for seven (7) lots. Two common driveways would provide connections to four of the house sites. Both driveways cross wetlands and that may cause permitting issues with the Conservation Commission.

Waivers:

OSRD 6.E.2-75 foot buffer: The lower section of the proposed roadway comes within 75 feet of the neighboring property. This is being proposed to provide separation from the wetland in the area. The Board asked for information regarding alternatives to the location of the roadway and for the applicant to speak with the neighbor regarding their intentions.

OSRD 6.D.4-24 foot roadway: The applicant indicated that they would be seeking a waiver from the 24 foot roadway requirement. The Board would want assurance that public safety is not affected by the reduction in roadway width.

Rules and Regulations 7.A.8-75 foot separation of road from driveways: There is a driveway located almost directly across the street from the proposed location of the roadway. The Board would want assurance that public safety is not affected by the location of the roadway.

The applicant will return on July 13th to continue discussions.

Bay Path Lane Lot Release

Diane Tillotson Esq., Eugene Mattie and Mike Verrochi appeared before the Board to discuss the release of lots. The applicant is requesting the release of five (5) lots prior to the completion of the conservation restriction on the open space. Condition 61 of the Certificate of Vote requires that the restriction be finalized prior to lot release.

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The conservation restriction was originally drafted in December 2015 and approved by Town Counsel in early 2016. The restriction was forwarded to Irene Del Bono at EOEEA (Executive Office of Energy and Environmental Affairs) in January 2016. Due to staffing changes at that agency the restriction was never finalized. The restriction is currently being reviewed by EOEEA, but due to the large number of restrictions being reviewed, no comments on the restriction should be expected until mid to late July. The applicant is eager to move forward with some home construction as we are now in the middle of construction season and the period to construct foundations will be closing in the coming months.

As there is no tax reduction being sought for the restriction there is no appraisal necessary. This should speed up the review process for the restriction.

The Board was concerned that this is one of the most critical components of any OSRD bylaw and that it should have been drafted and reviewed immediately after the subdivision approval in March 2015. However, it was thought that delay was beyond the ability of the applicant to anticipate. In addition, the open space, through the other legal documents and plan set that were approved at the time, provide assurance that the land would remain open space. Town Counsel provided an email to the Board stating that he believed the Board would maintain adequate leverage to ensure the restriction would be finalized by continuing to hold several lots as surety.

Staff was instructed to advise OSRD developers and applicants during initial subdivision discussions that the state review of conservation restrictions is lengthy process and that the application to the state should begin immediately following subdivision approval.

It was unclear to the Board if the subdivision would need to be reopened to address condition 61 in the Certificate of Vote.

Member Mauch moved to release lots 1, 3, 4, 5 & 8 subject to the interpretation from Town Counsel that releasing the lots would not violate the conditions of approval. The motion was approved 4-0.

Committee Liaison Updates and Appointments

Pathways Committee: The terms of Kevin Cafferty, Brendan Sullivan, Brendan Recupero, Pamela Brake, and Anne Staples expire on 6/30. All but Anne Staples wish to be reappointed. Terms are for three (3) years.

Member Cadman moved to reappoint Kevin Cafferty, Brendan Sullivan, Brendan Recupero and Pamela Brake to the Pathways Committee. The motion was approved 4-0.

Zoning Bylaw Review Committee: The Committee was approved by the Selectmen to expand the scope of its work to include the general by-laws. The group will now be called the Norwell Bylaw Review Committee. Currently the group is working on revisions to the General Code table of contents.

Zoning By-Law Amendments 2017

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OSRD: The Board briefly discussed two reports that have been produced regarding OSRD, cluster type subdivisions for ideas to amend the bylaw. The documents are an Open Space Handbook prepared by the Southern New Hampshire Planning Commission and a review on Smart Sprawl from the Columbia Journal of Environmental Law. It was determined that further discussion would be required with the full Board in attendance.

Height: Ken Cadman and Patrick Campbell were tasked with looking at the height regulations of the surrounding towns for ideas to modify the town regulations including potential formulas to determine height in relation to the distance from the street.

Transitional Districts: Staff will review the commercially zoned areas on Washington Street including the potential for developing small transitional zones or creating lower density commercial zoning districts.

ADJOURNMENT

At 9:30 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 13, 2016.

Jamie Cystal-Joury

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