

Commission did issue an order, which would expire after three years. He stated the Commission would also be holding hearings on December 11th to discuss the Notice of Intent that the applicant had filed recently. Mr. Clark stated that Mr. Kalishes had notified the Board of Selectman, Conservation Commission and the Ethics Committee via a letter about his involvement.

Gloria Hollstein- asked when the letters were sent out.

M. Clark- answered Mr. Kalishes had sent out the letters recently.

Edward Hanafin of 2 Cushing Landing- asked Mr. Clark if he stated that Kalishes recused himself because he had a financial interest in the project.

M. Clark answered that Mr. Kalishes was a property owner like everyone else down there.

Lawrence Kahrs of 32 Neal Gate Street- asked if the North River boundaries were within the property.

R. Gaskill- answered that the North River was within the 300- foot corridor on the plan and also shown on the maps but the standard was 300-feet to the mean high water mark, which was typically to the edge of the marsh. He also talked about the 200-foot riverfront, he said they could use up to ten percent of the river front area but would prefer not to.

Albert Bangert- asked about the three hundred foot scenic route.

R. Gaskill- said they could include the North River plate if the Board wanted to. He explained that everything seaward was within the corridor. He talked about the Riverfront area, which would need to be approved by the Conservation Commission. He explained they could build residential buildings within the North River corridor if they stayed within 300-feet.

Brian Sullivan- wanted to know the amount of buildable land the applicant had, by right, on the site under the Town level not the State level.

R. Gaskell- answered seven acres.

B. Sullivan- wanted to know what portion of the seven acres would they be seeking waivers for from the Town not under the State Regulations.

R. Gaskell- said they could use up to seven acres but without the Comprehensive Permit under Chapter 40B they could only build a few single-family homes on the site. He said they would also be filing under the State's Wetlands Protection Act.

Werner Boehl of 15 Martha's Lane- talked about a dock and boats on the easterly side of the railroad bed.

Audience member Fred who lived in the Town of Norwell- said he owned the docks but said it was not part of the proposed site. He explained that he also had rights to the easement that was the gravel road.

Russell Lannon of 133 Chief Justice Cushing Highway- had concerns that the applicant may be building in the Federal Flood Plain and wanted to know if this was allowed.

#### Site Plan:

R. Gaskell- explained that the proposed units would be located in FEMA's A-Zone and not in the Velocity Zone. They would be changing the shape of the upland by filling it in, which they have the right to do under the State Building Code. They were proposing asphalt surfaces for walking and there would be using deep sump catch basins for storm drainage.

J. Danehey- asked about the fill and if it would be displacing water and creating drainage issues within the corridor of the railroad bed.

of the garbage stalls near the existing abutters on North and South sides of the property. He also wanted to know the location of the affordable units and he would like to see local preference for these units. Mr. Danehey wanted the vernal pool issues addressed, as well as the chemical building and traffic study. He also stated he would like to see the density of the project reduced and the buildings spread out over the parcel.

Agnes Rona- had concerns with public easements, flooding and family housing. She would also like to see the density reduced.

Albert Bangert- also had concerns with density. He requested a written response to the comments from the other Town Departments.

Brian Sullivan- stated he did not like the design at all. He would like to see the language from LLC and also the proforma. He requested the cv from the developer's attorney and also for the developer himself. Mr. Sullivan requested the traffic report and the train traffic impact and accident studies. He also took issue with the dumpster relocations. He requested three quotes for the cost to build the bridge. He stated he would not vote to waive the height requirement, setback requirements, waiver for the parker lot and for water use and conservation aspects. He requested the applicant provide a plan on where they could actually build on the lot and not just where they would like to build. Mr. Sullivan also addressed the letter dated November 28, 2006 written by Neil Duggan (see file) regarding the condition of the current property, he requested the applicant cleanup the site.

Sara Trezise- asked if the LLC had been involved with other Chapter 40B projects and where they were located. She also would like to see some handicapped accessible units and more wheelchair ramps added.

Neil Duggan- addressed his letter. He stated he could not locate the individual responsible for the property, so he addressed the letter "To Whom It May Concern" at Herring Brook Meadow, LLC.

J. Stearns- stated she would be responding to Mr. Duggan's letter and also said she would be the go to person regarding the property.

N. Duggan- discussed the Notice of Intent filed by the applicant and wanted to determine if the application was going to be reviewed under local wetlands regulations.

R. Gaskill stated it was not going to be reviewed under local regs.

J. Stearns- stated that they were going to file under the State Wetlands Protection Act. They would not be filing under local wetlands regulations because they weren't doing anything that did not comply with local regulations, therefore they did not need to seek local waivers, but she would inform the Board if that changed.

N. Duggan- questioned why then were they requesting an exemption from local wetland regulations in their application.

J. Danehey requested a retainer of \$25,000.00 be deposited into a peer review account to pay for the Town's consultants and attorney's fees.

J. Stearns- Stated she may debate the applicant's requirement to pay the Town's attorney's fee. She requested from the Town a scope of the consultants and attorney's fees.

Danehey moved to request that the applicant provide a retainer of \$25,000. 00 for peer review and that the Board would provide a scope of consultant and legal costs, seconded by Bangert, all in favor, unanimous.

Frank from the audience- spoke of the village overlay business district, he had concerns that the town voted this in to avoid larger projects like this one.

J. Danehey- felt the route for the Town was to provide more affordable housing to avoid large-scale projects.

Gloria Hollstein- showed the Board photos of storm flooding on the site.

