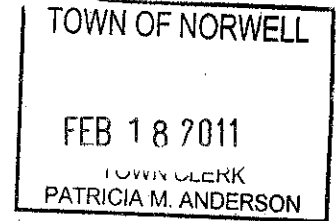


Town of Norwell
BOARD OF APPEALS
Business Meeting Minutes



MEETING DATE: June 23, 2010
TIME SCHEDULED: 7:00 P.M.
LOCATION: Town Hall, Building Office

MEMBERS PRESENT: Lois S. Barbour, Chair
David Lee Turner
Michael E. Kiernan, Clerk
Thomas P. Harrison
MEMBERS ABSENT: Philip Y. Brown, Vice Chair

OTHERS PRESENT: David Osborne, Chair – Conservation Commission
R. W. Galvin, Town Counsel

The business meeting was called to order at 7:05 P.M. The Board welcomed David Osborne, Chair of the Conservation Commission, which has an interest in the White Barn Lane and 239 Washington Street matters under discussion.

Upon a motion duly made and seconded, members **VOTED** unanimously to approve minutes for the business meeting of 6/9/10.

Upon a motion duly made and seconded, members **VOTED** unanimously to approve payment of \$396.15 for postage, 2009 Bobrowski supplement, miscellaneous office supplies, and a return-address stamp.

Joanne expressed concern about difficulties she frequently encounters in creating abutters lists. The Chair indicated she would look into the matter, which has previously been discussed with the Town Administrator, and report back to the Board.

Joanne indicated her office chair needs to be replaced and members indicated such could be included in the office supplies and equipment expenditures previously authorized. Joanne and Tim have identified a printer with scanning and copying functions that would be appropriate for purchase.

The Board had previously been forwarded via email a draft decision template for potential use in preparing decisions. The template includes standard formatting and boilerplate provisions that mirror 40A and Board Rules. This was prepared to accommodate frequent requests by members for copies of prior decisions in various matters. Certainly, the intent is not to stifle any creative license members may have in drafting decisions.

The Board was also shown computerized letterhead, created by the Chair that includes member names. This will result in significant cost-savings to the Board, as it will reduce stationary budget expenditures. The electronic letterhead template will also be a convenience to Board members and to its administrative assistant. Members can prepare decisions using the template with printouts ready for signature.

Town Counsel arrived while the meeting was in progress at approximately 7:15 to provide an update on the White Barn Lane litigation, which was before the HAC the previous week. He indicated Tom Houston will be allowed to file pre-filed testimony on behalf of the White Barn Lane abutters through Jon Witten, as the hearing officer changed a previous ruling and is now allowing stormwater and drainage evidence to be presented to support an alleged claim that the project will create flooding on abutting properties. A conference of counsels is tentatively set for the end of August or beginning of September.

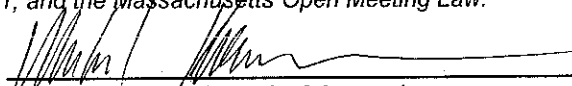
Mr. Galvin indicated the public hearing by the Board of Selectmen relating to the appeal of the ZBA's appointment of John Chessia as the project construction monitor for the 239 Washington Street 40B project is not to be heard as scheduled this evening. The proponent is considering dropping the matter, which is also before the HAC, if an acceptable scope can be worked out. The Board had previously indicated its willingness to accept the Westcott scope.

There was further discussion of the change in the Open Meeting Law, effective 7/1/10, on which Town Counsel indicated he would be presenting a PowerPoint for the benefit of Town officials the following Wednesday. The chair signed the acknowledgement form to return to the Town Clerk, stating that Open Meeting Law changes have been reviewed with Board members.

Board members David Lee Turner, Thomas P. Harrison, and Lois S. Barbour signed the Damon Farm Comprehensive Permit Modification previously voted to approve at the June 9, 2010, meeting that will replace the letter confirming the extension requested by the proponent's attorney to 2011. The Decision Modification is required by the Registry of Deeds, as letters are not acceptable for filing. Town Counsel reviewed and approved the decision modification.

The business meeting adjourned at approximately 7:31 P.M. No Public Hearings were scheduled to follow the business meeting except that of the matter before the Board of Selectmen, which has now been postponed.

These minutes have been approved with reading of the minutes waived by unanimous vote of the Board of Appeals at a public meeting duly held on _____, in accordance with M.G.L. c. 40A, Section 11, and the Massachusetts Open Meeting Law.

Signed:  Date: 2/18/11
As Clerk of the Board of Appeals

Copy filed with: Office of the Town Clerk

TOWN OF NORWELL
FEB 18 2011
TOWN CLERK
PATRICIA M. ANDERSON