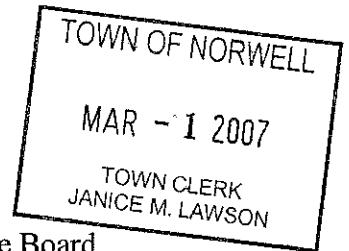


**Norwell Planning Board Meeting Minutes
February 14, 2007**



The meeting was called to order at approximately 7:05 P.M. Present were Board Members: Richard Parnell Barry, Bruce W. Graham, Karen A. Joseph, Charles Markham, Sally Turner and Town Planner Todd Thomas. Town Counsel Robert Galvin, Jr. was also present for a small portion of the meeting.

DISCUSSION: Draft Agenda.

Member Barry moved and Member Turner seconded that the Board accept the agenda as presented. The motion was approved 5-0.

DISCUSSION: Regular Session Minutes, January 24, 2007.

Member Barry moved and Member Joseph seconded the motion to accept the minutes as presented. The motion was approved 5-0.

DISCUSSION: Bills.

Monadnock Spring Water (Inv. #446702)	\$ 25.60
Todd Thomas – Jan. Expenses	\$ 47.27
Chessia Consulting (Henry’s Ln, Inv. #96)	\$ 444.45
Chessia Consulting (May Elm, Inv. #97)	\$ 137.23
<u>Chessia Consulting (Sgt. Calway, Inv. #95)</u>	<u>\$ 388.56</u>
Total	\$1,043.11

Member Barry moved and Member Turner seconded that the bills be approved for payment and the vouchers signed. The motion was approved 5-0.

DISCUSSION: Vote to Reserve Warrant Placeholders:

The Board formally voted to reserve Warrant placeholders for the following Zoning Articles:

1. Zoning 1650 Isolated lots – Planning
2. Zoning 2423 Stormwater Management – Planning
3. Zoning 2450 Lot Shape – Planning
4. Zoning 3100 Off Street Parking – Planning
5. The 1642 Committee’s proposed zoning update

Member Graham asked if the Town Planner should begin to publicly notice the Board’s zoning proposals. Member Joseph replied that she thought it would be prudent to wait until the 2/28/2007 meeting, when all the zoning petitions will be received. After that time the Planning Board would be able to hold one single hearing on all of the zoning proposals at their 3/28/2007 regular scheduled meeting.

DISCUSSION: Zoning Map RFP's

The Board reviewed the proposals received to update the Town's zoning map and compared the merits of the proposals from mr Surveying, Coler & Colantonio and MapWorks. The Town Planner informed the Board that Coler & Colantonio's bid captured all zoning layers, including the Floodplain Overlay District, but does not include Watershed and Wetlands (digitized from the Town maps). This bid also includes the DEP Wetlands layer added to the map for free, as well as the finished product in GIS format at no additional charge.

After a brief discussion on the value of having the Town's Wetlands Lines included in the new map, Member Barry moved and Member Markham seconded a motion to accept Coler and Colantonio's bid. The vote 5-0 in favor of the motion

DISCUSSION: Proposed ZBL: Off Street Parking Bylaw

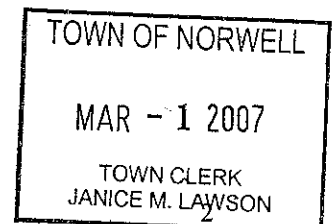
A discussion of the current draft of the proposed update to ZBL §3100 Off Street Parking commenced at approximately 7:20. Member Barry began the discussion by opining that the proposed maximum distance of 500 feet from a building to its parking lot was too great. It was agreed to leave the distance as currently stated at 300 ft.

Member Graham asked the Board if they would be willing to discuss ZBL §3152, Setback. The Town Planner noted many of the proposals that have come before the Board had taken advantage of the 10% of lot depth provision to supply more than five spaces of allowed parking within the building's zoned front setback. The Board was cautious to not make any proposed parking change more restrictive on the lot, when juxtaposed with current requirements. With this in mind, reducing the required front setback from 50 to 30 feet was considered, thereby allowing displaced parking from the front setback to be located elsewhere on the lot. No agreement was made as to what changes might be proposed to ZBL §3152.

Upon a motion made a seconded, the Board agreed to send the current draft of ZBL §3100 Off Street Parking to Technical Consultant John Chessia for review and comment. After the completion of John Chessia's review, the Town Planner was instructed to send the draft to Town Counsel for review and comment.

DISCUSSION: Update on Capital Budget

Member Joseph presented the Board with an update on the capital budget. She noted that there were over \$800,000 of capital requests and available funding for about half that amount. Member Joseph noted that school system requests accounted for a large portion of the capital requests. Chief among these requests was the replacement of approximately one-fifth of the school system's computers at a cost of over \$2,500,000.00. Member Markham responded that the funding of computers was more appropriate as part of the capital budget request, rather than a stand-alone Warrant article.



Member Joseph then told the Board that she would be sending around a spreadsheet to each member asking that they comment on the items therein and opine as to whether they should be funded via the capital budget.

DISCUSSION: Annual Report of the Planning Board

Upon a motion made by Member Barry and seconded by Member Joseph, the Board voted to have the Town Planner submit the draft to the Town Administrator before the 2/16/2007 deadline.

DISCUSSION: HAWTHORNE - Lot Release Request

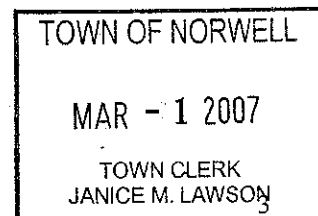
The Town Planner led the Board through the current situation and legal issues at play in trying to finish up the Hawthorne Park subdivision. Attorney Paul McAuliffe, representing Don Shute, had asked to appear before the Board to request that lots 17 and 19 be released from subdivision covenant. The Town Planner informed the Board that the covenant for this subdivision is enforceable upon Modern Continental and not Don Shute. Therefore, Don Shute lacks the legal ability to ask for lot release.

Town Counsel appeared before the Board at the end of this discussion and agreed that Modern Continental and not Don Shute should request lot release if so desired. The Town Planner was instructed to contact Attorney McAuliffe and report Town Counsel's opinion as stated. The Board agreed that they would not deny Don Shute the opportunity to come before them and discuss lot release. However, in doing so, he would be aware that he was not the legal actor for this request.

DISCUSSION: Informal Policy on Green Cards

The Town Planner brought up the issue of giving ample notice to abutters of proposed subdivisions. He noted that a recent subdivision before the Board had less than a week's notice given to the abutters. To remedy this problem, he asked if the Board would consider adopting an informal policy of immediately continuing any public hearing where ample notice was not given.

Member Graham noted that given the case law governing the notice period, he thought that the Town Planner should ensure that a developer sends out notice within 21 days of the first public hearing. After a discussion on the best way to ensure that the abutters' notice was sent out in a timely manner, the Board agreed that the Town Planner should request that the developer provide proof of mailing. Upon a motion made by Member Barry and seconded by Member Turner, the Board voted unanimously to informally require that applicants must provide a photocopy of proof that the abutter notification was sent 21 days before the first public hearing. Member Graham ended the discussion by asking that the Town Planner incorporate this change into the Rules and Regulations draft for the upcoming year.



DISCUSSION: Plowing and Uncompleted subdivisions

The Town Planner asked the Board how best to deal with plowing issues on older (those without homeowners' associations with an obligation to maintain the road) yet uncompleted subdivisions. He noted that with the recent weather, residents were again calling into the office to complain that the private ways that they live on were not adequately plowed. Town Counsel Galvin offered his opinion that any subdivision, which is not bound by a Homeowners' Association, should have its road plowed by its owner (who is most often the subdivision applicant) and that the Town Planner should explain to residents that this is a private matter outside the jurisdiction of the Planning Board.

ADJOURNMENT.

At 8:40 P.M. Member Barry moved and Member Turner seconded that the Board adjourn. The motion was approved by a unanimous vote of 5-0.

I certify that the above minutes were reviewed and approved by majority vote by the Planning Board on February 28, 2007.


Sally I. Turner, Clerk

