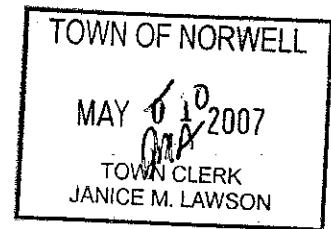


**Norwell Planning Board Meeting Minutes
April 25, 2007**



The meeting was called to order at approximately 7:05 P.M. Present were Board Members Bruce W. Graham, Karen A. Joseph, Sally I. Turner, Charles Markham, Michael J. Tobin and Town Planner Todd Thomas

DISCUSSION: Draft Agenda.

Member Joseph moved to add a discussion to the agenda on ZBL §2432 & 2450, which require 150' of lot width at the required setback line. Member Joseph moved and Member Turner seconded that the Board accept the amended agenda as presented. The motion was approved 5-0.

DISCUSSION: Regular Session Minutes, April 11, 2007.

Member Joseph moved and Member Turner seconded the motion to accept the April 11, 2007 minutes as presented. The motion was approved 5-0.

DISCUSSION: Bills.

W.B. Mason (Inv. #W78648-001)	\$40.32
W.B. Mason (Inv. #XND447-000)	\$29.90
Total	\$70.22

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

DISCUSSION: Circuit Street ANR Plan (formerly "Pine Hill Estates")

Member Graham began the discussion of the March 7, 2007 ANR plan entitled "Plan of Land Off Circuit Street" by noting that it presented a question about the adequacy of access, due to the wetlands fronting Circuit Street. Town Planner Thomas addressed the Board with the relevant case law that spoke to the adequacy of access by citing Gates versus the Planning Board of Dighton and Corcoran versus the Planning Board of Sudbury.

After the Board went over the technical aspects of the plan, Member Markham asked what was proposed to provide access to the two lots shown. In response to Member Markham's question, Mark Raimondi of Circuit Street Realty Trust noted that he intended to utilize a common driveway less than 100 feet in length to access both lots and that he was on the Conservation Commission's agenda in the coming weeks to seek the approval for the necessary wetland crossing. In relation to the question of access to the two lots proposed, Member Markham stated that he believed the Applicant's ability to cross the wetland was a Conservation Commission issue, not something to be deliberated by the Planning Board. He stated that the access over the wetlands is in this case not illusory, but can be accomplished pursuant to a wetland crossing permit from the Conservation Commission (whether the Applicant finds the terms of such a permit acceptable or not). Member Joseph agreed with Member Markham's reasoning and stated that the proposed wetland crossing was the purview of the Conservation

Commission. She also added that she was not happy that the plan's noted ground survey was completed in January 2001, when Mr. Raimondi freely admitted that the on-the-ground conditions are likely to be different now than they were at the time of the survey. Member Turner echoed Member Joseph's comments and noted that the "Wetland Plan Of Land On Circuit Street In Norwell, Massachusetts" submitted to the Conservation Commission (dated August 25, 2003 and provided by Conservation Agent Michele Simoneaux) had a more up to date survey and wetland line than the plan currently before the Planning Board. Member Turner also added that the plan did not comply with regulation 4.2.2.7, which requires that existing lot lines be shown on the plan. The Board as a whole agreed with this comment and decided that the plan should be denied and resubmitted for this reason.

Member Graham closed out the conversation on the ANR plan by recapping the issues that individual Members had with the plan and asked that they be addressed on the resubmitted plan. The issues that Member Graham asked be addressed on the new plan are as follows: an updated wetland line, that existing property lines be shown, an updated ground survey date, a revised plan date, and a note on the plan about where the proposed access will be located.

Upon a motion made by Member Joseph and seconded by Member Tobin, the March 7, 2007 ANR plan entitled "Plan of Land Off Circuit Street" was denied by a vote of 5-0 for the reasons stated in the Certificate of Vote.

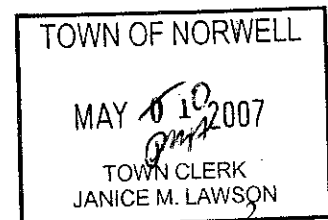
PUBLIC HEARING: May Elm Woods (Continued)

The public hearing for the May Elm Woods subdivision began with Chairman Graham noting that there was no one in the audience in attendance. With only the Planning Board Members and the Town Planner present, the reading of the Public Hearing notice was foregone. Upon a motion made by Member Joseph and seconded by Member Markham, the public hearing for May Elm Woods was closed with a 5-0 vote. Upon a motion made by Member Joseph and seconded by Member Turner, a 5-0 vote granted the Applicant's April 17, 2007 written request that the May Elm Woods subdivision be withdrawn without prejudice.

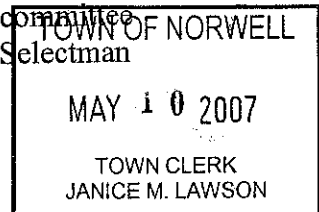
DISCUSSION: Town Meeting Presentations

Member Graham briefed the Board about his proposed presentations of the zoning articles for Town Meeting. He alluded to his meeting with the Advisory Board, where he was instructed to keep the zoning article presentations short and to the point. He then shared with the Planning Board the way he intended to couch each of the individual articles on the floor at Town Meeting.

Member Markham suggested that he thought a verbal presentation was all that was necessary for ZBL §2423.



Member Joseph mentioned that she thought the 1642 Committee should be reconvened before Town Meeting. It was discussed that the Planning Board would be offering the amendment to the proposed revision to §1642. Member Joseph pointed out that she did not want the Planning Board to be moving the change to the bylaw unless the committee agrees to the specific change beforehand. Member Graham agreed to contact Selectman Merritt and look to have the 1642 Committee reconvene.



DISCUSSION: Planning Priorities for the next year

The Town Planner began a discussion of Planning Board priorities for the coming year by distributing the list that former Member Richard Barry had compiled from previous years. The Members spoke about different zoning approaches found on the list and ranked them in order of high to low priority.

-This list, crafted as the result of the discussion, can be found as an addendum to this document.


DISCUSSION: 150' Lot Width at the Required Setback Line

The Town Planner alerted the Board to the fact that three ANR plans had been informally brought into the Planning Office during the last week, all drawing the 150 foot lot width setback line through the existing dwelling, as opposed to the 50 feet from the front property line as mandated by ZBL §2432 & 2450. The planner informed that Board that the Building Inspector had apparently offered this suggestion to the would be applicants, all of which did not have the necessary 300 foot lot width at the zoned setback line necessary to create two lots from the existing parcel. By the potential applicants drawing the setback line at different points on the lots in the ANR plan, per the Building Inspector's advice, the lots could be configured so as to give the appearance of being conforming to zoning. The Planner told the Board that the Building Inspector was apparently allowing the setback line to be drawn through existing dwellings as the result of a court case that Don Shute had won. Member Turner thought that the case might be related to a property on Norwell Avenue. The Town Planner was instructed to follow up with the Building Inspector about the name of the case and to consult with Town Counsel if necessary.

ADJOURNMENT.

At 9:45 P.M. Member Turner moved and Member Joseph seconded that the Board adjourn. The motion was approved by a vote of 5-0.

I certify that the above minutes were reviewed and approved by majority vote by the Planning Board on May 9, 2007.


Sally I. Turner, Clerk