

APR 24 2008

TOWN CLERK  
PATRICIA M. ANDERSON

**Norwell Planning Board Meeting Minutes  
April 9, 2008**

The meeting was called to order at approximately 7:00 P.M. Present were Board Members Bruce W. Graham, Karen A. Joseph, Sally Turner, Michael J. Tobin and Town Planner Todd Thomas. Member Charles Markham did not attend the meeting.

**DISCUSSION: Draft Agenda**

Member Tobin moved to add discussions to the agenda regarding Inclusionary Zoning and the power to appoint committees. Member Joseph moved to add a discussion on the South Street / Norwell Commons site walk. Member Tobin moved and Member Joseph seconded that the Board accept the amended agenda as presented. The motion was approved 4-0.

**DISCUSSION: March 26, 2008 Meeting Minutes**

Member Joseph moved and Member Turner seconded the motion to accept the March 26, 2008 meeting minutes as presented. The motion was approved 4-0.

**DISCUSSION: Bills**

Chessia Consulting	(Inv. #373: Edgewood)	\$ 575.85
“ “	(Inv. #374: Cowings)	\$ 448.90
“ “	(Inv. #382: John Neil Dr.)	\$ 137.23
“ “	(Inv. #383: Hawthorne)	\$ 60.34
“ “	(Inv. #381: OSRD Bylaw)	\$ 330.00
Todd Thomas	(March 2008 Expenses)	\$ 45.65
W.B. Mason	(Inv. #W81639-000)	\$ 23.95
“ “	(Inv. #W31125-001)	\$ 58.79
Monadnock Water	(Inv. #117630)	\$ 34.00
Weston Graphics	(Inv. #40286-Topo. Maps)	\$ 138.80
	Total	\$1,853.51

Member Turner moved and Member Joseph seconded that the bills be paid and that the payment vouchers be signed. The motion was approved 4-0.

**DISCUSSION: Hawthorne Lane Review Fee & Surety Release.**

The Town Planner related that all remaining work items and legal issues with the Hawthorne Park subdivision were resolved. He advised the Board to release the surety bond and return the remaining review fees. Member Joseph moved and Member Turner seconded a motion to return the remaining review fee money and release the remaining surety for the Hawthorne Park subdivision. A 4-0 vote affirmed the motion.

**DISCUSSION: Vote to Accept Laurelwood Modification**

Upon a motion made by Member Turner and seconded by member Joseph, the Board formally accepted the Laurelwood definitive subdivision modification. The Board discussed the filing fee. After discussing previous modifications, it was determined that the \$3,000 filing fee must be received before the Board would hear the new submittal. Upon a motion made by Member Tobin and seconded by Member Turner, the Board

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accepted the Laurelwood modification, provided that the \$3,000 filing fee was provided prior to the opening of the public hearing (where the fee was determined based on the Town Planner's examination of filing fees for previous modifications). A 4-0 vote affirmed the motion.

Town Counsel Galvin joined the meeting and opined that Laurelwood's deadline for final action should be determined from the earlier of the day the plans were submitted into the Planning office or received by the Town Clerk.

**DISCUSSION: OSRD Bylaw**

The Board reviewed the draft OSRD bylaw and instructed the Town Planner to make certain changes. Upon a motion made by Member Turner and seconded by Member Joseph, the Board approved the amended April 9<sup>th</sup> version of the OSRD bylaw for insertion into the Warrant. A 4-0 vote affirmed the motion.

**PUBLIC HEARING: ZBL §2318 Common Driveways**

Member Turner moved and Member Joseph seconded a motion to open the public hearing on the proposed zoning change to ZBL §2318 Common Driveways. A 4-0 vote affirmed the motion. The Clerk read the public hearing notice. No members of the public attended the hearing. The Planning Board had no comments on the article and a motion was made by Member Joseph and seconded by Member Tobin to close the public hearing. A 4-0 vote affirmed the motion. Member Joseph moved to recommend reporting to Town Meeting in favor of the proposed changes to ZBL §2318 Common Driveways. Member Tobin seconded the motion and a 4-0 vote affirmed it.

**DISCUSSION: Inclusionary Zoning**

Member Tobin addressed Inclusionary Zoning and distributed an article on it to Board Members. The article detailed how successful Inclusionary Zoning was with creating affordable housing and its effect on the local real estate market.

**DISCUSSION: Planning Board Power to Appoint Committees**

Member Tobin cited a handout on a Safe Routes to School Program as an example of something that could be well served by the creation of a Planning Board subcommittee. Member Graham agreed that having the ability to form an advisory committee without being subjected to a cumbersome joint interview process would greatly assist the Planning Board.

**DISCUSSION: South Street Norwell Commons Site Walk**

The Board determined that Member Joseph and the Town Planner would attend the 10:30 A.M. site walk with MassHousing on South Street for the proposed Norwell Commons 40B.

**PUBLIC HEARING: ZBL §2460 Height Restrictions**

Member Tobin moved and Member Joseph seconded a motion to open the public hearing on the proposed zoning change to ZBL §2460 Height Restrictions. A 4-0 vote affirmed the motion. The Clerk read the public hearing notice. No members of the public

attended the hearing. Member Graham offered several minor revisions to the article, which the rest of the Board agreed to. A motion was made by Member Turner and seconded by Member Tobin to close the public hearing and forward the article, as amended, to the Warrant. A 4-0 vote affirmed the motion. Member Joseph moved to report to Town Meeting in favor of the proposed changes to ZBL §2460 Height Restrictions. Member Tobin seconded the motion and a 4-0 vote affirmed it.

**PUBLIC HEARING: ZBL §3400 Building Demolition**

Member Joseph moved and Member Turner seconded a motion to open the public hearing on the proposed zoning change to ZBL §3400 Building Demolition. A 4-0 vote affirmed the motion. The Clerk read the public hearing notice. Joe Carty, representing the Historical Commission, was the only person attending the hearing. Mr. Carty confirmed that the Historical Commission was proposing to change to the demolition delay time period from six months to one year. Mr. Carty also said that a majority of the Advisory Board supports the article. However, he was unsure if the Advisory Board had determined if date should be added to the bylaw's definition of "Historically Significant Building". The Town Planner informed Mr. Carty that the change to the zoning bylaw that was advertised only included altering the demolition delay time period. The Board determined they could only recommend the article that was before them and Member Tobin moved to close the public hearing. Member Joseph seconded the motion and a 4-0 vote affirmed it. Member Turner moved to report favorably on the article to Town Meeting. Member Tobin seconded the motion and a 4-0 vote affirmed it.

**DISCUSSION: John Neill Drive Ext. Deliberations**

Member Graham began the discussion by suggesting that each member offer their comments on what they believed to be the major issues with the proposed subdivision. He began the discussion by offering his recommendation that, if the subdivision were to be approved, the existing cul-de-sac must be sheared, site plan review for the rain gardens and the drywells should be required, subdivision construction should not begin until construction on the ANR lot is complete and a covenant should be supplied requiring the road remain private in perpetuity.

Member Joseph said that she is very concerned about the rain gardens and that she does not think McKenzie Engineering has proven that they will work. Member Joseph said that she would have a hard time approving a subdivision if the drainage requirements had not been met and that the lack of detail on the rain gardens was a "deal breaker" for her. She added that because the Board does not know if the rain gardens work, the applicant has not met DEP's recharge requirement and had therefore not met the Planning Board's Rules and Regulations (that incorporate DEP Stormwater Requirements therein). Member Joseph said that she also does not support the waiver for the typical cross section, as the proposal includes riprap within the right-of-way. She mentioned that she thought this situation was similar to the Terrapin subdivision that was denied for similar issues, notwithstanding the fact that the slope in question would remain private property. Member Joseph also said that she was concerned about the amount of cut and soil removal proposed.

Member Turner added that she is also concerned that the rain gardens might not work. She added that she is not bothered by the proposed riprap within the right-of-way because the road was to remain private.

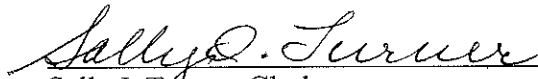
Member Tobin said that he did not want to grant the waiver for the soil removal permit. Member Tobin began a discussion about the amount of cut and fill proposed as a possible vehicle for denial. It was determined that the basins do not use the natural grades as required. Member Tobin added that he was okay with the riprap within the right-of-way, but was unsure how he felt about the viability of the rain gardens.

The Board then worked through the draft certificate of action and led the planner through changes and votes therein. At 10:05, the Board decided to continue their discussion on April 23<sup>rd</sup>.

**ADJOURNMENT**

At 10:05 P.M. Member Tobin moved and Member Joseph seconded 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 majority vote by the Planning Board on April 23, 2008.

  
Sally I. Turner, Clerk

