

Norwell Planning Board Meeting Minutes
January 23, 2008

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

DISCUSSION: Draft Agenda.

Member Tobin moved and Member Joseph seconded that the Board accept the agenda as presented. The motion was approved 3-0.

DISCUSSION: Regular Session Minutes, January 9, 2008.

Member Joseph moved and Member Tobin seconded the motion to accept the January 9th 2008 regular meeting minutes as presented. The motion was approved 3-0.

DISCUSSION: Bills.

Monadnock Water (Inv. #103482)	\$ 60.80
WestonGraphics (Inv. #39640)	<u>\$275.10</u>
	Total = \$335.90

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

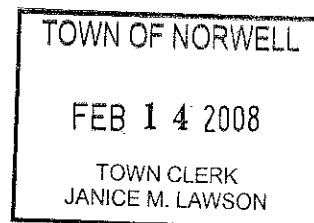
DISCUSSION: South Shore Greenway Update.

The Town Planner told the Board that Norwell was officially chosen as a participant community for the South Shore Greenway. He added that the first public meeting for the project would take place on Tuesday January 29th at 7:00 P.M. at First Parish Church in Norwell. He asked the Board to help ensure that this first public meeting was well attended by Norwell's decision makers.

Member Markham spoke about the requested \$200 donation to cover the Conway School's expenses. Member Markham and Member Graham agreed that the Board could pay for this expense out of its budget if it received an invoice or a request for dues. The Town Planner responded that he would ask the Conway School about getting such an invoice. Upon a question raised by Member Joseph, the Town Planner agreed to confirm that the Conway School would be presenting one comprehensive greenway plan, rather than individual plans from each student.

DISCUSSION: Pathway Committee Nomination discussion.

The Board changed the constitution of the Pathway Committee from seven members to nine members to accommodate for two extra at-large seats due to strong participant interest. Member Joseph said that she would like the Board to vote via secret ballot for the at-large members. The Town Planner said that he would add the secret ballot vote to the January 30th agenda. He added that he still planned on sending the Board's nominations to the Selectmen for ratification on January 31st.



DISCUSSION: Future 40B Involvement - White Barn / Simon Hill.

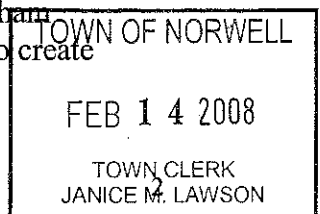
Member Graham said that any discussion of the Simon Hill Village proposal is very preliminary, but that members of the public were welcome to stay for it if they wished. Member Markham said that he was an abutter to the proposal and recused himself from the discussion. The Town Planner informed the Board that he had worked with Member Joseph to draft a preliminary response letter to the Board of Selectmen regarding project eligibility. Member Graham said that he remembered an earlier subdivision proposal on the subject property that had drainage problems. He said that he expected the same drainage issues to be applicable to the new Simon Hill Village proposal. Member Joseph said that the current draft of the letter focused on the intractable development issues that ran with the land.

Member Graham spoke about future Planning Board involvement with 40B applications. He said that in cases like White Barn Lane, the Planning Board should stand down after sending its original comment letter to the Board of Appeals on the plans. Member Joseph responded that the Planning Board should comment on any plans where the Board has been asked by the Board of Appeals to do so. Member Graham responded that the Board of Appeals had hired a technical consultant to advise them on the revised plans for White Barn Lane, the newly submitted Roadway Improvement Plans and related engineering issues. He agreed that the submitted technical review from the Board of Appeals' hired consultant was lacking, but he questioned if the ZBA had asked for further comments from the Planning Board. The Town Planner said that he had not received any such correspondence from the Board of Appeals. Member Joseph said that she would speak to Lois Barbour, Chair of the Board of Appeals, to confirm if additional Planning Board comments were desired on the White Barn Road Improvement Plans.

*****MEETING MOVED TO THE OSBORN ROOM*****

DISCUSSION: Inclusionary Zoning w/ Selectmen in Osborn Room.

Member Graham said that the night's discussion of Inclusionary Zoning was likely the result of a conversation he had with Selectman Merritt. Member Graham began discussing Inclusionary Zoning by offering the Selectmen an overview of both Inclusionary and Incentive Zoning. He noted that over 100 towns in Massachusetts have adopted some form of Inclusionary Zoning (typically requiring that 10% of new subdivisions be affordable). Member Graham said that Inclusionary Zoning was not designed to catch Norwell up to the state's mandate of 10% affordability, but it would keep Norwell from falling further behind through new subdivision construction. Selectman Mariano said that he believed that adopting Inclusionary Zoning would negatively impact new construction. Member Graham responded that such an approach must be carefully considered but that, if other neighboring towns had similar zoning, Norwell would not be uncompetitive. He also noted that that there had never been a successful legal challenge to prove that Inclusionary Zoning constituted a taking. Selectman Bigger said that he was uncomfortable with the "stick" approach that Inclusionary Zoning could be seen as being. Member Graham responded that a "carrot" approach to produce affordable housing was Incentive Zoning. Member Graham described Incentive Zoning as providing a financial incentive to developers to create



affordable housing, typically by relaxing the dimensional requirements of subdivision lots. Selectman Mariano said that Norwell should look into Incentive Zoning. Selectman Bigger agreed with Mr. Mariano. Selectman Merritt said that he would like to see it modeled out on approved subdivisions. Member Graham agreed to come back before the Selectmen in a few months with more specifics and local examples of Incentive Zoning, including options to create affordable housing by allowing by-right accessory apartments.

DISCUSSION: Pathway Committee Interviews w/ Selectmen.

The Planning Board began jointly interviewing Pathway Committee applicants with the Board of Selectman. Member Graham, upon a question from the Chairman of the Board of Selectmen, Rick Merritt, said that the Planning Board decided to expand the Pathway Committee membership to nine people and that the interviews would determine who would serve on the six at-large seats. Selectman Mariano asked if the Community Preservation Committee should have a seat on the Pathway Committee. Member Markham said that he envisioned the CPC acting as a check on the Pathway Committee by deciding on its funding requests. Member Joseph confirmed that the Pathway Committee would consult with the Planning Board before bringing plans to the CPC for funding.

1. Kevin Cafferty at 8:10PM:

Kevin Cafferty said that he is a trained civil engineer and works as the Highway Surveyor in Lexington. He said that Lexington has a well-used bikepath that connects to the Alewife T Station in Cambridge. Member Graham asked him about his experience with crime as it relates to Lexington's bikepath. Mr. Cafferty responded that Lexington has not experienced unsavory people coming to town as a result of the bikepath and that the pros of a bikepath outweigh the cons. The Planning Board, along with Selectmen Merritt, Mariano and Bigger, thanked Mr. Cafferty for his time and said that they would take his application under advisement.

2. David Vose at 8:20PM:

David Vose said that he was an avid biker and nature enthusiast. He added that he strongly supported the concept of off-road paths to the schools for the health and safety of the Town's children. Member Markham advised the Selectmen that Mr. Vose had been the most avid supporter of the Pathway Committee thus far. The Planning Board, along with Selectmen Merritt, Mariano and Bigger, thanked Mr. Vose for his time and said that they would take his application under advisement.

***** MEETING MOVED BACK TO THE PLANNING OFFICE*****

DISCUSSION: Pathway Committee Interviews – No Selectmen.

The Planning Board continued Pathway Interviews in the Planning Office. The Town Planner informed the Board that the Selectmen declined to jointly interview Steve Ivas and Mary Cole because they were known commodities.

1. Steve Ivas at 8:35PM:

Steve Ivas said that he has a long-standing interest in both pathways and walking. He added that he would be able to assist the group with wetlands permitting and GIS use. Mr. Ivas also mentioned that he was part of the group that pushed for the recently constructed Driftway Bikepath in Scituate and he was also on the periphery of the 1996

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Norwell Bikeway Plan. Mr. Ivas said that the Town should provide the Town Planner with the technical tools to adequately staff the planning of pathways. He said that ARC GIS software could be purchased for \$1244 with a \$415 yearly maintenance fee. Member Markham asked if this expense could be fit into the Planning Board budget. The Town Planner said he could confirm this after the advertising for the zoning proposals was paid for. Member Graham confirmed with Mr. Ivas that the \$415 maintenance fee included software upgrades. The Board agreed to examine purchasing GIS at a later date.

2. Mary Cole at 8:45PM:

Mary Cole mentioned that she lived in Concord for twenty years and grew to appreciate the wonderful public amenity that the bikepaths there provided. She spoke about her familiarity with financing options and grants for pathways and bikepaths. She added that the Pathway Committee needs the cooperation of property owners to be successful. She concluded her remarks by noting that she is willing to serve on the committee, but that she would not be offended if a more qualified applicant was chosen in her place.

DISCUSSION: Pathway Committee Nomination Confirmations.

1. Anne Staples (representing the Recreation Commission)

2. David Osborne/Debbie Hill (representing the Conservation Commission)

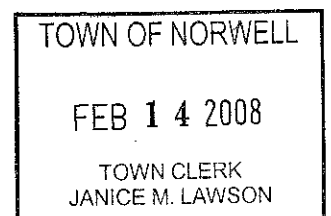
The Town Planner asked the Board to confirm the nominations of the Recreation Commission and the Conservation Commission to the Pathway Committee. He also asked if the plan for the shared seat for the Conservation Commission representative was problematic. Member Joseph said she was open to trying the shared seat, which would give the Conservation Commission representatives the ability to figure out scheduling and time constraints amongst themselves. Member Markham said that the Selectmen would have to confirm this arrangement.

Upon a motion made by Member Markham and seconded by Member Joseph, Anne Staples and David Osborne/Debbie Hill were nominated to fill the seats of the Recreation Commission and the Conservation Commission. The motion was approved by a vote of 4-0.

DISCUSSION: Scheduling of Warrant Placeholders.

The Town Planner provided a tentative list of bylaw amendments for the Warrant. The provided list was as follows:

1. ZBL §2318 Common Driveway
2. ZBL §2460 Height Restriction
3. ZBL §3300 Sign Bylaw
4. ZBL OSRD Subdivision Bylaw
5. Scenic Road General Bylaw
6. PB Committee General Bylaw



Member Graham began the discussion by going through the proposed list of bylaw amendments and commenting on each proposal. He said that the amendment for ZBL §2318 Common Driveway would be finalized at the next meeting. He said that the proposal for ZBL §2460 Height Restriction had previously been finalized.

The Town Planner said that he recently met with Member Tobin about the sign bylaw and that he thought he might be able to get something done before the Warrant goes to press. Member Joseph said that she thought the Board of Appeals should have more of a role in amending the sign bylaw. Member Graham said that he was amenable to a placeholder for the sign bylaw. He added that he also wanted a placeholder for the OSRD Subdivision bylaw. Member Joseph said that she was uncomfortable with a placeholder for such a significant proposal when she had not seen a draft yet. She added that if the Board wanted to fully vet an OSRD bylaw before Town Meeting, numerous working sessions would be needed. She said that she was for an OSRD bylaw, but thought a Fall Town Meeting might make more sense for it. Member Graham said that he had been working on the bylaw and would like the opportunity to try to finish it in the coming weeks.

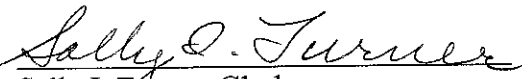
The Town Planner said that he would continue to work with Paul Foulsham on the proposed Scenic Road General bylaw. Member Markham said that he only wanted to push a Scenic Road bylaw if it was really desired. He said that he was unsure who wanted such a bylaw.

Member Markham said that he would like to move forward with the proposal to draft a general bylaw that specifically gave the Planning Board the right to appoint advisory committees. Member Joseph said that she thought getting such a bylaw passed would be a fight, but that she would also like to move forward with it. The Town Planner said that he would talk to Advisory Board members to ascertain their opinion about the addition of such a bylaw.

ADJOURNMENT.

At 10:00 P.M. Member Markham 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 February 13, 2008.


Sally I. Turner, Clerk

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