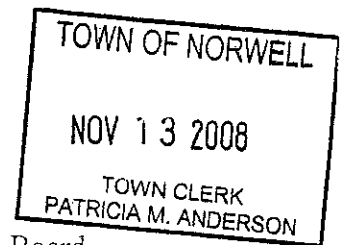


**Norwell Planning Board Meeting Minutes  
October 22, 2008**



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

**DISCUSSION: Chapter 30B Procedures for Review Fees (w/ Jim Boudreau)**

With Jim Boudreau present, the Board discussed the impact of the Inspector General's July 2008 *Procuring Outside Consultants With Fees From Applicants* memo. The Town Administrator said that the memo states that MGL Chap. 44, §53G accounts for the review of subdivision plans are subject to MGL Chap. 30B, the Uniform Procurement Act. He added that he and Town Counsel did not agree with the ruling, but he encouraged the Board to comply with it since the Inspector General presides over procedural appeals. Member Joseph said that the Board would comply and the Town Planner would start working on detailed specifications for the draft Request For Responses (RFR). Member Jones asked the Town Administrator if State Representative Nyman had been contacted about drafting legislation to specifically exempt peer review from the Uniform Procurement Act. The Town Planner said that he would work with the Town Administrator to develop the RFR. He also agreed to contact the surrounding planning offices to see how they are dealing with the memo and to inquire whom they use for peer review.

**DISCUSSION: Draft Agenda**

Member Joseph moved to add a discussion to the agenda about the Pathway Committee. Member Jones moved to approve the amended agenda as presented. The motion was approved by a vote of 5-0.

**DISCUSSION: October 8, 2008 Regular Meeting Minutes**

Member Jones moved to accept the October 8, 2008 regular meeting minutes as presented. The motion was approved by a vote of 5-0.

**DISCUSSION: Suburban Mobility, South Shore Coalition Involvement**

The Town Planner informed the Board that MAPC's South Shore Coalition (SSC) was planning a commuter van route that traveled through Norwell on Route 53. The route was to run from Weymouth Landing to the new Target Supercenter west of the Hanover Mall. Board Members discussed the level of commitment and time they were willing to give the process. A consensus emerged for the Town Planner to work with the SSC to join the letter of interest for the commuter van service, subject to also looking into a Red Line route connection in Braintree. The Town Planner was instructed to add Suburban Mobility to the next meeting agenda.

**DISCUSSION: Town Counsel Procedures**

The Planning Board discussed the Town Administrator's October 10, 2008 interoffice memo regarding the use of Town Counsel. Member Joseph suggested that the Planning Board draft a reply to the memo, which detailed their expected legal work for the next six

months. The Town Planner agreed to draft this memo, and he was instructed to include the expected legal work for the John Neil Drive Extension Definitive Subdivision endorsement, the Wildcat OSRD Special Permit and Definitive Subdivision, proposed zoning changes for the 2009 Annual Town Meeting, a Planning Board Rules and Regulations change, and miscellaneous legal work generated by the Pathway Committee pertaining to easement language and property ownership rights questions thereon.

**PUBLIC HEARING: Laurelwood Modification (cont)**

At approximately 8:05 P.M., with Engineer Donald Rose present representing the applicant, and without a member of the general public in attendance, Member Turner read the public hearing notice and noted the recent submittals for the Laurelwood Modification subdivision. John Chessia, the Planning Board's Technical Consultant, began the discussion by saying that he was comfortable with Engineer Rose's drainage design calculations and that there would be no off-site flooding resulting from the new design. Mr. Chessia mentioned items that he thought the Board should condition upon any approval, including the addition of specific plan notes, a construction completion deadline, and the assurance that construction equipment would not be parked on the existing roadway. Mr. Chessia also noted that certain permissions and easements may be needed before any work is done. Engineer Rose agreed with Mr. Chessia about the construction permissions and said that he would obtain owner consents for the new swale. Member Joseph said that she thought the easements should be staked on the ground and all the permissions obtained at least 30 days before construction commences. Member Joseph suggested a construction deadline of October 31, 2009. Board members agreed that there was enough information to render a decision and agreed to close the public hearing.

Upon a motion made by Member Tobin, the Laurelwood Modification public hearing was closed by a vote of 4-0-1, with Member Jones abstaining because he is not eligible to participate in the public hearing. Upon a motion made by Member Markham, the Board accepted the applicant's request to extend the deadline for final action to December 29, 2008 by a vote of 4-0-1, with Member Jones abstaining because he is not eligible to participate in the public hearing.

**DISCUSSION: Stetson Ford House**

The Town Planner informed the Board that he had a formal discussion with Selectman Rick Merritt about selling the Stetson Ford House and the hypothetical ANR plan needed to facilitate such a sale. The Board discussed the merits of the potential ANR plan, and tentatively decided that such a plan was the creation of a lot and that the Board's ANR Private Way Determination Policy should be followed because preferential treatment should not be given to the town. The Board, however, cut the discussion short and decided that talking about the merits of the potential ANR was premature because it was not formally in front of them. Member Joseph also added that the Historical Commission controls the house and it is not clear that they want to sell it. Member Markham said that he thought selling the house would take a two-thirds vote of Town Meeting. The Board decided to table the discussion until David DeGhetto and Rick Merritt could join the Planning Board for a future discussion.

**DISCUSSION: Planning Board Priorities List**

The Planning Board reviewed the current Planning Board Priorities List and made certain changes thereto. The Town Planner agreed to send out the modified list at the conclusion of the discussion.

**DISCUSSION: Subdivision Rules & Regulations Revision**

The Board discussed the draft update to the Subdivision Rules and Regulations. Member Joseph expressed concern about the expense of updating the regulations in light of the recent budget warnings. Member Markham noted that Local Aid had yet to be cut and that this might be a timely opportunity to put through the update to the Rules and Regulations. The Town Planner was instructed to place this topic on the next meeting agenda, so as to allow Members more time to familiarize themselves with the proposed changes.

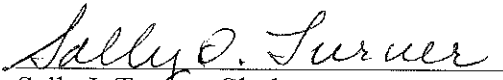
**DISCUSSION: Pathway Committee Update**

Member Joseph asked for an update from the Pathway Committee. The Town Planner agreed to get Pathway Committee Chairman Vose in for the next Planning Board meeting.

**ADJOURNMENT**

At 10:05 P.M. Member Turner moved 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 November 12, 2008.

  
Sally I. Turner, Clerk

