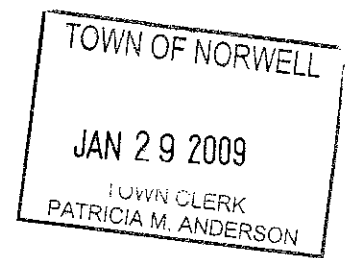


**Norwell Planning Board Meeting Minutes
January 7, 2009**



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

DISCUSSION: Draft Agenda

Member Joseph moved to add various discussion items to the agenda, including Floor Area Ratio, the Simon Hill 40B, Meeting Procedures, Special Permits for OSRD and the State of the Town Breakfast. Member Jones moved that the Board accept the amended agenda as presented. The motion was approved by a vote of 3-0.

DISCUSSION: December 3, 2008 Regular Meeting Minutes & December 17, 2008 Regular Meeting Minutes

Member Markham moved to accept the December 3, 2008 & December 17, 2008 regular meeting minutes as presented. The motion was approved by a vote of 3-0.

DISCUSSION: Bills

Todd Thomas (Dec. Expenses – Mileage)	\$ 25.10
Chessia Consulting (Cowings Cove, Inv. #497)	\$1,472.50
“ “ (Laurelwood, Inv. #498)	\$ 55.00
<u>TOTAL = \$1,552.60</u>	

Member Markham moved that the bills be paid and that the payment vouchers be signed. The motion was approved by a vote of 3-0.

DISCUSSION: ANR Plan for 27 Parker Street

The Board discussed the November 20, 2008, as revised December 15, 2008, ANR Plan for 27 Parker Street. Upon a motion made by Member Jones, the Board found that Findings B through X, as shown on the draft Certificate of Vote, were satisfied. The motion was affirmed by a vote of 3-0. Upon a motion made by Member Jones, the Board found that Finding A, as shown on the draft Certificate of Vote, was satisfied and that the ANR Plan for 27 Parker Street should be endorsed as approval not required under the Subdivision Control Law. The motion was affirmed by a vote of 3-0. Upon a motion made by Member Jones, the Board waived the required \$300 application fee upon learning that the surveyor was going to be held responsible for the additional application fee, where the surveyor did not have control of when the application was filed. The motion was affirmed by a vote of 3-0. The Town Planner was instructed to apprise the surveyor of the vote.

DISCUSSION: Cowings Cove Update

Developer Eugene Mattie appeared before the Board with updates as to the progress made on conveying Parcel B to the Maxwell Conservation Trust. He said that he hoped to have the property deeded out before the next Planning Board meeting, but he provided nothing in writing that confirmed his stated progress. Mr. Mattie also updated the Board as to his progress with satisfying the Zoning Compliance condition on the

subdivision's Certificate of Vote. He said that he applied for a Demolition Permit for the existing house on Lot 1, but was yet to file with the ZBA for a variance. The Board asked Mr. Mattie to reappear at the next meeting to substitute surety, show the deed of Parcel B to Maxwell and share his hearing date for the variance.

Town Counsel Robert W. Galvin entered the room and Member Joseph asked him how the Board could temporarily relieve the Zoning Compliance condition for a single lot. Town Counsel said that an Agreement for Consideration could be executed between the Board and the developer, allowing a building permit to be issued for a lot before a variance is given, or the house on Lot 1 is demolished. Town Counsel said that the Agreement for Consideration should state that no other conditions of the Certificate of Vote are being abandoned and that Lot 7 is being released from the zoning condition due to the efforts made thus far to deed Parcel B to Maxwell Conservation Trust. Member Markham moved that the Planning Board agree to the aforesaid Agreement for Consideration, to be drafted by Town Counsel, subject to the fact that no conditions are being waived. The motion was affirmed by a vote of 3-0. The Town Planner was instructed to send the Zoning Compliance and waiver language to Town Counsel.

DISCUSSION: Sign Bylaw Update

The Board decided to wait until Member Tobin was present to discuss the proposed changes to the sign bylaw. The Town Planner was instructed to meet with the Chair of the Board of Appeals and Member Tobin to further the effort.

DISCUSSION: Special Permit for OSRD

The Board discussed the 45-day decision time period, as it would relate to the potential pending Wildcat OSRD. The Board reached a consensus that they would prefer not to rush the Special Permit decision before the completion of the Planning Board changes as a result of the March elections; however the applicant is free to file at any time.

DISCUSSION: RFR for OSRD Special Permit

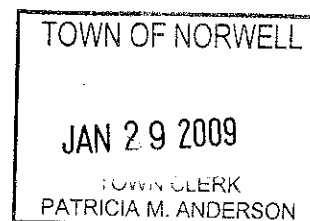
The Board reviewed the draft RFR for OSRD Special Permit and made certain changes thereto. Board Members then discussed details that they would like to see included on the Special Permit application. The Town Planner agreed to incorporate all such changes, and to work with Member Joseph on revising the draft Form-O application.

DISCUSSION: ZBL §2460, Height Restriction, Proposed Change

The Board reviewed the proposed bylaw that would allow an increase in building height in Business District C-1 & C-2. The Board decided to move forward with the proposed bylaw and asked the Town Planner to begin coordinating the ladder test with the Fire Chief.

DISCUSSION: State of the Town Breakfast

The Board discussed the State of the Town Breakfast. It was decided that, if desired, the Town Planner could speak at the breakfast about the progress made with OSRD and the proposed changes to building height in Business District C.



DISCUSSION: ZBL §4300, Aquifer Protection District, Proposed Change

The Board reviewed the proposed change to ZBL §4300, Aquifer Protection District. The Town planner said that the proposed change was intended to eliminate the "loophole" that Attorney Walter Sullivan took advantage of during the Site Plan review process for South Shore Medical Center. During this Site Plan review, Attorney Sullivan claimed that the bylaw's paragraph about redevelopment was unenforceable due to Chap. 40A, §6 protection for the existing parking lot. The Town Planner said that the proposed change to the bylaw ties redevelopment to the trigger for Site Plan review, rather than the current redevelopment trigger, which relies on an increase in impervious surface (i.e. a physical thing for which someone can claim Chap. 40A, §6 protection). The Board agreed with the proposed change and asked the Town Planner to have Town Counsel review the change.

DISCUSSION: Wind Power Committee Update

Member Markham provided a brief update on the Wind Power Committee. The Planning Board discussed the recently issued Preliminary Survey of Potential Wind Project Sites in Norwell, as prepared by the Massachusetts Technology Collaborative. Member Markham noted that the Water Department land on Grove Street rated the highest of any site in Town for wind generation, with the potential for a 1.5-megawatt wind turbine located thereon. Member Markham also told the Board that the Wind Power Committee is investigating adding solar panels to the roofs of Town buildings, including the high school.

DISCUSSION: Simon Hill Update

The Town Planner provided an update as to what transpired at the Simon Hill 40B engineering meeting that took place earlier in the day. The Board discussed and planned for the initial review of an additional comment letter at its next meeting.

DISCUSSION: Floor Area Ratio

Member Joseph gauged the Board's interest in a Floor Area Ratio (FAR) bylaw. The Board asked the Town Planner to research such a bylaw and to prioritize it on the Planning Board Priorities List.

DISCUSSION: Meeting Procedures

The Town Planner agreed to ready the hardcopy meeting package for Member's boxes on the Friday before all Planning Board meetings.

ADJOURNMENT

At 10:05 P.M. Member Markham moved that the Board adjourn. The motion was approved by a vote of 3-0.

I certify that the above minutes were reviewed and approved by majority vote by the Planning Board on January 28, 2009.


Charles Markham, Alternate Clerk

