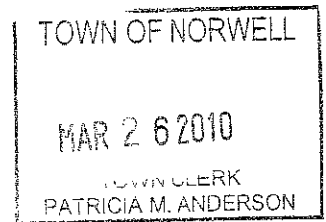


**Norwell Planning Board Meeting Minutes  
March 10, 2010**



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

**DISCUSSION: Draft Agenda**

Town Planner Thomas said he would like to augment the agenda to include a vote to accept a new ANR plan on Jacobs Lane as submitted. Member Tobin moved to accept the amended agenda as presented. The motion was affirmed by a vote of 5-0.

**DISCUSSION: February 24, 2010 Minutes**

Member Etzel moved to accept the February 24, 2010 meeting minutes as presented. The motion was affirmed by a vote of 5-0.

**DISCUSSION: Bills**

Chessia Consulting (Wildcat OSRD, Inv. #622) - \$2,940.50  
Member Jones moved that the bill be paid and that the payment voucher be signed. The motion was approved by a vote of 5-0.

**DISCUSSION: Upcoming Meeting Schedule Change for Town Meeting**

Board Members reviewed the revised Planning Board meeting schedule and found it to be generally acceptable.

**DISCUSSION: Cowings Cove Update**

The Town Planner said that there was no substantial update on the Cowings Cove subdivision, or the transfer of Parcel B to the Maxwell Trust.

**DISCUSSION: Laurelwood Update**

The Town Planner provided the Board with an update on the Laurelwood subdivision. He noted that he both met and traveled to the site with the Town Treasurer, Angela Park, regarding the foreclosure of certain Simeone Properties owned land for the non-payment of taxes. The Town Planner also related a conversation he had with the Treasurer about holding checks in escrow. The Board discussed the previous Laurelwood surety release vote that required holding a reimbursement check of \$88,500 in escrow. The Town Planner said that none of the legal work had been submitted that was required by the surety release vote. He added that he did receive notice of a Trustee change for the Laurelwood Utility Trust, from Michael McSharry to William Simeone. The Board asked the Town Planner to draft a response to the developer's attorney that included a chronology of the events related to the surety release.

**DISCUSSION: Wildcat OSRD Update**

The Town Planner provided a brief update on the Wildcat OSRD subdivision. He noted that John Chessia, the Board's technical engineering consultant, was almost finished with the drainage review.

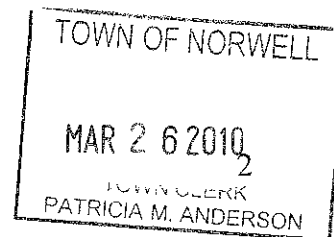
**DISCUSSION: 283 Winter Street Cranberry Bog ENF**

The Town Planner informed the Board that the Planning Office received an Environmental Notification Form regarding a project at 283 Winter Street. The Town Planner explained that the project entailed filling an existing cranberry bog, and enlarging another existing cranberry bog, with a net fill to cut are of zero square feet. Member Joseph noted that the Conservation Commission previously permitted this work. The Town Planner noted a few inconsistencies within the ENF application, but said that he did not have any immediate big picture concerns with the proposal. The Board asked the Town Planner to draft a simple comment letter highlighting the aforementioned inconsistencies.

**PUBLIC HEARING: Citizen's Petition for ZBL §2465 Roadway Setback**

Member Turner read the advertised hearing notice, and the public hearing for the citizen's petition zoning article for §2465 Roadway Setback began. Residents in attendance for the public hearing were Marie Molla of 88 Prospect Street, David DeGhetto of 303 River Street, Jim Kelly of 278 Bowker Street, Rebecca Allen of 153 Bowker Street, Mary Cole of 221 Forest Street, Penny Wilson of 120 Prospect Street and Joan & Casimer Gabriel of 58 Simon Hill Road. Resident Marie Molla introduced the proposed zoning article for roadway setback. She said that the Town's current zoning bylaw requires 20 foot setbacks to abutting property lines for houses, structures, tennis courts and pools, and that she was only trying to require the same setback distance for subdivision roadways. Ms. Molla added that having such a setback would have had a positive impact on the Simon Hill 40B development. Member Jones said that he thinks it makes sense to have some sort of setback regulated from the edge of pavement. Member Joseph and Member Turner both said that they were reluctant to endorse a bylaw that obviates the many 50 foot wide strips of frontage to undeveloped backland that exist throughout Town. Member Turner said that she would support a buffer from the edge of roadway pavement, so long as it worked with the Board's typical 50-foot wide subdivision roadway layout. Member Etzel questioned what additional impacts this bylaw might have, and said that it may have unintended consequences on the Common Driveway Bylaw and OSRD Bylaw. Member Jones said that a ten-foot setback seemed more than reasonable.

Member Joseph asked the general public in attendance for comments. Resident Jim Kelly said that the impact of the proposed bylaw is unknown, and its adoption may encourage 40B development. Resident Penny Wilson asked why the Town would require setbacks for things like tennis courts and pools, but not roadways. Resident David DeGhetto said that the proposed bylaw would ensure that there is always room for emergency vehicles trying to get around work crews dealing with underground wires and utilities in the roadway. Resident Mary Cole said that it was not unreasonable to ask that a roadway be separated from abutting property lines. Resident Marie Molla said that she would be willing to postpone her article if the Board would study its impacts. Member Jones moved to close the public hearing. A vote of 5-0 affirmed the motion. The Board decided to make a recommendation on this article at its next meeting.



**PUBLIC HEARING: Citizen's Petition for ZBL Definition for Funeral Homes**

At approximately 8:18, Member Turner read the advertised hearing notice and began the public hearing for the citizen's petition zoning article to add the definition of "funeral establishment" to the Zoning Bylaw. Resident Brendan McNamara of 30 Central Street and his attorney Walter Sullivan were present for the hearing. Attorney Sullivan introduced the article on behalf of the McNamara family, and said that this citizen's petition resulted from an earlier §6 hearing with the Board of Appeals that attempted to reestablish the residential use of the funeral home site. Mr. McNamara said that it was very important for a Funeral Director, due to the nature of the business, to live in close proximity to the funeral home. Members Jones and Tobin said they support the zoning change. Member Etzel said that the bylaw feels like spot zoning. Member Jones said that the definition is narrowly defined, and does not see any detriment to adding it. Member Turner suggested some minor wording changes be made to the proposed definition. Member Joseph said that the Board would take this issue under consideration and moved to close the public hearing. A vote of 5-0 affirmed the motion.

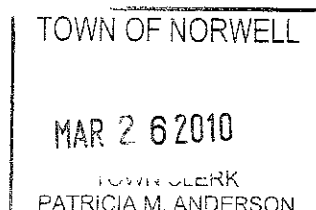
After a break in the discussion, the Board resumed the debate. Member Jones moved to recommend the amended definition of "funeral establishment" to Town Meeting. A vote of 3-2 affirmed the motion.

**PUBLIC HEARING: Water Commissioner's Petition to Update the "Watershed/Aquifer Protection District Map"**

Member Turner read the advertised hearing notice and began the public hearing for the Water Commissioner's zoning article designed to update the current reference to the "Watershed/Aquifer Protection District Map" in the Zoning Bylaw. Water Commissioner Peter Dillon of 6 Henry's Lane, the only attendee of the hearing, presented the updated "Watershed/Aquifer Protection District Map" to the Board. The Board questioned some of the changes on the map, specifically the elimination of a small area of Aquifer Protection Zone 3 from the Scituate border in the northeast corner of Town. Mr. Dillon explained that state and federal aquifer protection regulations made the added protection that Norwell was giving to Scituate's water supply in this area unnecessary. Member Etzel and Member Jones questioned why we would not want to afford Scituate's water supply the same protection provided under Norwell's Aquifer Protection District Bylaw. Mr. Dillon replied that adding this additional protection would require adding more Zone 3 area to the map, and that this would be politically unpopular and unlikely to pass Town meeting. Town Planner Thomas introduced alternate language that would correctly change the "Watershed/Aquifer Protection District Map" reference within the existing Aquifer Protection Zoning Bylaw. Member Jones moved to close the public hearing. A vote of 5-0 affirmed the motion. Member Turner moved to recommend the amended "Watershed/Aquifer Protection District Map" zoning language to Town Meeting. A vote of 5-0 affirmed the motion.

**DISCUSSION: Masthead Drive Extension ZBA Update**

The Town Planner provided the Board with an update as to recent events surrounding developer George Junior's permitted subdivision and ANR lot (Masthead Drive Extension). The Town Planner related a meeting held between Board of Appeal's Chair



Lois Barbour, Town Administrator James Boudreau, Conservation Agent Abby Hardy and Town Counsel. He added that Mr. Junior withdrew his request for a building permit from the Board of Appeals for the ANR lot earlier in the evening. The Board asked the Town Planner to keep Members apprised of any new developments regarding Masthead Drive Extension. The Town Planner said that he would also update the Board's zoning priorities list based on the evening's discussion.

**DISCUSSION: Advisory Board Memo Regarding Budget Cuts**

The Town Planner informed the Board that the Advisory Board sent a memo requesting the analysis of 5% and 10% department budget cuts. He added that the Planning Board was not a recipient of this memo.

**DISCUSSION: ANR Plan Submission for 125 Jacobs Lane**

The Board reviewed the new ANR plan submittal for 125 Jacobs Lane. Member Turned moved to accept the plan as submitted on March 10, 2010. A vote of 5-0 affirmed the motion.

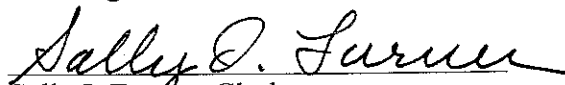
**DISCUSSION: Board Member Committee Representation Report**

Member Etzel provided the Board with an update on Community Preservation Committee (CPC) activities. Conversation centered on the Pathway Committee's \$400,000 CPC funding request for Town Meeting. Board Members discussed if they wanted to cosponsor the Pathway Committee's \$400,000 CPC funding request for bikepath construction. Member Jones moved to have the Planning Board cosponsor the Pathway Committee's Town Meeting funding article. A vote of 5-0 affirmed the motion.

**ADJOURNMENT:**

At 10:50 P.M., Member Tobin 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 March 24, 2010.

  
Sally I. Turner, Clerk

