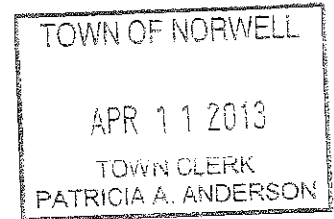


PLANNING BOARD  
**TOWN OF NORWELL**

Post Office Box 295  
Norwell, Massachusetts 02061  
(781) 659-8021



**Norwell Planning Board Meeting Minutes  
February 27, 2013**

The meeting was called to order at approximately 7:00 p.m. Present were Board Members Margaret Etzel, Ken Cadman, Kevin Cafferty and Sally Turner. Kevin Jones arrived after the meeting opened. The meeting was held in the Planning Office.

**Draft Agenda**

*Member Cafferty moved that the Board approve the draft agenda. The motion was approved by a vote of 4-0.*

**Bills**

Chessia Consulting: Bay Path Lane: \$1041.00

Bond Printing: \$91.78

*Member Cafferty moved that the Board approve and pay the bills. The motion was approved by a vote of 4-0.*

**Minutes**

*1/23/13: Member Cafferty moved that the Board approve the minutes. The motion was approved by a vote of 3-0 with Member Turner abstaining.*

**2012 Annual Town Report**

*Member Cafferty moved that the Board approve the Planning Board section of the Annual Town Report. The motion was approved by a vote of 5-0.*

**Bowker Street Lot 2 Scenic Road**

*At 7:15, Member Jones moved that the Board open the public hearing. The motion was approved by a vote of 5-0.*

The applicant presented a revised plan that depicted the site distances from the driveway entrance as requested at the prior public hearing on 2/13. AASHTO standards were used to derive the sight lines indicated on the plan.

*Member Jones moved that the Board approve the proposal. The motion was approved by a vote of 5-0.*

**Public Hearing: Zoning By-Law Modifications – §2318 Common Driveways**

*At 7:30, Member Jones moved that the Board open the public hearing on the Zoning By-Law Modifications – §2318 Common Driveways. The motion was approved by a vote of 5-0.*

The proposal is to eliminate the common driveway by-law and its associated components. The Planning Board believes that the existing common driveway by-law is ambiguous and that this has led to incorrect interpretations by the Zoning Board. This has resulted in a situation where there is no limit to the length of the driveway providing access to the second lot, which the Board does not believe was the spirit of the by-law to reduce impervious surfaces. Also, the required construction review and oversight outlined in the by-law is cumbersome and difficult to impose. The actual benefits of the by-law to the town are questionable, as the stated purposes of the by-law to reduce curb cuts and impervious surface are not being achieved. This style of driveway is not preferred by owners and the only use of the common driveway by-law appears to be to skirt wetlands and create developable lots from land that may be currently undevelopable.

*Member Jones moved that the board close the public hearing. The motion was approved by a vote of 5-0.*

*Member Jones moved that the board approve the elimination of the by-law. The motion was approved by a vote of 5-0.*

**Public Hearing: Zoning By-Law Modifications – §2320 Business District A Use Regulations**

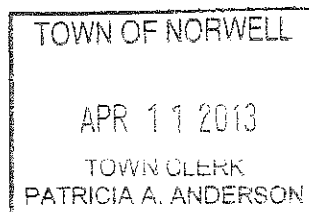
*At 8:00, Member Jones moved that the Board open the public hearing on the Zoning By-Law Modifications – §2320 Business District A Use Regulations. The motion was approved by a vote of 5-0.*

This by-law modification would affect the town center only. The primary purposes of this by-law modification are to allow small scale mixed-use (residential/business) development; selective by-right uses to reduce the burdens on new small businesses, and to make the use section less ambiguous to potential business owners.

Public discussion focused on what is allowed as accessory uses and home occupations, parking for new residences and the appearance of the by-law as being more restrictive.

*Member Jones moved that the board close the public hearing. The motion was approved by a vote of 5-0.*

*Member Jones moved that the board approve the Business A by-law modification. The motion was approved by a vote of 5-0.*



**Public Hearing:           Zoning By-Law Modifications – Article II District Regulations:  
                                  Medical Marijuana Treatment Center**

*At 8:30, Member Jones moved that the Board open the public hearing on the Zoning By-Law Modifications – Article II District Regulations: Medical Marijuana Treatment Center. The motion was approved by a vote of 5-0.*

Medical Marijuana was approved by statewide election with Norwell voting 60-40 in favor of the measure. The State Attorney General has ruled that the use cannot be prohibited throughout an entire town. With this in mind, the Board determined what is believed to be the appropriate location (Business District C1 and C2) for this use based on several criteria, and has set additional restrictions on the siting of the use within the location.

*Member Jones moved that the board close the public hearing. The motion was approved by a vote of 5-0.*

*Member Jones moved that the board approve the establishment of the by-law with the modifications proposed by Town Counsel. The motion was approved by a vote of 5-0.*

**Schedule/Committee Reports and Appointments**

The public hearing for the opening of Bay Path Lane will be held on 3/6/2013.

A joint meeting with the Pathways Committee will be held at 7:00 on 3/13/13 regarding the appointment of James Kelliher to the Pathways Committee.

**ADJOURNMENT**

*At 9:00 p.m., Member Jones 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 the majority vote by the Planning Board on April 10, 2013.

  
\_\_\_\_\_  
Sally Turner, Clerk

