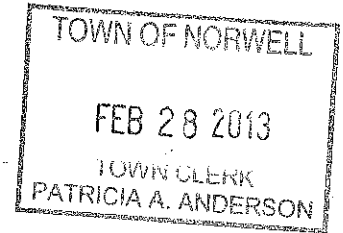


PLANNING BOARD
TOWN OF NORWELL

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



**Norwell Planning Board Meeting Minutes
January 23, 2013**

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

Draft Agenda

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

Bills

Chessia Consulting:

Wildcat OSRD:	Invoice 1012: \$62.50
Harvest Place:	Invoice 1004: \$827.50
Zildjian:	Invoice 1010: \$2,365.00

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

Harvest Place Lot Release

A revised estimate was submitted to the Board that the applicant finds satisfactory.

Member Cafferty moved that the Board approve the revised Chessia Consulting cost for completion estimate dated 1/22. The motion was approved by a vote of 4-0.

ANR First Parish Road

Member Cafferty moved to waive the fee at the request of the applicant. The motion was denied by a vote of 2-2 with Members Etzel and Jones voting against.

Member Jones moved to approve the findings under items B-X. The motion was approved by a vote of 4-0.

Member Jones moved to approve the finding under item A and approve the ANR proposal. The motion was approved by a vote of 4-0 subject to the adequate fee being provided.

Birchwood Farms

Several residents of Birchwood met with the board to discuss issues with the subdivision and the developer, Alex Kahane. The homeowners have three main issues to address with the town.

Snow Removal: The developer has not been plowing the roadway during snow storms producing dangerous conditions for pedestrians and motorists. Planning Staff has been in contact with the developer and has been assured that the roadway will be plowed during subsequent storms. The road is a private roadway and the town policy is to not plow unless the roadway will be up for acceptance in the spring, which this road will not. Plowing is a Highway Department and Selectmen issue.

Surety: The residents are concerned that the town is not holding enough surety to ensure completion of the roadway and want the board to demand additional surety from the developer. The surety documents state the board may request additional surety. The board has requested a new cost to complete estimate from Chessia consulting and the existing surety is approximately \$50,000 deficient. The Board will request additional surety from the developer and explore leverage options to ensure the necessary surety is provided.

Town Counsel Conflict in Interest: Planning Staff will look into claims that Town Counsel, Bob Galvin Jr. has a conflict in interest in his dealings with this project.

Public Hearing: Bay Path Lane OSRD Special Permit

The Board determined that all the required materials had not been submitted and that the public hearing had been scheduled prematurely. Typically, the Board will have a meeting to determine if all materials have been provided and accept the proposal prior to the hearing. Therefore, the Board did not open the hearing.

The Board wants Chessia Consulting to review the submission prior to opening the hearing and the applicant agreed to fund the consultant.

The Board will meet again on February 13th and could vote to accept the proposal on that date with the potential public hearing to be scheduled on March 6th.

MAPC

Member Jones moved that the Town Planner be appointed as the Norwell alternative representative to the MAPC. The motion was approved by a vote of 4-0.

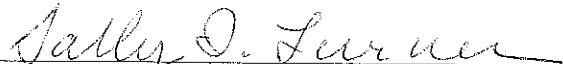
FY 13 Zoning Amendments

Member Jones moved to secure three spaces in the warrant for zoning articles (Business A use table, Medical Marijuana Treatment Center, Common Driveway). The motion was approved by a vote of 4-0.

ADJOURNMENT

At 10:00 p.m., Member Jones moved 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 the majority vote by the Planning Board on February 27, 2013.


Sally Turner, Clerk

