

Town of Norwell
ZONING BYLAW REVIEW COMMITTEE
Meeting Minutes of January 27, 2016

TOWN OF NORWELL
TOWN CLERK

2016 MAR -4 AM 8: 58

MEETING DATE:	Thursday, January 27, 2016	RECEIVED
TIME SCHEDULED:	7:15 P.M.	
LOCATION:	Building Office before and after BoS session Meeting with BoS – Osborne Room	
MEMBERS PRESENT:	Sally I. Turner, Chair (at large) Lois S. Barbour, Vice-Chair (ZBA) Spencer A. Joseph, Clerk (at large) Jason Brown, Board of Selectmen (BoS meeting only) Patrick G. Campbell, Planning Board (BoS meeting only) Robert Woodill, Conservation Commission	
MEMBERS ABSENT:	John Litchfield, Board of Health	
TOWN EMPLOYEES PRESENT:	Pat Anderson, Town Clerk (BoS meeting only) Peter Morin, Town Administrator (BoS meeting only) Tim FitzGerald, Inspector of Buildings (lv. 7:30)	
TOWN EMPLOYEES ABSENT:	Chris DiIorio, Town Planner (at PB meeting)	

The meeting was called to order at 7:21 P.M. by Chair Turner.

Agenda: Upon a motion duly made and seconded, members present **VOTED** to approve the agenda, as written.

Minutes: Upon a motion duly made and seconded, members present **VOTED** to approve the minutes for the meeting of 1/14/16, with reading of the minutes waived.

Town Report: Upon a motion duly made and seconded, members present **VOTED** to approve the committee's annual report to the Town, as drafted.

Meeting with Board of Selectmen: At approximately 7:35 P.M., Members Turner, Barbour, Joseph, and Woodill joined the Board of Selectmen at their meeting in process in the Osborne Room as scheduled on respective agenda. Chair Turner introduced committee members and provided a brief report on the committee's activities to date.

Town Clerk Pat Anderson discussed the history of the process in selecting the proposal of General Code that lead to the NZBL Review Committee's recent vote to recommend adoption of the General Code proposal for an editorial/legal review of the Town's current zoning bylaw as a component of a comprehensive proposal to review all of the Town's bylaws and committee/board rules and regulations. Ms. Anderson gave the selectmen copies of a handout on General Code and indicated that paper and electronic copies of the full proposal have been given to all members of the Committee, as well as to the Town Administrator.

Selectman Jason Brown, also a member of the NZBL Review Committee spoke about restructuring the current bylaw that would not include any substantive change after which it would be more appropriate to "go to the deep dive" that would result in substantive change recommendations. It was again stressed that the current recodification proposal would not change content. The \$14,800. proposal before the Board of Selectmen includes the cost to recodify listed documents and to note areas of conflict within the documents reviewed. General Code has made it clear that document changes are strictly within the purview of the Town to decide. Additional annual costs are

2016 MAR -4 AM 8:58

associated with hosting of documents on-line, as well as supplementation fees for any revisions following the initial recodification.

Any changes to the Norwell Zoning Bylaw must be approved by Town Meeting, including any recommended recodification or substantive changes to any section of the zoning bylaw—requiring a two-thirds vote of Town Meeting. It is clear that no substantive changes will likely be ready to present to Town Meeting this year but are anticipated for the 2017 Spring Town Meeting. It was noted any revisions to the zoning bylaw should proceed only after carefully considered and thoughtful discussion, as zoning regulations have a significant impact on the character of the Town.

Discussion with the Board of Selectmen concluded at approximately 8:00 P.M. at which time Members Turner, Barbour, Joseph, and Woodill returned to the Building Office for a brief discussion of procedural matters relating to the General Code review and to identify the committee's next likely meeting date.

It was agreed the first scheduled meeting in February would be canceled with a determination made about the later meeting, once the proposal has been signed by the Town's chief procurement officer. The Committee will likely want to set its next meeting to coincide with a conference to be scheduled by the Town Clerk with General Code to ensure the proper zoning bylaw documents submitted are the originals approved by Town Meeting and not a retyped version that came out of the Planning Office, which is currently in general use.

ADJOURNMENT: Upon a motion duly made and seconded, members present **VOTED** to adjourn at approximately 8:20 P.M.

NEXT SCHEDULED REGULAR MEETING: Members agreed to cancel next week's scheduled meeting on February 4, 2016, with the next meeting dependent upon when the contract with General Code will be signed and a conference date set.

These minutes have been approved with reading of the minutes waived by unanimous vote of the Norwell Zoning Bylaw Review Committee at a public meeting duly noticed and held on _____, in accordance with the Massachusetts Open Meeting Law.

Signed: _____

As Clerk

Date: _____

3/3/16

Copy filed with: Office of Town Clerk

Copies to: Town Administrator/Board of Selectmen
Conservation Agent/Conservation Commission
Town Planner/Planning Board
Board of Health
Board of Appeals
Inspector of Buildings

Post to Committee's Webpage

NORWELL ZONING BYLAW REVIEW COMMITTEE

ACTION ITEMS – COMPLETED AND OUTSTANDING

2016 MAR -4 AM 8:58

Action/Information Request	Lead/Date	Action Taken/Information Obtained
1. Verify with Health Agent if any subdivisions currently exceed allowable daily wastewater discharge	JL 10/1/15 Completed	11/19/15 JL reports No requirement for lot perc testing by BoH for subdivision; however, BoH requires each lot to perc on virgin soil (no fill); if DEP GWDP applies, 110 gal/day per bedroom
2. Check DEP requirement about number of rooms (7?) in a residence before considered a bedroom	JL 10/1/15 Completed	11/19/15 JL reported BoH regulations require 40,000 sq. ft. for a 4-bedroom house (NZBL is min. 1 acre); Additional bedrooms are determined by dividing total number of rooms by 2 to determine the number of "bedrooms"; each extra bedroom requires additional ¼ acre
3. Check if BoH requires perc tests on each lot as reserve if failure of wastewater treatment under DEP GWD Permit	JL 10/1/15 Completed	11/19/15 Not regulated by BoH
4. Reformatting costs	PM 10/1/15 Completed	10/15/15 PM advises Town Counsel could reformat for \$1,500-\$2,000 10/15/15 Town Counsel to attend joint PB meeting on 10/21/15 (per LSB telecom during meeting) to discuss reformatting requirements and any TC recommendations
5. Reformatting	RWG 10/21/15 Completed	Town Counsel to provide names of consultants for editorial and legal analysis of the bylaw, similar to Marshfield (3-4 months ~\$25,000); rec. 10/22/15; s/b discussion with Peter Morin
6. Committee presence on Town Website for posting of agenda and minutes	SIT/PM 10/15/15 Completed	Meeting minutes posted on committee's webpage; Agendas posted in Meeting Calendar section
7. Meeting calendar for 2017	12/3/15	Approved upon vote of members
8. Town Planner to schedule a joint meeting with PB; discussion items should include items contained in 10/1/15 minutes (see below)	SIT 10/1/15 Completed	Town Planner to post for joint-meeting PB and NZBL Review Comm. on 10/21/15 at 8:00 P.M. Agreement by committee members present that discussion with PB during joint meeting to include items indicated below from 10/1/15 minutes; Meeting held on 10/21/15
9. Perc Testing requirements	JL 12/3/15 Completed	12/3/15 Per JL, percs required for PB subdivision approval one every other lot, while BoH requires every developable lot perc prior to construction or meet state's DEP permit requirements
10. Bid for Legal/Editorial Review	SIT discuss with PM 11/19/15; 12/3/15; Special meeting held 1/14/16 Completed	11/19/15 SIT and SAJ report discussion with PM and Town Clerk; Members want to obtain three bids from General Code, Code Publishing, and Municode and move process forward asap; should coordinate with Town Clerk's general bylaw review 11/19/15 SIT to address with Town's chief procurement officer/Town Administrator 12/3/15 PM to develop RFP by next meeting 12/30/15 PM identified that General Code proposal includes NZBL and RFP not needed 1/14/16 Special meeting scheduled to hear presentation by General Code on contract proposal

RECEIVED

2016 MAR -4 AM 8:58

RECEIVED

Action/Information Request	Lead/Date	Action Taken/Information Obtained
11. Schedule meeting with BoS to discuss Committee's vote on General Code proposal	1/14/16 PM Completed	PM suggests NZBL Review Committee should meet with BoS to provide update and discuss recommendation to pursue General Code proposal 1/27/16 Meeting held; BoS approved unanimously the General Code proposal
12. What sections of bylaw are obsolete or require updating? (e.g., APD, Salt Marsh, Flood Plain, etc.)	BoH and Editorial/ legal review	11/19/15 JL reports APD needs to be updated; BoH and Water Commissioners should review relevant sections of the NZBL 12/3/15 noted as open item 1/14/16 JL notes BoH/WC items still open
13. Estate/Retreat Lots: Packet presented by Town Planner (see 12/3/15 minutes for concerns discussed)	12/3/16 CDiI Need further discussion	Town Planner to develop additional maps including wetlands, not including Town-owned parcels, and showing various parcel frontage-width scenarios for future committee review. 1/14/16 no further discussion
14. Status of PB action on Land disturbance bylaw	PGC 10/1/15 PB 10/21/15 Need further discussion	Discussed during 10/21/15 joint-meeting in relation to height definition 11/19/15 PC advised PB passes to NZBL committee
15. Status of PB Height Restriction: define	PGC 10/1/15 BW 10/21/15 Need further discussion	Discussed at 10/21/15 joint-meeting; Brad Washburn suggests definition change 11/19/15 PC advised PB passes to NZBL committee
16. Status of PB/Economic Dev. Comm. on redevelopment Accord Park	PGC 10/1/15 Need further discussion	
17. Nuisance abatement/enforcement – identified member priority	11/19/15 Need further discussion	Lingering building projects and eyesores created when construction does not continue expeditiously; general bylaw and/or enforcement? 1/14/16 no further discussion
18. Groundwater Protection District – identified member priority	11/19/15 Need further discussion	12/3/15 noted as open item; 1/14/16 no further discussion
19. OSRD density restrictions and design control – identified member priority	11/19/15 Need further discussion	12/3/15; 1/14/16 no further discussion
20. Estate/Retreat Lots and common driveway – identified member priority	11/19/15 Need further discussion	12/3/15 Town Planner to create additional GIS maps; 1/14/16 no further discussion
21. FAR – identified member concern	11/19/15 Need further discussion	12/3/15; 1/14/16 no further discussion
22. Follow-up meeting with PB	SIT 10/21/15	Arrange for future meeting, dependent upon committee progress 11/19/15; 12/3/15 no action required at this time