

Town of Norwell
BOARD OF APPEALS
Business Meeting Minutes
February 14, 2024

TOWN OF NORWELL
TOWN CLERK
2024 MAR -7 AM 11:28

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MEETING DATE: Wednesday, February 14, 2024
TIME SCHEDULED: 7:00 P.M.
LOCATION: Norwell Town Hall, Osborn Room
MEMBERS PRESENT: Lois S. Barbour, Chair
Ralph J. Rivkind, Clerk
Stephen H. Lynch, Vice Chair
MEMBERS ABSENT: Daniel M. Senteno
William J. Lazzaro

CALL TO ORDER: The business meeting was called to order at 7:02 P.M.

AGENDA: Upon a motion duly made and seconded, members present **VOTED** unanimously to accept the agenda as written.

MINUTES: Upon a motion duly made and seconded, members present **VOTED** unanimously to approve meeting minutes of 1/17/24 and 1/24/24 with reading of these minutes waived.

INVOICES: Upon a motion duly made and seconded, members present **VOTED** unanimously to approve Chessia Consulting invoice no. 3368, dated 2/5/24, in the amount of \$435.00 for the Damon Farm 40B project. Upon a motion duly made and seconded, members present **VOTED** unanimously to approve Chessia Consulting invoice no. 3359, dated 2/5/24, in the amount of \$955.50 for the South Shore Natural Science Center project. Upon a motion duly made and seconded, members present **VOTED** unanimously to approve Chessia Consulting invoice no. 3367, dated 2/5/24, in the amount of \$520.50 for the 111-119 Washington Street Site Plan approval project. Further, upon a motion duly made and seconded, members present **VOTED** unanimously to approve WB Mason invoice no. S141183422, dated 2/1/24, in the amount of \$49.99 and WB Mason invoice no. S141306709, dated 2/6/24, in the amount of \$37.84 for ZBA office supplies.

DISCUSSION ITEMS:

2023 ZBA TOWN REPORT: Upon a motion duly made and seconded, members present **VOTED** unanimously to approve the 2023 ZBA report to the Town with reading waived.

SOUTH SHORE NATURAL SCIENCE CENTER: The Board's consultant, Mr. Chessia, indicated that this project is now well underway.

111-119 WASHINGTON STREET Site Plan: Final As-Built completed and revision has been updated and made available for Mr. Chessia's further review. Note made of electrical transformer placement on current project that was not shown on the original plan with discussion about screening for such features.

DAMON FARM 40B: (Attending on behalf of the applicant – Jeffery Tocchio, Esq.; Maureen Trifone, developer; Jim Burke, P.E., DeCell-Burke; William Edes) Mr. Tocchio referenced John Chessia's letter of January 24, 2024, to the ZBA that listed the following open items:

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1. **Entrance at Washington Street** change from the approved plans. Access improved at abutter's request at least two years ago to which the Board had previously expressed no objection.
2. **Detention basin's** relatively-steep, easterly side-slope was revised to replace grass with rip rap. This change was required due to erosion of the side slopes, as known to the Board, to which no objection was raised at the time.
3. **Property boundaries** at rear of Units 19 & 20. This is not a ZBA issue but is a civil matter for involved property-owners and is, therefore, outside of the Comprehensive Permit requirements.
4. **Landscape Plantings** required under Comprehensive Permit. The Applicant has requested relief from this requirement. The ZBA is reluctant to grant this waiver without agreement involving the HOA. Attorney Tocchio will contact the HOA and attorney to discuss this long-unresolved issue.
5. **Parking area** at the easterly side of the site not striped as shown on the approved plans. The Applicant has requested that striping not be required at this location. The Board would like concurrence of the HOA.
6. **Catch basin hood** remains to be installed in CB1.
7. **Roof infiltration systems** As-Built differs from the Approved Plans in location and the data provided does not include inverts, the roof collection systems, etc.

Although requested by the Applicant's attorney at the meeting, ZBA members did not vote to return any portion of the surety. Therefore, the Town will continue to retain the remaining 15% of the original bond amount.

BUSINESS MEETING ADJOURNMENT: Upon a motion duly made and seconded, members present **VOTED** unanimously to adjourn the business portion of the meeting at approximately 7:45 P.M.

PUBLIC HEARING VOTES:

Upon a motion duly made and seconded, Members Rivkind, Lynch, and Barbour **VOTED** unanimously to approve withdrawal of the **Variance** on property located at **78 Brantwood Road**. Upon a motion duly made and seconded, Members Rivkind, Lynch, and Barbour **VOTED** unanimously to approve the **Section 6 Finding/Special Permit** on property located at **78 Brantwood Road** in accordance with the plan, dated 10/24/23, as revised 1/9/24.

These minutes have been approved with reading of the minutes waived by unanimous vote of the Board of Appeals at a public meeting duly held on 3/6/24 in accordance with M.G.L. c40A, Section 11, and the Massachusetts Open Meeting Law.

Signed:  Date: 3/6/24
As Clerk

Next scheduled meeting: March 6, 2024