

Town of Norwell
BOARD OF APPEALS
Business Meeting Minutes
August 2, 2017

MEETING DATE: Wednesday, August 2, 2017
TIME SCHEDULED: 6:55 P.M.
LOCATION: Building Office (Public Hearing in Gym)
MEMBERS PRESENT: Lois S. Barbour, Chair
Philip Y. Brown, Vice-Chair
Ralph J. Rivkind
MEMBERS ABSENT: David Lee Turner, Clerk
Thomas P. Harrison

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TOWN OF NORWELL
TOWN CLERK

BUSINESS MEETING SUSPENDED: As Member Rivkind was detained by Boston traffic, the Board did not convene the business meeting until 7:30 P.M. Upon a motion duly made and seconded, members present **VOTED** unanimously to open and immediately suspend the business portion of the meeting and to reconvene following the Public Hearing on property known as 22 Forest Street, originally scheduled to open at 7:00 P.M.

22 FOREST STREET – PUBLIC HEARING DISCUSSION: There was notable abutter interest with the following members of the public present: Susan Carson of 124 Prospect St.; Jennifer Gilroy Marchesiani and Anthony Marchesiani of 42 Forest St.; Denise Lovell of 38 Forest St.; Attorney Scott Golding, representing Judith Enright of 20 Forest St.; Peter Kates of 16 Forest St.; and illegible signature. Applicant Stephen O’Keefe presented his application.

During the course of the hearing, the Board learned the existing residence was occupied until approximately two months ago. The primary abutter concern is the right-of-way (ROW), which is approximately 10-12 feet in width and only allows for one-car passage.

The Applicant stated he has walked the property with the Conservation Agent, who agreed that the wetland determination lines are generally acceptable. However, she expressed concern that a section of the ROW would likely need to be improved where flooding over the roadway occurs during the spring. There was later mention of a concrete bridge to remedy that concern, which falls under the authority of the Conservation Commission. Concern was also expressed about construction traffic and its potential detrimental effect to the driveway that services other residences located along the ROW. Abutters do not want the character of the ROW to change or to be “improved”.

After a discussion relating to ROW access to the subject property and its grandfathering status, the Applicant agreed to continue the public hearing to provide time to obtain additional information requested by the Board, including certification from the closing attorney relating to the title status. It was also suggested that the Applicant meet with the Assessors Office to determine if configuration of the current lot has been altered since 1930 when the existing structure was built.

At approximately 8:05 P.M., upon a motion duly made and seconded, Members Rivkind, Brown, and Barbour **VOTED** to continue the public hearing to 7:30 P.M. on Wednesday, September 13, 2017.

BUSINESS MEETING RECONVENED: At approximately 8:10 P.M., members moved to the Building Office to reconvene the business meeting, especially a discussion of the letter of July 24, 2017, received from Tiffany Hill President, Mohammed Itani, relating to a “minor modification” determination for the project. Upon a motion duly made and seconded, members present **VOTED** unanimously to reconvene the business meeting to discuss the various agenda items.

Minutes: No minutes presented

Invoices: No invoices presented

DISCUSSION:

Tiffany Hill 40B: A letter dated July 24, 2017, from Tiffany Hill, Inc. was received on 7/26/17 by the Board requesting a minor modification determination to allow introduction of two new designs known as the Belvidere and the Scotia to provide for master bedrooms with baths on the main floor of the dwelling in response to market demand. These two designs would be available as alternatives for between three (3) to five (5) units but will add neither additional bedrooms nor additional bathrooms, so the total count of each would remain the same as currently approved. This proposal provides for replacement of up to two (2) Gloucester, one (1) Fairfield, one (1) Clarendon, and one (1) Exeter. Mr. Itani stated he anticipates a total of three (3) to a maximum of five (5) units could be involved. The increase in impervious surface, as represented, would add a total of 1,004 square feet. Mr. Chessia told Board members this would not be a significant increase and will have little effect on the overall project. Based upon the evidence provided and representations by Mr. Itani to the Board, upon a motion duly made and seconded, Members Brown, Rivkind, and Barbour **VOTED** unanimously to approve the requested changes as a "minor modification" under 760 CMR 56 regulations for M.G.L. c. 40B.

239 Washington Street 40B: As Mr. Chessia was present to advise Board members during the Tiffany Hill 40B discussion, members took advantage of his presence for an update on the 239 Washington Street 40B project. Members discussed parking space concern, previously raised by the Board's Project Monitor, relating to two spaces previously shown on project plans that appear to have been "lost" with the increase from thirty-nine (39) to forty (40) units. Chair Barbour will speak with the Conservation Agent about the status of approval for the increase in parking spaces and follow-up with the Applicant.

ADJOURNMENT: Upon a motion duly made and seconded, members present **VOTED** unanimously to adjourn the business meeting at approximately 8:39 P.M.

NEXT SCHEDULED MEETING: Wednesday, September 13, 2017

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 13 SEPT. 2017, in accordance with M.G.L. c40A, Section 11, and the Massachusetts Open Meeting Law.

Signed:  Date: 13 SEPT. 2017
As Clerk/Assistant Clerk

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HOWARD L. CHESSIA