

Town of Norwell
BOARD OF APPEALS
Business Meeting Minutes
with Public Hearing Votes
November 15, 2017

MEETING DATE: Wednesday, November 15, 2017
TIME SCHEDULED: 7:00 P.M.
LOCATION: Building Office (Public Hearings in Gym)
MEMBERS PRESENT: Lois S. Barbour, Chair
Philip Y. Brown, Vice-Chair
David Lee Turner, Clerk
Thomas P. Harrison (arv. 7:28 P.M.)
Ralph J. Rivkind (arv. 7:16 P.M.)

BUSINESS MEETING: The meeting was called to order at 7:10 P.M.

AGENDA: Upon a motion duly made and seconded, members present **VOTED** unanimously to approve the evening's agenda.

MINUTES: Upon a motion duly made and seconded, members present **VOTED** unanimously to approve business-meeting minutes of October 25, 2017.

INVOICES: Upon a motion duly made and seconded, members present **VOTED** unanimously to approve Chessia Consulting invoice #1827, dated 11/9/17, for 40B project monitoring at 239 Washington Street.

DISCUSSION: Chair Barbour provided an update on the BLRC progress. BLRC Chair Sally Turner is returning the consolidated responses for the General Code Legal & Editorial Analysis questions relating to the Town's General Bylaw and the Norwell Zoning Bylaw, as voted and approved by the Bylaw Review Committee at its last meeting on 11/8/17. As multiple boards, departments, and committees are still in the process of updating and approving their rules and regulations, those responses are not being submitted to General Code at this time. The expectation is that newly approved rules and regulations will be submitted for transmittal within the next couple of months in order for them to be included in the overall recodification process.

ADJOURNMENT: The business meeting was adjourned at approximately 7:35 P.M.

PUBLIC HEARINGS:

1. **328 Summer Street:** Upon a motion duly made and seconded, Members Brown, Turner, and Barbour **VOTED** unanimously to approve the request for withdrawal of the **Variance** application that is being resubmitted as a Special Permit/Section 6 Finding to be heard at the Board's next meeting on 12/6/17.
2. **45 Cedar Point:** Upon a motion duly made and seconded, Members Brown, Harrison, and Barbour **VOTED** unanimously to approve the **Appeal** of the denial of the building inspector for property located at 45 Cedar Point with the condition that the building will not be used as a living space or in-law apartment without further relief being granted. Further, no kitchen facilities are to be allowed.

3. **103/111/113 Washington Street**: Upon a motion duly made and seconded, Members Brown, Rivkind, and Barbour **VOTED** unanimously to consolidate of all open applications, including the Site Plan Modification, Variance, Site Plan and Special Permit.

As members of the public were present and wished to speak, panel Chair Rivkind entertained discussion. Ramona Caruso of 30 Grove Street and Richard Richardi of 30 Grove Street expressed concern about the increase in the number of dogs that were being kept at the current location of A Fox and Hounds and that they feared a significant increase would be contemplated in any new project. Michael Bernstein of 237 High Street also expressed concern about what is understood would be the proposed use in the current applications and in any new applications in the future.

As the Applicant's attorney, Walter B. Sullivan, in his letter to the Board of Appeals, dated November 9, 2017, requested the Board grant withdraw of all active applications, indicated above, Members Brown, Rivkind, and Barbour **VOTED** unanimously to allow withdrawal of said applications without prejudice. It should be noted that no waiver of the usual and customary filing fees for any further proposed project(s) was requested or granted.

NEXT SCHEDULED MEETING: Wednesday, December 6, 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 06 DEC. 17, in accordance with M.G.L. c40A, Section 11, and the Massachusetts Open Meeting Law.

Signed:


As Clerk/Assistant Clerk

Date: 06 DEC. 2017

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Office of the Town Clerk
Posted on Town Website