

Town of Norwell
BOARD OF APPEALS
Business Meeting Minutes
with Public Hearing Votes
February 14, 2018

MEETING DATE: Wednesday, February 14, 2018
TIME SCHEDULED: 7:00 P.M.
LOCATION: Gym
MEMBERS PRESENT: Philip Y. Brown, Vice-Chair
David Lee Turner, Clerk
Thomas P. Harrison
Ralph J. Rivkind
MEMBERS ABSENT: Lois S. Barbour, Chair

BUSINESS MEETING: The meeting was called to order at approximately 7:00 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 and executive session minutes of January 31, 2018.

INVOICES: Upon a motion duly made and seconded, members present **VOTED** unanimously to approve a warrant for \$15.52 for mileage, payable to Katherine V. Koch.

DISCUSSION:

239 Washington Street 40B: Subsequent to the business meeting on 1/31/18, the Applicant provided the requested plans with required parking certifications that were reviewed by the Town's peer review consultant. Chessia Consulting Services confirmed the parking with certifications on the plan complied with zoning and the Comprehensive Permit. The Applicant's attorney, Warren F. Baker, and the Owner's representative, Brian Murphy, were present during the brief discussion on this matter and expressed appreciation for release of the Certificates of Occupancy permits for Building 9, Units 32A and 32B that will allow the Owner to wrap up this project that was originally permitted in October 2003. Upon a motion duly made and seconded, Members Brown, Harrison, and Rivkind **VOTED** to confirm its formal approval for the Building Department to release the remaining two Certificates of Occupancy, as detailed in its letter of even date.

Simon Hill 40B: In his letter of January 12, 2018, to the Board of Appeals, Mr. Baker requested a two-year extension of the Comprehensive Permit as a "Notice of Project Change". Mr. Baker appeared before the Board with the Owner's representative, Brian Murphy at its meeting on January 31, 2018, during which several questions were raised relating to the date the Comprehensive Permit would expire. In his letter to the Board of Appeals, dated February 1, 2018, Mr. Baker provided an extension to 2/16/18, as requested, as well as requested responses to questions raised by the Board during the 1/31/18 meeting.

A number of abutters to the proposed project located off Prospect Street and backing onto residences located on Simon Hill Road attended the meeting and expressed concerns

raised at the earlier meeting on 1/31/18. Maria Molla of 88 Prospect Street again voiced her objections to the extension, as did Paul McGloin of 58 Prospect Street and Christine White of 45 Simon Hill Road.

Member Brown reminded those in attendance that if the requested extension were not granted, it was likely the Applicant would appeal to the HAC, where the extension would undoubtedly be granted. Such legal action would result in additional legal expenses to the Town's taxpayers with almost predictably unfavorable results to the Town.

Upon a motion duly made and seconded, Members Rivkind, Harrison, and Brown **VOTED** unanimously to extend the Comprehensive Permit for the proposed Simon Hill 40B project to expire on February 20, 2020.

ADJOURNMENT: The business meeting was adjourned at approximately 7:30 P.M.

PUBLIC HEARINGS:

1. Upon a motion duly made and seconded, Members Turner, Harrison, and Rivkind **VOTED** unanimously to approve the **Special Permit/Section 6 Finding** application for property located at **189 Tiffany Road** to Wednesday, February 14, 2018. [The Mullin Rule was invoked for this public hearing with Member Rivkind filling in for Member Barbour, who was unable to attend the meeting due to illness.] Mr. Turner offered to write the decision.
2. Upon a motion duly made and seconded, Members Brown, Harrison, and Rivkind **VOTED** unanimously to approve the application for an **In-Law Apartment** on property located at **330 Old Oaken Bucket Road**. Mr. Harrison offered to write the decision.

NEXT SCHEDULED MEETING: Wednesday, March 7, 2018.

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 04 April 2018, in accordance with M.G.L. c40A, Section 11, and the Massachusetts Open Meeting Law.

Signed:  Date: 04 April 2018
As Clerk/~~Assistant Clerk~~

Copy filed with: Office of the Town Clerk
Posted on Town Website