

Town of Norwell
BOARD OF APPEALS
Business Meeting Minutes
Discussion Session 2 – Damon Farm 40B

TOWN OF NORWELL
TOWN CLERK

JUL 23 AM 10:15

RECEIVED

MEETING DATE: May 20, 2015
TIME SCHEDULED: 7:15 P.M.
LOCATION: Town Hall Gym
MEMBERS PRESENT: Lois S. Barbour, Chair
David Lee Turner, Clerk
Ralph J. Rivkind
MEMBERS NOT ON PANEL: Philip Y. Brown, Vice-Chair
Thomas P. Harrison
OTHERS PRESENT: John C. Chessia, P.E., Board's Consulting Engineer
APPLICANT: Jeffrey A. Tocchio, Esq. – Applicant's attorney
James W. Burke, P.E. – The DeCelle Group

The Damon Farm business meeting discussion scheduled at 7:30 P.M. was called to order at approximately 8:20 P.M.

Attorney Tocchio discussed the proposed change to the project described in his letter of May 12, 2015, to the Board of Appeals. He explained, due to consumer demand for 2-car garages, the Applicant is looking for a determination as to whether adding an additional bay to several unit garages constitutes a change that would require a new public hearing.

As described by Mr. Tocchio and Mr. Burke, the project engineer, eleven (11) of the twenty-four (24) units proposed in Norwell would now increase the width of those garages by 7' so they would be 20' x 24', instead of the 13' x 24' originally approved. No affordable units would be modified. However, the unit styles would change so there would only be Styles A and B with all former Style C architecturally designed units becoming either A's or B's.


The applicant's attorney mentioned there could be optional sunrooms but that units are not allowed to exceed 2200 sq. ft. per the approved Comprehensive Permit, which is an issue that needs to be addressed. In response to a member question, Attorney Tocchio indicated unit pricing would be set in the high \$700,000 range.

The Board raised the issue of recording of the Conservation Restriction and the possible impact of the proposed change on the DEP Superseding Order of Conditions. In a text to the Chair, which she read during the meeting, Town Counsel indicated that if the Conservation Restriction has been recorded, "it's an Article 97 amendment issue and that requires unanimous consent of the ConCom, 2/3 TM approval and vote of 9/10ths of the state legislature." Attorney Tocchio is aware of that issue. After further discussion, it was agreed that Mr. Tocchio would provide an extension letter to the Board, confirming this discussion would be continued to June 17, 2015, to give time for all to respond to issues raised.

Upon a motion duly made and seconded, members **VOTED** to continue the discussion to the business meeting scheduled on June 17, 2015, at 7:45 P.M., subject to receipt of the agreed upon extension letter from Mr. Tocchio.

The business meeting was adjourned at 8:50 P.M.

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 22 JULY 2015, in accordance with M.G.L. c40A, Section 11, and the Massachusetts Open Meeting Law.

Signed: 
As Clerk/Assistant Clerk

Date: 22 JULY 2015

Copy filed with: Office of the Town Clerk