

Town of Norwell
BOARD OF APPEALS
SPECIAL Business Meeting Minutes – Remote
July 1, 2020

MEETING DATE: Wednesday, July 1, 2020
TIME SCHEDULED: 7:00 P.M.
LOCATION: Virtual Meeting held VIA Zoom
MEMBERS PARTICIPATING: Lois S. Barbour, Chair
Philip Y. Brown, Vice Chair
Ralph J. Rivkind, Asst. Clerk
Roy W. Bjorlin (arv. 7:12)
Matthew H. Greene
MEMBERS ABSENT: Stephen T. Bright
Daniel M. Senteno

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TOWN OF NORWELL
TOWN CLERK

This was the sixth meeting of the Board of Appeals held remotely due to the COVID-19 pandemic under Governor Baker's declaration of a public health emergency and related Emergency Executive Order, dated March 12, 2020. The Board plans to continue to utilize technological capabilities of the Zoom platform for the foreseeable future or until the current public health emergency is resolved.

CALL TO ORDER: The business meeting was called to order at approximately 7:05 P.M.

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

REORGANIZATION OF THE BOARD: Member Barbour noted that Member Rivkind has been appointed by the Board of Selectpeople to fill the seat left vacant by David Lee Turner. Upon motions duly made and seconded, members present were individually polled and **VOTED** unanimously to elect new officers for the coming year, as follows:

Chair	Lois S. Barbour
Vice Chair	Philip Y. Brown
Clerk	Ralph J. Rivkind
Asst. Clerk	Matthew H. Greene

MINUTES: Upon a motion duly made and seconded, members present were individually polled and **VOTED** unanimously to approve the business meeting minutes of 6/24/20, as written with reading of the minutes waived.

INVOICES: Upon a motion duly made and seconded, members present were individually polled and **VOTED** unanimously to approve Wolters Kluwer invoice: #4804839002, dated 6/13/20, in the amount of \$353.73 for the Bobrowski *Handbook of Massachusetts Land Use and Planning Law* supplement 20-02.

DISCUSSION:

20 Wanton Shipyard: At the request of the Building Inspector, the Board included this discussion item on the agenda. However, it should be noted that Member Brown recused himself from this discussion, as he occasionally represents the new contractor that is not the one originally appearing before the Board.

Mr. Barry indicated the project under construction at 20 Wanton Shipyard does not match the plans provided with the original application and approved under the Board's decision, ZBA File No. 19-09, as filed with the Town Clerk on December 9, 2019.

The Building Inspector's question centers on whether there is flexibility in what has been granted under a Board's decision and subsequent changes decided by the applicant without Board approval. The Board affirmed its decisions speak for themselves and must be followed.

If an applicant wishes to change plans subsequent to a Board vote, a modification request must be submitted through the Zoning Office. The Board would determine whether any change is considered minor or whether a new public hearing would be required. In this instance, an enclosed room with heating/air-conditioning was constructed in lieu of the "screened porch" that was originally applied for, which is beyond the scope of what was contemplated in its decision.

The zoning enforcement question raised by the Building Inspector is valid, as the Board's decision were not followed. Members present, except as noted above, discussed and reached consensus that a new public hearing should be required.

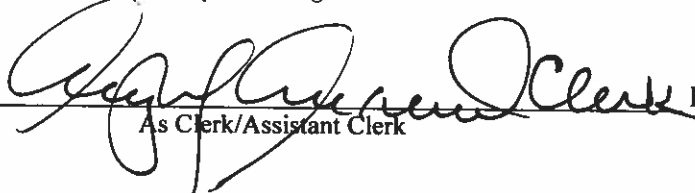
ADJOURNMENT: Upon a motion duly made and seconded, members present were individually polled and **VOTED** unanimously to adjourn the business meeting at approximately 7:50 P.M.

PUBLIC HEARINGS: None

NEXT SCHEDULED MEETING: July 22, 2020

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 7/22/2020 in accordance with M.G.L. c40A, Section 11, and the Massachusetts Open Meeting Law.

Signed: _____


As Clerk/Assistant Clerk

Date: 7/23/2020

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