

Town of Norwell
BOARD OF APPEALS
Business Meeting Minutes for 40 River Street discussion
September 11, 2018

MEETING DATE: Tuesday, September 11, 2018
TIME SCHEDULED: 7:00 P.M.
LOCATION: Osborn Room
PANEL MEMBERS PRESENT: Lois S. Barbour
Thomas P. Harrison
Ralph J. Rivkind, Panel Chair
TOWN OFFICIALS PRESENT: David Lee Turner, ZBA Member
Gregg McBride, BoS and liaison to CHT
Ellen H. Allen, Chair, BoS
Jason Brown, BoS
Peter M. Shea, Community Housing Trust (CHT)
Elizabeth Hibbard, CHT
T. Andrew Reardon, CHT
Pat Richardson, CHT
Brian D. Souza, CHT
Patricia Anderson, Town Clerk
Robert Allen, Board of Assessors
TOWN EMPLOYEES PRESENT: Peter Morin, Town Administrator
Ellen McKenna, Administrative Assistant

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PURPOSE: The duly posted joint meeting with the Community Housing Trust and members of the Board of Selectmen was called to order at approximately 7:00 P.M. for the purpose of discussing waivers, including building permit fees, requested by the 40 River Street developer in previous communications and a letter, dated September 10, 2018.

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

MINUTES: No minutes were presented.

INVOICES: No invoices were presented.

DISCUSSION: The request for waiver of the building permit fees was the primary reason for this meeting in order for the Board of Appeals to gather information and understand the positions of the Board of Selectmen and the Community Housing Trust in anticipation of the next evening's scheduled meeting with the developer.

Various items were reviewed including issues detailed in minutes of the four public hearing held for the Comprehensive Permit as approved by the Board of Appeals with its decision filed with the Town Clerk on 7/26/17. It was noted this decision was not appealed, including the requested waiver of conditions requiring payment of building permit fees, veterans' preference, and affordability requirements, also discussed this evening. ZBA members expressed concern that the developer does not appear to be sympathetic toward or understand the strict process entailed with issuance of a Board decision granting the Comprehensive Permit.

The current status of financing was provided. Town Meeting voted \$1.3 million from CPC Funds for affordable housing. The State is providing \$2.6 million in grant funding and the remaining \$2.5 million is through financing with Eastern Bank for a current total of \$6.4 million. CHT Member Hibbard indicated the current construction cost is factored at \$262./sq. ft.

BoS Chair Allen stated the BoS voted at its meeting the prior Wednesday that Town expenses be covered. Based upon an earlier conversation with the building inspector, ZBA Member Barbour understood the total building permit fees are estimated in the vicinity of \$100,000., based on the regular building permit fee of \$15./\$1,000 of building value, resulting in a calculated fee of approximately \$70,000. plus an additional \$30,000. that would apply to plumbing and wiring inspection fees. These numbers are in obvious conflict and substantially different from a \$15,000. figure stated by the Town Administrator.

ZBA Panel Chair Rivkind suggested an escrow amount of \$30,000. be collected to cover anticipated plumbing and wiring inspection costs.

Although other Town officials share the ZBA's frustration with the applicant's handling of the process, the CHT does not feel there is bad faith on the part of the developer. They do have confidence in the management company that will take over once the project is completed.

The ZBA will consider this matter further with the Applicant present and involved in the discussion at its next scheduled meeting on Wednesday, September 12, 2018.

ADJOURNMENT: The meeting was adjourned at approximately 8:04 P.M.

PUBLIC HEARINGS: None scheduled

NEXT SCHEDULED MEETING: Wednesday, September 12, 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 02 OCT 2018, in accordance with M.G.L. c40A, Section 11, and the Massachusetts Open Meeting Law.

Signed:  Date: 02 OCT 2018
As Clerk Assistant Clerk

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

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