

*Town of Norwell*  
**BOARD OF APPEALS**  
**Business Meeting Minutes**  
**January 25, 2023**

**MEETING DATE:** Wednesday, January 25, 2023  
**TIME SCHEDULED:** 7:00 P.M.  
**LOCATION:** Osborn Room at Town Hall  
**MEMBERS PRESENT:** Lois S. Barbour, Chair  
Philip Y. Brown, Vice Chair  
Ralph J. Rivkind, Clerk  
Stephen H. Lynch via Zoom  
**MEMBERS ABSENT:** Daniel M. Senteno  
William J. Lazzaro  
Joseph E. LaFleur

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2023 FEB -9 AM 10:48  
TOWN OF NORWELL  
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**CALL TO ORDER:** The business meeting was called to order at approximately 7:02 P.M.

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

**MINUTES:** Upon a motion duly made and seconded, members present **VOTED** unanimously to approve meeting minutes of 12/21/22, with waiving of the reading of the minutes.

**INVOICES:** On a motion duly made and seconded, Members Brown, Rivkind, and Barbour **VOTED** unanimously to approve Chessia Consulting invoices #3076, dated 12/10/22, in the amount of \$1,608.00 and #3098, dated 1/8/23, in the amount of \$214.50 for the **Tiffany Hill 40B** project. On a motion duly made and seconded, Members Brown, Rivkind, and Barbour **VOTED** unanimously to approve Chessia Consulting invoices #3085, dated 12/10/22, in the amount of \$723.00 and #3091, dated 1/8/23, in the amount of \$988.50 for the **15 High Street 40B** project. On a motion duly made and seconded, Members Brown, Rivkind, Barbour, and Member Lynch (individually polled) **VOTED** unanimously to approve Chessia Consulting invoices #3082, dated 12/10/22, in the amount of \$508.50 and #3093, dated 1/8/23, in the amount of \$294.00 for the **136 Longwater Drive** project. On a motion duly made and seconded, Members Brown, Rivkind, Barbour, and Member Lynch (individually polled) **VOTED** unanimously to approve Chessia Consulting invoice #3084, dated 12/10/22, in the amount of \$588.00 for the **341 Washington Street** project. On a motion duly made and seconded, Members Brown, Rivkind, Barbour, and Member Lynch (individually polled) **VOTED** unanimously to approve Chessia Consulting invoices #3064, dated 12/10/22, in the amount of \$870.00 and #3106, dated 1/8/23, in the amount of \$214.50 for the **111-119 Washington Street** project. On a motion duly made and seconded, Members Brown, Rivkind, Barbour, and Member Lynch (individually polled) **VOTED** unanimously to approve Chessia Consulting invoice #3077, dated 12/10/22, in the amount of \$1,090.00 for the **555 Cordwainer Drive** project.

**NEW BUSINESS:** Chair Barbour reported that a Project Eligibility application has been received by the Town for a 40B project on the southerly side of the current 40B development located off Tiffany Road. A thirty-day comment period by the Town is currently open. This is a preliminary step with a Project Eligibility Letter from MassHousing required before an application can be filed with the ZBA. The ZBA will not comment at this time, as any 40B application would come before it.

**DISCUSSION – 555 CORDWAINER DRIVE:** The final as-built was received on 1/3/23. Professional Engineer Susan Spratt of McKenzie Engineering Group was present via Zoom with Dan Linscott, contractor for the project, appearing in person. Concerns about light pollution were raised by Board members as complaints have been received from abutters. The as-built review letter of 1/19/23 from John Chessia details other open issues. Although supplemental landscaping modifications were approved in October 2022, landscaping issues will need to wait for spring planting with some mulching still required. Dan Linscott said the area in question was hydroseeded but it did not take due to Town water restrictions. The trash, referenced in the Chessia letter, has been removed, according to Mr. Linscott but had not been observed by Engineer Spratt, who confirmed some discrepancies remain. The lighting certification letter was forwarded on 1/18/23 by Engineer Spratt. Upon a motion duly made by Member Brown and seconded by Member Rivkind, Members Brown, Rivkind, and Barbour **VOTED** unanimously to return \$90,000. of the \$100,000. cash bond.

**DISCUSSION – TIFFANY HILL 40B:** Although no further information has been received from the developer or HOA members, Member Lynch stated he anticipated early March would be a good time to schedule the next discussion relating to unresolved issues on this project. The Board's administrative assistant will contact the parties to confirm a date.

**DISCUSSION – DAMON FARM 40B:** No final as-built plan has yet been received and project completion is unresolved. (N.B. The Town is currently holding a cash bond in the amount of \$182,000. in accordance with a signed agreement dated April 4, 2022.)

**DISCUSSION – 15 HIGH STREET 40B:** The Building Department has issued two building permits.

**DISCUSSION – 341 WASHINGTON STREET:** At the last meeting on 12/21/22, the Applicant received approval to remove the requested tree with no agreement reached as to the replacement screening plant material. However, replacement plant material must wait for spring planting.

**BUSINESS MEETING ADJOURNMENT:** As all agenda items having been discussed upon a motion duly made and seconded, members present **VOTED** unanimously with Member Lynch on Zoom individually polled to adjourn at approximately 7:31 P.M.

**PUBLIC HEARING VOTES:**

Upon a motion duly made and seconded, Members Rivkind, Brown, and Barbour **VOTED** to continue the **Section 6 Finding/Special Permit** application for **188 High Street** to February 8, 2023 at 7:30 P.M. to provide time for a discussion between the Applicant and abutter about a privacy fence and for the architect to prepare a new plan showing a fence.

Upon a motion duly made and seconded, Members Barbour, Brown, and Lynch (individually polled on Zoom) **VOTED to approve** the public hearing for a **Section 6 Finding/Special Permit** application for **4 Tiffany Road**. Member Barbour will write the decision.

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 2/8/23 in accordance with M.G.L. c40A Section 11, and the Massachusetts Open Meeting Law.

Signed: [Signature] Clerk Date: 2/8/23  
As Clerk

Next scheduled meeting: February 8, 2023

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