

*Town of Norwell*  
**BOARD OF APPEALS**  
**Business Meeting Minutes**  
with  
**Public Hearing Votes**  
**March 9, 2022**

TOWN OF NORWELL  
TOWN CLERK

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**MEETING DATE:** Wednesday, March 9, 2022  
**TIME SCHEDULED:** 7:00 P.M.  
**LOCATION:** Osborn Room at Town Hall on cable and Zoom  
**MEMBERS PRESENT:** Lois S. Barbour, Chair  
Philip Y. Brown, Vice Chair  
Ralph J. Rivkind, Clerk  
Daniel M. Senteno  
Nicholas K. Dean  
William J. Lazzaro  
Stephen H. Lynch

**ON BEHALF OF THE BOARD:** John C. Chessia, P.E., Town Consultant

**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** to accept the business meeting minutes of 2/9/22, with reading of the minutes waived.

**INVOICES:** Upon a motion duly made and seconded, members present **VOTED** unanimously to approve Chessia Consulting invoice #2849, dated 2/8/22, in the amount of \$459.50 for the **Damon Farm 40B project**.

Upon a motion duly made and seconded, members present **VOTED** unanimously to approve refund to Stephen H. Lynch in the amount of \$20.00 for the recent Zoom workshop on c. 40A s. 6 training through the Citizen Planner Training Collaborate.

**ESCROW FUNDS:** Upon a motion duly made and seconded, members present **VOTED** unanimously to close the escrow account for **495 Washington Street** and return the residual balance with accrued interest, totaling \$949.76. Upon a motion duly made and seconded, members present **VOTED** unanimously to close the escrow account for the **40 River Street 40B** project and return the residual balance with accrued interest, totaling \$1,497.34.

**NEW BUSINESS/UPDATES:**

**JOINT MEETING with Water Commissioners:** Panel members of the 15 High Street 40 project had written a letter to the Water Commissioners, based on testimony by the public during that hear and presented that letter in a joint-meeting on 3/3/22. Panel Members Lynch and Barbour attended and were joined by Member Rivkind. Six members of the public from the High Street neighborhood were also present. The Water Commissioners appreciated the information provided in the letter and after a warm welcome provide a physics lesson about water pressure and responded to ZBA and resident questions about water pressure in the High Street neighborhood that is at the highest point in Norwell and

has the lowest water pressure. Water Commissioners stated there is a warrant article for a booster pump to improve pressure in that neighborhood. Additional Water Department ATM articles are for well exploration and equipment.

Other topics discussed were concerns about increased water-use for lawns during summer months that almost doubles use at other times during the year; PFAS 6 issues are being addressed. Members of the public should read minutes of Water Commissioner meetings posted on the Town website for updated information. Mr. Rivkind questioned whether communications could be improved of which the Water Commissioners are well aware and are already working on improving outlets for communication.

#### **OLD BUSINESS/UPDATES:**

**Damon Farm:** A cash bond in the amount of \$182,000. was agreed upon to benefit the Town in lieu of a tripartite bond form. Attorney Tocchio and Town Counsel will work out the bond details that should be similar in form to what was recently agreed upon for the Tiffany Hill 40B project. Mr. Chessia was present to respond to Board questions. Three condo-unit closings are planned beginning on 3/23 through 4/ 22/22. Although Attorney Tocchio stated the roadway is one that would remain private and not be accepted by the Town, usually other towns do not require inclusion of that amount in a bond. However, the Chair pointed out the roadway shows on the approved plans. The Board assented to a bond amount of \$182,000. after confirmation by Mr. Chessia that the number is reasonable. The developer is anxious to close out the project and is looking for a June 15, 2022, date. The Chair will ask Town Counsel to share the wording of the Tiffany cash bond with Attorney Tocchio. Damon Farm HOA President Michael Grandinetti was reassured that the Town is requiring a cash bond to ensure project completion as permitted. Mr. Chessia pointed out a safety change was requested and agreed up for pedestrian safety at the narrow bridge crossing the stream on the project site. Instead of "road/berm/sidewalk", concrete curbing will replace the berm internal to the site in the area of the bridge. The developer is aware of that change, which is included in the agreed-upon bond amount. Due to weather and the project engineer's vacation plans, a site walk with the project monitor has been delayed, but Mr. Chessia does not anticipate any major changes in work that needs to be completed. Attorney Tocchio stated a check in the amount of \$182,000. will be delivered to the Zoning Office next week after the Board's admin returns from vacation. He will work out the form of the surety with Town Counsel that will be patterned after the recent cash bond provided by another 40B.

**Tiffany Hill:** As anticipated, due to weather, Mr. Chessia indicated all work has not yet been completed, as the engineer had been sick for a while but is now much better. Mr. Chessia stated a follow-up letter ascertaining the status is appropriate at this time.

**ADJOURNMENT:** Upon a motion duly made and seconded, at approximately 7:30 P.M., members present **VOTED** unanimously to adjourn the business meeting.

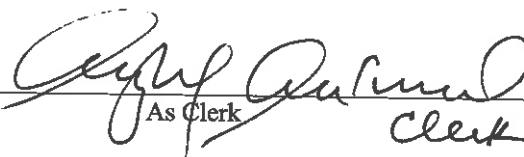
#### **PUBLIC HEARINGS:**

1. Upon a motion duly made and seconded, Members Brown, Senteno, and Dean **VOTED** unanimously to approve the **Section 6 Finding/Special Permit** on Property located at **31 Gerard Road**. Member Dean will write the decision.

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2. Upon a motion duly made and seconded, Members Barbour, Senteno, and Lynch **VOTED** unanimously to continue the **Site Plan Review and Special Permits** application on property located at **111-113-119 Washington Street** to May 11, 2022.
3. Upon a motion duly made and seconded, Members Rivkind, Senteno, and Lazzaro **VOTED** unanimously to approve the **Section 6 Finding/Special Permit** on property located at **25 Beers Avenue**. Member Senteno will write the decision.
4. Upon a motion duly made and seconded, Members Rivkind and Lynch **VOTED** to deny and Member Brown **VOTED** to approve the Variance application on property known as **Lot 84 Winter Street**. As a unanimous vote is required to approve, the application is denied. Member Lynch 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 4/6/22 in accordance with M.G.L. c40A, Section 11, and the Massachusetts Open Meeting Law.*

Signed:  As Clerk Date: 4/6/22

*Next scheduled meeting: March 23, 2022*

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