

Town of Norwell
BOARD OF APPEALS
Business Meeting Minutes
Joint Meeting with Norwell Conservation Commission
Monday, September 27, 2021

MEETING DATE: Monday, September 27, 2021
TIME SCHEDULED: 7:00 P.M.
LOCATION: Conservation Office at Town Hall and Zoom
MEMBERS PRESENT: Lois S. Barbour, Chair via Zoom
Ralph J. Rivkind, Clerk
Stephen H. Lynch
Daniel M. Senteno
MEMBERS ABSENT: Philip Y. Brown, Vice Chair
Nicholas K. Dean
William J. Lazzaro
FOR THE ZBA: John C. Chessia, Project Monitor for ZBA/ConCom
OTHERS PRESENT: Muhammad Itani, President of Stonebridge Homes, Inc.
Chris Fisher for Tiffany Hill LLC
Jim Pavlic, P.E. of Outback Engineering
Paul Cusson of Delphic Associates
Several Members of the Tiffany Hill HOA

CALL TO ORDER: The business meeting was called to order at approximately 7:00 P.M. in a joint-meeting with the Conservation Commission to discuss the Tiffany Hill 40B project and recent site report and photos by John Chessia of Chessia Consulting, dated 9/16/21.

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

DISCUSSION of STATUS of TIFFANY HILL 40B:

As requested by the Board of Appeals, Mr. Itani provided an additional escrow check in the amount of \$4,000. that was received with appreciation.

Member Rivkind asked Mr. Itani to provide a breakdown of the work required to resolve site issues raised in Mr. Chessia's report between the developer's and HOA's responsibility in order to determine an appropriate amount for the bond. This is to be provided no later than 10/10/21.

Mr. Chessia's report was reviewed item by item with Mr. Itani agreeing that most items were the responsibility of the developer. Major concerns include function of all drainage basins, breakout of water in various locations, work done outside of the approved limit including clearing; invasive phragmites in drainage basins.

Mr. Itani offered to provide a cash bond in order to expedite closing of the last unit. Mr. Cusson stated funding for the buyer of the last affordable unit was in jeopardy if the closing could not proceed within the next couple of weeks.

Member Barbour requested that Mr. Itani provide wording for the form of the bond for Town Counsel to review as to form, whether or not the amount had been agreed upon first.

Member Barbour clarified the role of the ZBA in issuance of the Comprehensive Permit. The project must be constructed in accordance with the approved plans. If any changes are made, including fencing, patios, decks, etc., unit-owners must seek approval from the ZBA, as the fundamental assumptions for the project to work have been stated and approved. Mr. Itani stated he had given some unit-owners permission to add fencing or other features and would be responsible for any corrective action.

Mr. Itani has provided "exclusive use" areas for each unit-owner; however, that plan has not been presented to or approved by the ZBA. Further, it appears work has been done outside of the approved limit of work.

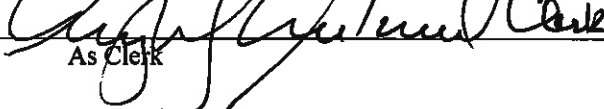
Mr. Itani agreed to provide an as-built plan for the project, as well as an "as-is" plan showing project features he approved but did not clear with the ZBA, such as fences, decks, patios.

Mr. Itani asked that Mr. Chessia accompany him on a site visit to review each item and to ensure that there were no other concerns. Mr. Chessia wants the limit of work staked prior to that visit.

Various members of the HOA were present and offered comments during the discussion.

ADJOURNMENT: Upon a motion duly made and seconded, prior to the scheduled public hearing, at approximately 8:30 P.M., members present **VOTED** unanimously to adjourn the business meeting.

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 10/13/21 in accordance with M.G.L. c40A, Section 11, and the Massachusetts Open Meeting Law.

Signed:  Date: 10/13/21
As Clerk

Next scheduled meeting: September 28, 2021

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TOWN CLERK