

Norwell Board of Selectmen
3/10/21
Open Session – Remote meeting

TOWN OF NORWELL
TOWN CLERK

2021 APR 28 P 4: 11

Present: Ellen Allen, Alison Demong, Jason Brown, Bruce Graham, Joe Rull, Peter Morin

Open Session

The meeting was opened by Chair Ellen Allen at 7:04pm. She announced that all votes will be roll call votes as the meeting participants are using remote access software. The meeting is being recorded and the audio file will be available on the Town website. Ms. Allen noted that this meeting will be conducted pursuant to the Executive Order dated March 12, 2020 suspending certain provisions of the Open Meeting Law, Gen. L. c. 30A §20 et seq. and 940 CMR 29.01 et seq.

Approval of Agenda

Motion; made by Jason Brown, seconded by Bruce Graham, to approve the agenda as written. Unanimously voted by roll call vote

BOS Reports

There are 2 weeks left to take out papers as a candidate for the Town Election. For more information, contact the Town Clerk's office.

Town Administrator Report

None

Citizen Comments

Brian Carroll, Wildcat Hill HOA Chair, commented on their citizens petition to put the Town owned land in this housing development into conservation instead of using it for Affordable Housing, as previously voted at the 2004 Town Meeting. Per Mr. Carroll, there is no threat of litigation from the HOA. He then voiced concerns about the perceived "lack of open discussion" and "back room dealings about this land".

Ms. Allen responded that the BOS has not discussed this land or its proposed use. Town Counsel has instructed the board not to say anything at this point. Mr. Rull would like to put this topic on a future agenda; Ms. Allen will discuss this with Mr. Morin and Town Counsel for next steps.

Village Overlay District (VOD) proposed bylaw

Ms. Allen reported that the BOS met with the Planning Board earlier this evening for a Q and A session about the draft of this proposed bylaw amendment, voting 4-1 to support this update. Mr. Graham recapped the history of the Donovan Farms development, which was created under the current VOD. The goal of the proposed bylaw is to add inclusionary zoning which would require every new development to include at least 10% AH units. The update would also allow condo development. This change would expand the use of the VOD for creating AH (at no cost to the Town) anywhere contractors could build a development.

Town Meeting Schedule

The board discussed the proposed Town Meeting date of May 3rd. The Town would be allowed to host the meeting indoors at the Middle School (Goldman gym and cafeteria), per Mr. Margro and Ms. Anderson. However, the meeting capacity with social distancing would only permit a maximum of about 260 people, which is not a large turnout. All discussed the option to hold another outdoor meeting. The best date appears to be Saturday, May 8th, at 10:00am. There could be a tent set up in the athletic field behind the gym large enough to hold all attendees, so the meeting can take place rain or shine. The meeting date cannot be later than FYE 6/30/21.

The pros and cons of different meeting spaces were discussed. To be continued after the public hearing.

Public hearing: Retail Wine and Malt License – Stop and Shop

Motion; made by Jason Brown, seconded by Bruce Graham, to open the public hearing at 7:18pm. Unanimously voted by roll call vote.

The notice of public hearing was read by Vice Chair Jason Brown.

Present at this hearing via Zoom for Packaging Center, Inc. dba Stop & Shop:
Eugene Richard, Attorney

Sam Andrade, Beer and Wine Category Manager, Stop & Shop

Natalia Torres-Furtado, VP of Category Management, Stop & Shop

Steven Letterie, Ass't. Category Manager, Beer and Wine, Stop & Shop

Scott Cunningham, Manager of Compliance, Stop & Shop

Stephen Santos, Special Projects Manager, Stop & Shop

Steven DeLuca, Proposed Manager, Stop & Shop

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Atty. Richard reviewed the application and layout of the new sales area in the Norwell store. He noted that Stop & Shop currently holds only 4 of the 9 licenses allowed by the state for their corporation. Because the Hannaford's stores are part of the corporation, their 5 licenses make up the balance of the allowable limit. They are not currently seeking wine and malt licenses in other towns in the state. At this time, TIPS training is required only for managers, but cashiers receive the same employee training as the TIPS program.

If this license is approved by the board, only one retail package store license for wine and malt will be available in the Town.

Motion; made by Jason Brown, seconded by Bruce Graham, to close the public hearing. Unanimously voted by roll call vote.

The board and Police Chief Lee discussed the terms to grant the license. Chief Lee requested that a copy of the training documentation be given to the police department. He and the board requested that the company send their employees to TIPS training. The Stop & Shop representatives agreed to both conditions.

Motion; made by Jason Brown, seconded by Bruce Graham, to approve the retail package wine and malt license for Packaging Center, Inc., dba Stop & Shop store at 468 Washington Street, Norwell, MA, expiring 12/31/21. Unanimously voted by roll call vote.

Violation of unregistered vehicle

RF Higgins Drive Resident Julianna Dennis presented the situation from her point of view. Her next door neighbor's unregistered RV is parked in a spot near her property line and in direct view of everyone using her back yard and swimming pool area. The previous parking place behind a fence was a better spot. She would like the RV owner to put the vehicle back there or move it to a different location in the yard. Don't leave it where it is.

RV owner Michelle Truong presented her point of view and the history of the vehicle, explaining that it is used by the family as a recreational space. She said that the neighbor had never contacted them about this complaint; she had first learned about it when contacted by the police. She would like to work with the neighbor on this.

Ms. Allen reviewed the unregistered vehicle bylaw with the RV owner; adding that the vehicle is not legal if it is unregistered after 30 days unless the BOS grants a waiver. There is nothing in the bylaw allowing the board to remove the RV, but they could instruct the Town to enforce the fine. The BOS doesn't have any authority over the vehicle; just the power to levy a daily fine on the owner.

Mr. Brown stated that he understands both sides of the situation; the RV is an eyesore but also private property. The unregistered vehicle can be fined under the current bylaw, but he is not looking to levy a fine at this point. He recommended that Ms. Truong either apply for a special permit or register the vehicle within 60 days. He asked both parties to reach out to each other to resolve this amicably. If there is no resolution at the end of the 60 days, the fines would be

levied from that date. His advice was to register the vehicle, as he was not inclined to grant a special permit. The board was in agreement; work this out like neighbors and register the vehicle. Questions were asked and answered, with Ms. Allen adding that Mr. Morin also requested the resident to register the RV.

Motion; made by Jason Brown, seconded by Joe Rull, to reopen this discussion in 60 days. If the issue has been resolved, further action will be dismissed. Unanimously voted by roll call vote.

Re-Open the Special and Annual Town Meeting Warrant

Motion; made by Jason Brown, seconded by Bruce Graham, to re-open the Special and Annual Town Meeting Warrant. Unanimously voted by roll call vote.

Ms. Allen reviewed the additional Articles for the Warrant with the board, giving background information for each Article: Inactive Committee removal, Assessor funding – triennial evaluation, Assessor funding – Cyclical Survey, Water Department – treatment plant upgrades, BOH – Pine Street landfill testing

Motion; made by Jason Brown, seconded by Bruce Graham, to close the Special and Annual Town Meeting Warrants. Unanimously voted by roll call vote.

Town Meeting Schedule Discussion, cont'd.

The board is in favor of May 8th for the meeting date. This would allow the current board members for both the Advisory Board and the Board of Selectmen to remain in office for the meeting.

Questions were asked and answered about a remote participation town meeting. This is only allowed in municipalities with representative voting. Other dates were discussed but the board opted for May 8th with a rain date of May 9th. Ms. Allen will discuss this with both Mr. Morin and Ms. Anderson.

Motion; made by Joe Rull, seconded by Jason Brown, to move the Annual and Special Town Meetings to May 8, 2021 with a rain date of May 9, 2021, and the annual Town election to May 22, 2021. Unanimously voted by roll call vote.

Future agendas

Ms. Allen reviewed the upcoming agendas with the board. The next meeting will be March 24, 2021.

Adjourn to Executive Session

Motion; made by Jason Brown, seconded by Bruce Graham, to adjourn to Executive Session, not returning to Open Session, at 8:27pm for the purpose of discussing a potential land sale. To discuss this topic in Open Session would compromise the negotiating position of the Town. Ms. Allen polled the board; Brown voting yes, Demong voting yes, Graham voting yes, Rull voting yes, Allen voting yes.

Ellen Allen, Chair

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