

Office of Planning Board &
Town Planner

TOWN OF NORWELL
Norwell Town Offices, Room 112
345 Main Street
Norwell, Massachusetts 02061
(781) 659-8021

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TOWN CLERK
2022 OCT -3 AM 11:46
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Norwell Planning Board Meeting Minutes September 14, 2022

The meeting was called to order at 7:00 P.M. with Chair Brian Greenberg presiding and Board Members Donald Mauch, George Woodland, Brendan Sullivan, and Michael Tobin. Also present was Director of Planning and Community Development Ilana Quirk. The meeting was held in the Planning Office, Town Hall Room 112.

CALL TO ORDER/AGENDA

Motion by Member Sullivan to open the meeting. Seconded by Member Mauch and unanimously voted.

Motion by Member Greenberg to approve the agenda as submitted/amended. Seconded by Member Tobin and unanimously voted.

CITIZEN COMMENTARY

None

SUBDIVISION, SITE PLANS, SPECIAL PERMITS & OTHER PROJECTS

Old Oaken Bucket Estates*

Public Meeting

Waiver of Application Fee Request*

Attorney Walter Sullivan present for applicant John Kopacz. Attorney Sullivan gave a brief history of the proposed traditional subdivision, which was approved for 28 lots in 2019. Due to various delays, they requested extensions to the special permit but their latest request was received after the permit's expiration. At Town Counsel's advice, the PB requested that the applicant go through the public hearing process again so that a new permit could be issued.

Attorney Sullivan indicated that the only change to the previously approved plans was that a wedge of land previously belonging to Mr. Kopacz had been added to lots 2 and 9. They have paid \$3K for consulting engineer John Chessia to do a "light table" review of the updated plans to verify no other changes, and are requesting that the Board waive the filing fees for the new review, as Mr. Kopacz is not in a position to pay them. Ms. Quirk indicated that Kopacz paid about \$46K filing fees in 2017, and the fees this time, without waiver, would again run into the mid-forties.

Attorney Jeff DeLisi, representing buyer Tony Nader, contended that the situation was essentially created by the Town, as the Board granted a six month extension to the permit in November of

2019. The plans were then endorsed by the Planner, but not the Board, in March of 2020 and the special permit then expired. Further, the fees are intended to reimburse the Town for expenses, and these are likely to be significantly less in the light table review.

Ms. Quirk acknowledged there had been some procedural missteps by the Planning Office staff at the time, but even with the initial extension, applicant allowed the special permit to expire with no request for further extension. She does agree with Attorneys Sullivan and De Lisi that the cost and extent of the light table review is likely to be far less than the initial one, as Mr. Chessia has indicated that \$3K should be enough for both his light table and endorsement review. In response to a query from Chair Greenberg, Ms. Quirk indicated that she and current staff had not spent significant time on the extension matter to date, but more than if all preceding steps had been completed correctly.

Attorney Sullivan opined that all parties had tried to do the right thing, and the project, once built, will be beneficial to all. Chair Greenberg indicated that he wanted the project to happen, but did not want Mr. Kopacz to profit from the pending sale of the property until the Town was paid what it is owed. Attorney Sullivan replied that the Town would get paid first of all the creditors, substantially more than \$100K in back taxes, and Kopacz would not profit from the sale.

Member Mauch agrees that the project should move forward but requested that Kopacz pay some reasonable fee to cover the additional costs of the Planning Office. Attorney De Lisi indicated he would be willing to allow Attorney Sullivan to release \$5K from the deposit to cover the costs. After confirming that the Board could waive or reduce its filing fees, Ms. Quirk suggested that \$5K. was a fair figure and recommended that the Board adjust the fee accordingly. Member Mauch thanked Attorney De Lisi for his consideration. Attorney De Lisi represented that Mr. Nader would be a great developer for the project once reapproved.

Motion by Member Mauch to waive the posted fees for Old Oaken Bucket Estates and impose a fee of \$5000.00 to cover costs incurred by the Planning Office. Seconded by Member Tobin and unanimously voted.

15, 19, 27 and 35 High Street ANR*
Draft Report and Recommendation*

Public Meeting

Planner Quirk and Member Sullivan recused from the discussion and vote. The plan eliminates interior lot lines to create one lot on which a 40B development is proposed. The voting Board members found the plan to be in good order.

Motion by Member Mauch to accept the ANR. Seconded by Member Greenberg and approved 4-0-0, Member Sullivan having recused.

Motion by Member Mauch to approve the ANR as submitted. Seconded by Member Greenberg and approved 4-0-0, Member Sullivan having recused.

111 Washington Street*
Preconstruction Conference Update*

Public Meeting

Ms. Quirk advised that the conference did not take place.

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The next public hearing is scheduled for October 26. Ms. Quirk noted that the 50 ft buffer line had been staked for the sides of the property but not the front, facing Stetson Road, and asked if the Board wanted the buffer to be staked for the front of the property. Chair Greenberg indicated the current staking was sufficient.

APPROVAL OF MINUTES

The minutes of the August 31 meeting were distributed and reviewed.

Motion by Member Greenberg to approve the Minutes of the August 31, 2022 meeting as submitted. Seconded by Member Tobin and unanimously voted.

REVIEW CURRENT MAIL

The following mail was received at the Planning Office:

HANOVER, ZBA, PH, ADU, 27 CHERYL LANE
HANOVER, ZBA, PH, 2 STORY ADDITION 207 CROSS ST
HINGHAM, PB, DECISION, GRANTED, RAZE AND RECONSTRUCT SF HOME, LEWIS CT.
HINGHAM, PB, DECISION, GRANTED, POOL, 274 SOUTH ST
HINGHAM, PB, DSPA, 261 GARDNER STREET
HINGHAM, PB, PH, SPR, SINGLE FAMILY DWELING, 62 BURDITT AVE
HINGHAM, PB, PH, SPR, CONSTRUCT A SPORTS COURT, 80 FEARING ROAD
PEMBROKE, ZBA, GRANTED VARIANCE, TWO MIXED-USE BUILDINGS, 204 CENTER ST
PEMBROKE, ZBA, GRANTED VARIANCE, 1,600 SQ FT GARAGE, 70 PLAIN ST
PEMBROKE, ZBA, GRANTED SP VARIANCE, BUILD SINGLE FAMILY, 64 RIDGE AVENUE
PEMBROKE, ZBA, GRANTED SP, ADU, 59 CENTER STREET
PEMBROKE, ZBA, GRANTED SP VARIANCE, ADU, 26 WATER STREET
PEMBROKE, PB, ZBA, SP, AGE-QUAL CLUSTER, 94 WEST ELM ST
PEMBROKE, ZBA, SP, VARIANCE, ADDITION, 6 MARION WAY
PEMBROKE, ZBA, SP, VARIANCE, SHED, 34 PINE CIRCLE

APPROVAL OF PENDING BILLS

The following invoices were presented for payment:

CHRISTOPHER SULLIVAN, PB MINUTES, 8.31.2022*	\$150.00
CHESSIA CONSULTING, VARIOUS	\$2070.00

Motion by Member Greenberg to approve the invoices as submitted/amended. Seconded by Member Mauch and unanimously voted.

MISCELLANEOUS

341 Washington St

Ms. Quirk advised that about \$5K was left in the PB's peer review account. As the ZBA peer review account has not been set up yet, Ms. Quirk recommended that the funds be returned to the applicant.

Motion by Member Greenberg to return the peer review escrow funds to applicant after all outstanding bills have been paid. Seconded by Member Mauch and unanimously voted.

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Planning Board Forms and Website

Ms. Quirk is still working on updates. At Member Mauch's suggestion, she will add the ADU Administrative Site Plan Review fee to the fee schedule.

136 Longwater Drive Issues

Tabled until the September 26 meeting.


NEXT MEETING

September 26, 2022 – Town Hall, Room 112, 7 pm

ADJOURNMENT

There being no further business, motion was made by Member Greenberg to adjourn at 7:55 PM. Seconded by Member Woodland and unanimously voted.

I certify that the above minutes were reviewed and approved by a majority vote of the Planning Board on _____.


~~George Woodland III, Clerk~~ *Brin Greenberg, Chair*

Copy filed with: Office of Town Clerk
Post to Planning Board Webpage

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