



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

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*Office of Planning Board &  
Town Planner*

## **Norwell Planning Board Meeting Minutes October 12, 2022**

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

### **CALL TO ORDER/AGENDA**

*Motion by Chair Greenberg to approve the agenda as submitted. Seconded by Member Sullivan and unanimously voted.*

### **CITIZEN COMMENTARY**

None

### **SUBDIVISION, SITE PLANS, SPECIAL PERMITS & OTHER PROJECTS**

#### **Old Oaken Bucket Estates\***

Old Oaken Bucket and Cross Street

Public Hearing, Continued  
(Resubmitted) Definitive Subdivision

Chair Greenberg read the Notice of Public Hearing.

*Motion by Vice Chair Mauch to reopen the public hearing. Seconded by Member Sullivan and unanimously voted.*

Attorney Walter Sullivan and Engineer Greg Morse were present for applicant, along with Attorney Jeff De Lisi for the prospective purchaser.

Ms. Quirk noted that the Board voted to reapprove the project at the September 28 meeting and directed her to prepare a draft decision to approve the project with the same conditions as the 2019 approval plus some updates and additions; she prepared the draft and has provided copies to the Board members and to Engineer Morse and both attorneys.

- The Board of Health has 45 days to inspect a subdivision plan, but Health Agent Ben Margro has provided a written statement that the Board's previous approval from 2019 stands.
- Attorney Sullivan today provided a certification that every owner of record has signed the subdivision application.

- Since outstanding taxes are owed on the Property and by the applicant and owners, Ms. Quirk has added a condition to the decision that requires that all municipal charges to be resolved at or prior to the point of sale and, if that does not happen, an immediate hearing to seek to revoke the approval will be noticed under G.L. c.44, §57. Attorney Sullivan indicated that no conveyance would take place before the charges are paid off, as the buyer would not take possession without this having been done, and Attorney DeLisi confirmed Attorney Sullivan's representation.

Engineer Morse noted that references to Parcel E (which has been eliminated in the updated plan) in Conditions 2B and 9, and a reference to "galleys" in Condition 31 could be eliminated in the final draft of the decision.

Chair Greenberg asked for comments from the public and there were no such comments.

*Motion by Member Sullivan to close the public hearing. Seconded by Vice Chair Mauch and unanimously voted.*

*Motion by Vice Chair Mauch to accept the tracked changes by the Town Planner as submitted and to approve Planner Quirk's decision and findings of fact as revised. Seconded by Member Sullivan and unanimously voted.*

*Motion by Chair Greenberg to authorize Vice Chair Mauch to sign the decision. Seconded by Member Tobin and unanimously voted.*

Engineer Morse advised the updated Mylars for endorsement would be ready by next week and he will deliver them to Mr. Chessia for his final review. The applicant asked that endorsement be scheduled for October 26, 2022. This would be an expedited turnaround. Attorney De Lisi indicated his client would be willing to pay the extra fees for an expedited review by Chessia.

The decision that has just been approved by the Board requests the Applicant's counsel to prepare an endorsement checklist and provide information regarding the status of each item on the checklist.

The Board discussed endorsement logistics and noted that, by statute, endorsement may not occur until the subdivision surety is in place and a Surety Covenant is proposed and must be recorded before the endorsed plan is recorded. Ms. Quirk noted that she can hold endorsed plans in escrow and then take them to the Registry of Deeds and wait while the required documents (easements, HOA Trust and the Surety Covenant) are recorded; once the requirement documents are recorded, she can release the endorsed Mylars to the Applicant's counsel for recording after the covenant and other items are noted on the Mylars.

The Board authorized Ms. Quirk to keep the endorsed plans escrowed at the Planning Office until the requirement documents are recorded at the Registry. In addition, the Town Clerk will need to endorse the plan that the appeal period has terminated without an appeal.

**36 Lincoln Street\***

Public Hearing  
Scenic Road / Stone Wall

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Chair Greenberg read the Notice of Public Hearing.

*Motion by Vice Chair Mauch to open the public hearing. Seconded by Member Sullivan and unanimously voted.*

David Seoane present for applicant Peter Eastwood, who wishes to remove and alter portions of a stone wall for driveway access. Chair Greenberg asked for public comment and, receiving none, thanked Messrs. Seoane and Eastwood for appearing and apologized that they had been required to do so. Mr. Eastwood apologized for not understanding the regulations, and Vice Chair Mauch apologized for the "onerous and unnecessary" regulation compelling Mr. Eastwood to appear.

*Motion by Vice Chair Mauch to close the public hearing. Seconded by Member Sullivan and unanimously voted.*

*Motion by Vice Chair Mauch to assent to the plan as submitted. Seconded by Member Sullivan and unanimously voted.*

### **APPROVAL OF MINUTES**

The minutes of the September 28 meeting were distributed and reviewed.

*Motion by Chair Greenberg to approve the Minutes of the September 28, 2022 meeting as submitted. Seconded by Vice Chair Mauch and unanimously voted.*

### **REVIEW CURRENT MAIL**

The following mail was received at the Planning Office:

HANOVER, ZBA, VARIANCE, 2 STORY ADDITION, 65 SUNSET POINT  
HANOVER, PB, MOD TO SP & SITE PLAN 2 STORY ADD, 283 COLUMBIA ROAD  
HINGHAM PB, DECISION, APPROVED SINGLE FAM HOME, 104 OTIS STREET  
HINGHAM, PB, DECISION, APPROVED W CONDITIONS SINGLE FAM HOME, 62 BURDITT  
HINGHAM, ZBA, ADMIN APPEAL, NEW HOUSE AND GARAGE, 461 MAIN ST  
HINGHAM, PB, DECISION, APPROVED W CONDITIONS, SPORT COURT, 80 FEARING RD  
PEMBROKE, PB, SP, PH, 20,000 SQ FT BUILDING, 260-280 OAK ST  
PEMBROKE, ZBA, DECISION, APPROVED, SINGLE FAM HOME 40 OLD WASH STREET  
PEMBROKE, ZBA, DECISION, APPROVED, SINGLE FAM HOME 6 MARION WAY  
PEMBROKE, ZBA, DECISION, APPROVED, 3,500 SHED, 210 BARKER STREET  
ROCKLAND, ZBA, USE VARIANCE, 161 CENTRAL STREET  
ROCKLAND, ZBA, DIMENSIONAL VARIANCE, WALL SIGN, 80 BILL DELAHUNT PKWY  
ROCKLAND, ZBA DIMENSIONAL VARIANCE, WALL SIGN, 120 BILL DELAHUNT PKWY  
ROCKLAND, ZBA, SP, ELECTRIC BILLBOARD, 61 ACCORD PK DRIVE  
SCITUATE, PB, SP & SP, TANDUM PARKING 14-16 OLD COUNTRY WAY

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### **APPROVAL OF PENDING BILLS**

The following invoices were presented for payment:

CHRISTOPHER SULLIVAN, PB MINUTES, 9.28.2022	\$ 150.00
CHESSIA CONSULTING SERVICES, LLC, STETSON WOODS	\$ 2,104.50
CHESSIA CONSULTING SERVICES, LLC, SCHOONER ESTATES	\$ 361.50
CHESSIA CONSULTING SERVICES, LLC, OOB ESTATES	\$ 1,246.50
CHESSIA CONSULTING SERVICES, LLC, HITCHING POST LN	\$ 2,003.00
CHESSIA CONSULTING SERVICES, LLC, BAY PATH LN EXT	\$ 1,005.50

*Motion by Chair Greenberg to approve the above invoices as submitted. Seconded by Vice Chair Mauch and unanimously voted.*

### **MISCELLANEOUS**

#### **Planning Board Forms and Website**

Planner Quirk is working with admin Kristin Ford and Vice Chair Mauch to update the PB Website. The Board authorized her to upload updated forms to the site as they were completed, and then advise regarding the change.

#### **ZBL Article Updates**

Chair Greenberg advised he had received a call from a resident looking to convert an existing carriage house to an ADU. The structure is under 900 sq ft and meets the required setbacks, but the lot is a "retreat lot" in which the carriage house is closer to the street than the residence. Chair Greenberg inquired about the possibility of waiving for this property the provision requiring an ADU to be located behind the primary residence, given that the carriage house was constructed prior to passage of the ADU bylaw, but acknowledged that a special permit would probably be required. Planner Quirk does not believe this provision can be waived given the way the bylaw is written. Vice Chair Mauch noted this case illustrated the need for additional adjustments.

The Board discussed articles for the anticipated special town meeting in January, including amendments to the retreat lot, common driveway, and Village Residential Overlay District zoning bylaws, as well as an article allowing for an alternate voting PB member. Chair Greenberg noted that submitting these articles to the STM would give the Board a chance to hear feedback in advance of the annual town meeting in May. Revisions to the ADU bylaw will be prepared for submission to the annual town meeting. The possibility of repealing the Scenic Road bylaw by floor amendment or citizen's petition was briefly discussed.

### **NEXT MEETING**

October 26, 2022 – Town Hall, Room 112, 7 PM

### **ADJOURNMENT**

*There being no further business, motion was made by Member Tobin to adjourn at 7:43 PM. Seconded by Member Sullivan and unanimously voted.*

I certify that the above minutes were reviewed and approved by a majority vote of the Planning Board on 10.26.22.

  
George Woodland III, Clerk

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

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