



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
2023 APR 24 PM 1:57
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Norwell Planning Board Meeting Minutes April 5, 2023

The meeting was called to order at 7:00 PM with Chair Brian Greenberg presiding and Board Members Mark Cleveland, Tripp Woodland, Brendan Sullivan, and Michael Tobin present. 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 Chair Greenberg to approve the agenda as amended. Seconded by Member Tobin and unanimously voted. Chairman Greenberg and the remaining members welcomed new Board Member Mark Cleveland.

CITIZEN COMMENTARY

None

SUBDIVISION, SITE PLANS, SPECIAL PERMITS & OTHER PROJECTS **ZONING ARTICLE PUBLIC HEARINGS**

Chair Greenberg read the Notice of Public Hearing for all articles.

Planner Quirk advised that Town Counsel already has reviewed all articles. He recommended the addition of language authorizing the Town Clerk to correct any typos or numbering mistakes. With Chairman Green's approval, that clerical change was added to the articles so that the language would be printed in the warrant. The Board unanimously approved the addition of that clerical language.

Associate Planning Board Member (New)

This article would amend the ZBL and GBL to allow appointment of an associate member to sit and vote on special permit applications if the associate's vote is needed to establish a quorum. The article incorporated the Advisory Board's preference that the associate be jointly appointed by the Select Board and Planning Board. There was no public comment. Planner Quirk will draft a favorable report to Town Meeting for the Board's review and final approval on April 19.

Retreat Lot (New)

The article, based partly on Plympton's bylaw, would make certain "retreat lots," buildable provided they met certain dimensional requirements. Chair Greenberg noted that in exchange for the reduced street frontage typical of these lots, the article will require a greater land area in the buildable part of the lot; the intent is to provide the Building Department additional guidance in

evaluating buildability, and give options to residents with “otherwise buildable lots.” Donald Shute, 39 Fox Hill Lane, spoke in support, as it would allow developers to build on these lots without resorting to 40B developments. Attorney Jeff DeLisi agreed the article could potentially benefit both the Town and developers.

The Board reviewed feedback Attorney DeLisi e-mailed to the Board and further discussed revisions with respect to lot size, required frontage, and access area width. Member Sullivan noted that any changes at this point would require a floor amendment at Town Meeting, and would have preferred the public hearings to have occurred earlier so this could have been avoided. Planner Quirk agreed that the more changes that are made on the floor, the harder it is for an article to pass, and noted that the Select Board would not be opposed to this or other articles being postponed if they were not ready. However, Chair Greenberg took both point but suggested they could do with a simple edit; he would like to avoid an indefinite postponement or having to amend the bylaw further next year if possible. After further discussion, all agreed the article could proceed if a simple floor amendment were sufficient to address the remaining issues. Member Sullivan suggested that the Board avoid getting into too much technical detail at the Town Meeting unless necessary; Member Tobin suggested visual aid(s) could help keep the presentation simple.

Planner Quirk suggested that additional language be added to the Purpose section specifying that all other zoning requirements would apply; Chair Greenberg suggested that any additions to the article be done thoughtfully. The hearing was continued to allow for further revision.

Motion by Member Sullivan to continue the public hearing to April 19 at 7:00 PM. Seconded by Member Tobin and unanimously voted.

Aquifer Protection District (Amendment)

The article establishes a procedure for review of additions to structures in the APD; this review would be conducted by the Planning board. There was no public comment. Planner Quirk will draft a favorable report to Town Meeting for the Board’s review and final approval.

Village Overlay District (Amendment)

The article makes revisions to the VOD bylaw passed last year and gives the PB some discretion to adjust buffers in return for a developer meeting certain metrics as to number of units, affordable units, etc. There was no public comment. Planner Quirk will draft a favorable report to Town Meeting for the Board’s review and final approval.

Accessory Dwelling Unit (Conversion Amendment)

This article will allow any ADU that was allowed by ZBA special permit to be converted to an “as of right” unit provided the unit is determined by the Building Department to satisfy all the requirements for “as of right” ADUs except for the 900 sq ft limitation, which will not apply (because they may be greater than 900 sf).

Attorney Jeff DeLisi noted that ZBA currently requires ADU special permit holders to submit a signed affidavit each year; ZBA’s concern seems to be the units will be used as a “second primary dwelling.”

Member Cleveland recommended that the Board be ready to indicate how many units the amendment would impact. Planner Quirk will research that information.

Motion by Member Greenberg to instruct the Director of Planning to issue a favorable report on the article to Town Meeting. Seconded by Member Tobin and unanimously voted.

Solar ZBL (Amendment)

Chair Greenberg reported on his and Planner Quirk's discussion with the Conservation Commission the previous night, noting their objection to the pollinator field certification requirement; the Commission voted to support the article but conveyed they would like this language to be stricken.

Member Sullivan suggested that the pollinator language only be stricken if the Commission objects on the floor, as the warrant has already gone to print and "I would think they would want" the requirement. Planner Quirk noted that the Commission thinks that the certification is too onerous. Member Cleveland agreed that having to explain the change at Town Meeting might raise a red flag. Chair Greenberg would prefer to ensure the article has Commission support. Planner Quirk will reach out to Conservation Commission Chair Marynel Wahl for clarification as to whether support by Cons. Com. will be withdrawn if the pollinator language stays in or whether that can wait to a future town meeting.

Ms. Quirk also noted that the current ZBL Solar language does not apply to the C3 district – located near the Hanover line; but, after a discussion, the Board noted that it has no issue including C-3 as provided for in the article. Member Sullivan noted C-3 is mostly wetlands.

Motion by Member Greenberg to continue all public hearings to April 19, 2023, at 7 PM. Seconded by Member Tobin and unanimously voted.

PUBLIC MEETINGS

467 Washington Street

Administrative Review of Recharge System to Pave Driveway

Planner Quirk advised that the matter had been withdrawn.

Schooner Way

Street Tree Selection

Tabled.

240 Pine Street

Scenic Road Compliance Issue

Trees and Grounds Commissioner Glenn Ferguson advised the Planning Office that the owners of 240 Pine had removed the stone wall in the Town right of way in front of their property; they have indicated to Mr. Ferguson they are willing to do any necessary restoration. Planner Quirk will send correspondence to the owners asking them to file for an after-the-fact scenic road permit; she has reworked the application, which she distributed to the Board for review.

Motion by Member Cleveland to authorize the Director of Planning to send the correspondence to the property owner as drafted. Seconded by Member Woodland and unanimously voted.

400 Cordwainer/Elevated Access

Medical Marijuana Treatment Center Status of Site Plan and Special Permit

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Attorney Jeff DeLisi present for Elevated Access. Planner Quirk advised that in October 2018, the ZBA granted zoning relief to Elevated after the PB's site plan review. This relief has now expired, but the facility has yet to be built. They are now obtaining their license from the Cannabis Control Commission and are looking to get the relief renewed by ZBA. To assist in this process, Attorney De Lisi would like the PB to reissue a favorable recommendation of the plan to ZBA, exactly as originally approved.

Planner Quirk noted that consulting engineer John Chessia has already conducted a "light table review" and found no substantive issues. The matter will be heard at the April 19 meeting.

Attorney De Lisi noted that the facility is for cultivation and processing only, not retail, and the "building footprint would be improved even if facility does not go forward."

Planner Quirk raised a possible odor issue associated with grow facilities; Attorney De Lisi noted his client was in the HVAC business and could address any issues.

APPROVAL OF MINUTES

The minutes of the February 1, February 8, and March 15 meetings were distributed and reviewed.

Motion by Chair Greenberg to approve the Minutes of the February 1, February 8, and March 15 meetings as submitted. Seconded by Member Woodland and approved 4-0-1, Member Cleveland having abstained.

REVIEW CURRENT MAIL

The following mail was received at the Planning Office:

HANOVER, PB, PH, PURPOSE OF COMMENTS, WOOD HOLLOW WAY
HANOVER, PB, PH, SP, SPR, CONSTRUCT NEW STARBUCKS, 303 COLUMBIA ROAD
HANOVER, PB, MAJ MOD TO SP, CONSTRUCT 2 ADDITIONS, 283 COLUMBIA ROAD
HANOVER, PB, PH, PROPOSED ZONING ARTICLES
HANOVER, ZBA, PH, MOD, SP, LIGHTING BALL FIELDS, 253 KING ST
HINGHAM, PB, DECISION, SP PARKING DETERMINATION, 73 ABINGTON ST
HINGHAM, PB, DECISION, GRANTED, FARMERS MARKET 0 STATION ST
HINGHAM, PB, DECISION, GRANTED, SFH, 222 SOUTH PLEASANT ST
HINGHAM, PB, DECISION, GRANTED, ADDITION 2 FAMILY ADDITION, 158-160 HERSEY ST HINGHAM,
PB, DECISION, GRANTED, ADU, 138 NOKOMIS ROAD
HINGHAM, PB, MOD DEF. SUB, 261 GARDNER ST,
HINGHAM, PB, EXISTING SFH, 135-137 SOUTH ST
HINGHAM, PB, DECISION, GRANTED, SPR, ADDITION, 136 NOKOMIS
HINGHAM, PB, DECISION, GRANTED, CONSTRUCT SFH, 457 MAIN STREET
HINGHAM, PB, DECISION, GRANTED, SFH IMPROVEMENTS, 154 OTIS STREET
HINGHAM, PB, DECISION, GRANTED, RAZE & REBUILD, 13 WOMPATUCK ROAD
PEMBROKE, PB, PH, ZONING AMENDMENTS, APRIL 10
PEMBROKE, PB, PH, RAZE AND REBUILD SFH, 330 OLD OAK STREET
SCITUATE, PB, DECISION, GRANTED, ADU, 62 PIN OAK
SCITUATE, PB, DECISION, GRANTED, ADU, 27 PINEVIEW

APPROVAL OF PENDING BILLS

The following invoices were presented for payment:

Vendor	Description	Amount
Christopher Sullivan	February 9 meeting minutes	\$150.00
W. B. Mason	Office supplies	\$202.50

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

MISCELLANEOUS

Chair Greenberg spoke with a member of the Hingham Affordable Housing Trust about Norwell's ADU bylaw; they are trying to pass a similar bylaw but are having some difficulty.

Reorganization – Vice Chair Position Vacancy

Chair Greenberg is willing to serve another term as Chair; Member Sullivan agreed to serve as Vice Chair.

Motion by Member Greenberg to nominate Member Sullivan as Vice Chair. Seconded by Member Tobin and unanimously voted.

May 2023 ATM Preparations

All discussed the presentation of the Board's articles at Town Meeting. Member Tobin will speak regarding both ADU articles, and Members Greenberg and Sullivan will each take several. Ms. Quirk will answer any technical questions from residents.

MBTA Adjacent Community Status and ATM Article

Under a new state statute, Norwell, as an "MBTA adjacent" community, must have a zone in which multifamily housing is buildable by right in order for the Town to continue to be eligible for certain state grants. The Attorney General has issued an advisory that the requirement is mandatory, not voluntary. Planner Quirk discussed a plan with the Select Board, Town Administrator and Planning Board and then submitted a plan to establish such a zone in an area near the Rockland line and the Rockland Park and Ride lot in the Accord Park District. Town Administrator Darleen Sullivan also added a warrant article authorizing \$20K in consulting fees to be appropriated to assist with the paperwork and potential technical requirements. The money article will be indefinitely postponed if such assistance is not needed.

Planner Quirk noted that Ms. Sullivan may refer questions regarding the regulations to the PB, and suggested that Board members be ready to speak to them at Town Meeting.

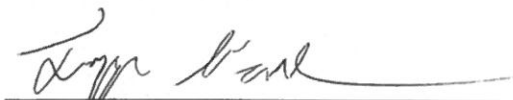
NEXT MEETING

April 19, 2023 - Town Hall, Room 112, 7 PM

ADJOURNMENT

There being no further business, a motion was made by Member Sullivan to adjourn at 9:20 PM. Seconded by Member Tobin and unanimously voted.

I certify that the above minutes were reviewed and approved by a majority vote of the Planning Board on April 19, 2023.



Tripp Woodland, Clerk

Copy filed with: Office of Town Clerk

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