



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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Norwell Planning Board Meeting Minutes December 22, 2021

The meeting was called to order at 7:00 P.M. with Chair Brendan Sullivan presiding. Also present were Town Planner Ilana Quirk and Board Members George "Tripp" Woodland and Donald Mauch. Unable to attend were Michael Tobin and Brian Greenberg. The meeting was held in the Planning Office.

CALL TO ORDER/AGENDA

Motion by Mr. Mauch to approve the agenda as submitted. Duly seconded and unanimously voted.

APPROVAL OF MINUTES

The minutes of the November 10 and December 8 meetings were distributed and reviewed.

Motion by Mr. Mauch to approve the Minutes of the November 10, 2021 meeting as submitted. Duly seconded and unanimously voted.

Motion by Mr. Mauch to approve the Minutes of the December 8, 2021 meeting as submitted. Duly seconded and unanimously voted.

BILLS

The following invoices were presented for payment:

1. Kristin Ford	\$ 56.24 (office supplies)
2. W.B. Mason	\$ 39.68 (office supplies)
3. W.B. Mason	\$ 41.62 (office supplies)
4. Chessia Consulting	\$1811.00 (144-148 Washington)
5. Chessia Consulting	\$1040.00 (55 Accord Park)
6. Chessia Consulting	\$585.00 (Hitching Post)
7. Chessia Consulting	\$668.00 (Norwell Estates)
8. Town of Norwell	\$8398.36 (Main Street Sidewalk)
9. Tasco Construction	\$286,401.50 (Main Street sidewalk)
10. Christopher Sullivan	\$150.00 (meeting minutes)

A list of current mail, including a 40B denial from Pembroke was added to the agenda for informational purposes, and in case something required a response. Ms. Quirk noted that the "Town of Norwell" and Tasco invoices had been sent to the PB in error by the Town accountant, and required no action.

Motion by Mr. Mauch to approve invoices 1-10 excepting 8 and 9. Duly seconded and unanimously voted.

SUBDIVISIONS, SITE PLANS, SPECIAL PERMITS & OTHER PROJECTS

Hitching Post Lane Subdivision* Public Meeting Subdivision Endorsement*

Project: 5-Lot OSRD Subdivision/Special Permit

Approved: SP: February 13, 2020

Subdivision: May 4, 2021

Ms. Quirk advised that Town Counsel had signed off on the HOA documents; these documents, having been approved at the previous meeting, were circulated for signatures. They will next be forwarded to the Select Board for their approval.

Schooner Estates Subdivision

*Surety Reduction Request (Covenant – Swap Lot 6 for Lot 9) and Utility Pole Issue**

John McSharry present for Stetson Road LLC. They have had difficulty getting Verizon to remove a utility pole in the middle of the subdivision road but are close to getting it done. Mr. McSharry noted that the Board had released Lot 6 for construction but not Lot 9 and asked that the Board swap Lot 9 for 6, as they would like to start construction on #9 first. They will be asking for the release of additional lots in a few weeks.

Ms. Quirk advised that the release documents for Lots 3 and 6 were never prepared; she has drafted a new document that releases Lots 3 and 9 which, pending Board approval of the swap, will be held pending receipt of a letter from the title attorney confirming Lot 6 is still under the covenant.

In response to a query from Mr. Mauch, Mr. McSharry indicated they had received no further complaints from the Steens.

Motion by Mr. Mauch to swap lots 6 for lot 9 in conformance with the documents prepared by the Interim Town Planner and subject to receipt of a certification of title from applicant's attorney. Duly seconded and unanimously voted.

TOWN MEETING PREPARATIONS - POTENTIAL ZONING ARTICLES

Demolition Delay Zoning Bylaw Amendments

DM circulated draft statement prev sent to BG; emailed back supporting

Establish a reason in writing for pursuing the Demo Bylaw

Three elements, not specific

BS what do - IQ - become part of the record / background for article
Something PBs don't do often but done sometimes to establish Board intent

IQ - meeting by HC last Friday - unable to go due to conflict
Haven't heard about results; offered to meet at another time
Meeting 1/10, when IQ can go, then come back to Board

DM recommends keep track of communications with all parties

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IQ - current bylaw being used as a Historic District bylaw
Offered to help with a 40C bylaw or drafting an arch pres bylaw
Think they understand are using DD bylaw in place of a HD (compensate for lack of a HD)
"DD not meant to prevent ordinary repairs"

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DM happy with current draft
Discussion of how to ensure its passage at TM

Motion by Mr. Mauch that the Planning Board, following its informed review, embrace remedial changes to the Norwell Demolition Delay bylaw, Article 15 of the Norwell Town Code, to remedy what it believes are the following deficiencies:

- 1) *Whereas the definition of "demolition" is missing from the current bylaw, which has fostered an overly broad interpretation, creating administrative confusion between the Building Inspector and the Historical Commission; and,*
- 2) *Whereas the conflating of architectural review oversight with demolition delay determinations is an authoritative overreach which discourages public compliance; and,*
- 3) *Whereas the choice of materials or fixtures should be left to homeowners, and requiring an architectural review of certain changes is inconsistent with a demolition delay bylaw and should be a separate bylaw.*

Duly seconded and unanimously voted.

Accessory Dwelling Unit Zoning Bylaw Discussion

All parties discussed adding language to the draft ADU bylaw advising that residents could create an "affordable" ADU that counts towards the Town's Subsidized Housing Inventory by establishing a deed restriction. Mr. Mauch acknowledged it may complicate the wording but it may be appealing to people concerned about affordable housing, but Ms. Quirk was concerned that residents may interpret it as requiring that an ADU be affordable. Chair Sullivan noted that interested residents could establish an "affordability" deed restriction regardless of whether it is specified in the language. Mauch agreed with Ms. Quirk's and Mr. Sullivan's additional points; he is preparing a slide show regarding the proposal.

Select Board Nomenclature Amendment

Ms. Quirk has drafted a housekeeping article to change references to "Board of Selectmen" in the Zoning bylaws to "Select Board" to conform with that body's name change, using the qualifier "included but not limited to" in order to capture any overseen usages.

Motion by Mr. Woodland to send the Select Board nomenclature article to the Select Board for inclusion on the 2022 Annual Town Meeting warrant. Duly seconded and unanimously voted.

Expand Special Permit Limits up to 3 Years

ZBA interprets the current bylaw such that all Special Permit durations must be 2 years; Ms. Quirk drafted this article to specify that ZBA has the discretion to grant SPs for longer or shorter durations.

Ms. Quirk also suggested adding language to Site Plan Review approvals to expand their duration to match the duration of a special permit issued for the property.

Motion by Mr. Mauch to send the Special Permit limits article to the Select Board for inclusion on the 2022 Annual Town Meeting warrant. Duly seconded and unanimously voted.

Permanent Bylaw Committee

Ms. Quirk spoke to ZBA Chair Lois Barbour and Conservation Commission Chair Marynel Wahl, both of whom supported the idea of reviving the Committee.

MISCELLANEOUS

Subcommittee Liaison Updates

The Board briefly discussed going back to online or hybrid meetings in light of the ongoing pandemic. Chair Sullivan would prefer to remain in person but will reconsider if there is another surge in cases.

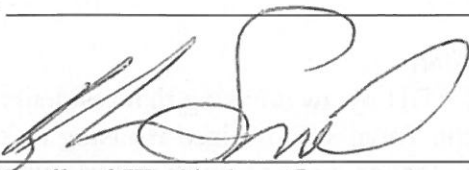
NEXT MEETING

January 12th, 2022 – Town Hall, Room 112, 7 pm

ADJOURNMENT

There being no further business, motion was made by Mr. Mauch to adjourn at 8:27 P.M. Duly seconded 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 *Brendan Sullivan*

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