

**Town of Norwell
Select Board
Open Meeting
12/13/23**

Present: Jason Brown, Bruce Graham, Brian Greenberg, Andy Reardon, Peter Smellie, Darleen Sullivan

The Chair called the meeting to order at 7:00pm. All rose to recite the Pledge of Allegiance.

Agenda Approval

Motion; made by Andy Reardon, seconded by Brian Greenberg, to approve the agenda as written. Unanimously voted

Minutes Approval

Motion; made by Andy Reardon, seconded by Brian Greenberg, to approve the Executive and Open Meeting minutes for 12/6/23. Unanimously voted

Select Board reports

Mr. Brown updated the board on plans to seek a new website provider for the Town in the next 4 to 6 months.

Town Administrator Report

Ms. Sullivan reported that Vin Bucca is working with the Highway Department to replace the Right to Farm signs (graphic designed by Vo-Tech student Marina DiNino) at each entrance to the Town. The original signs were either stolen or inadvertently taken down.

Citizens Comments – none

Wildcat Land

Mr. Smellie stated that the board is planning to discuss the upcoming Massachusetts Supreme Judicial Court (SJC) ruling on the Wildcat land appeal at a future agenda. He added that this decision and a subsequent board vote on Chapter 40, section 15A, is very much under consideration. He added that a board vote on “15A” would be taken in any event, and he urged board members to think about what path they would like to consider when voting.

Mr. Graham opined that Mr. Smellie thinks he has a stronger chance for a successful board vote since the composition of the board has changed since this appeal was filed. He reminded all that in the last two years the CHT has stepped back from their aggressive 20-unit AH proposal, but they do not want to give up this land yet.

To clarify; Plan A is the 2004 Town Meeting vote to set the land aside for future affordable housing, Plan B is the petition to put the two parcels into conservation.

Mr. Graham is proposing a “Plan C”, with a Town Meeting approval vote, to put 50% of this land into conservation and sell the other 50%, 3 acres of upland, as two house lots that could be sold for \$600K or more.

The Town is facing a difficult budget year and the extra income would really help to underwrite some much-needed repairs to the schools. Mr. Graham hopes that the board will choose Plan C, which would work for both sides of this conversation.

National Grid Pole Hearing 1, cont'd.

Motion; made by Andy Reardon, seconded by Brian Greenberg, to reopen the public hearing at 7:16pm for Longwater Drive/Main Street/High Street. Unanimously voted

Mr. Smellie reported that Mr. Ferguson now has no issue with approval for this pole application. Mr. Reardon would like to request that both Verizon and Comcast move their cable wiring to higher up positions on the poles as their low hanging wires are a real hazard.

National Grid representatives Joe Carroll and Jarad Aker were present to discuss this issue. Mr. Carroll reached out to Verizon with engineering designs for the 2 pole petitions, expressing concerns and frustration with the current positions of the cable equipment on the National Grid poles. He requested a field visit from Verizon to review their equipment in Town.

The poles that will be used for these two requests are a new design/technology and taller poles, with 2 designs to help alleviate soil issues and leaning poles, which will hopefully take up some of the slack on the Verizon equipment. Per Mr. Carroll, there are 32 poles, plus 10/15 more that will be upgraded to the new technology. In response to Ms. Sullivan's question about replacing the 10 to 12 sistered poles that need to come down, National Grid has pole setting responsibility. The two poles requested in this hearing are not double poles.

Motion; made by Brian Greenberg, seconded by Bruce Graham, to close the public hearing.

Motion; made by Brian Greenberg, seconded by Bruce Graham, to approve the petition for the pole at Longwater Drive/Main Street/High Street. Unanimously voted

Vote to Authorize the current Select Board Chair to sign the MHC contract

Motion; made by Jason Brown, seconded by Brian Greenberg, to allow the Select Board Chair to sign the Massachusetts Historical Commission contract for the grant received by the Town. Unanimously voted

Set date for Annual and Special Town Meeting

Motion; made by Bruce Graham, seconded by Brian Greenberg, to set the date for the Annual and Special Town Meeting as May 6, 2024. Unanimously voted

(the select board has the ability to change the date of the Annual and Special Town Meeting under the Town's bylaws. Typically the Town meeting is scheduled for the second Monday in May. The board voted to move the date because of the timing of Memorial Day weekend)

Motion; made by Bruce Graham, seconded by Brian Greenberg, to set the date for the Annual Town Election as May 18, 2024. Unanimously voted

Mr. Reardon asked about holding Town Meeting on a Saturday. The pros and cons were discussed by the board, who cited Town Meetings held on a Saturday in prior

years with mixed results. Suggestions were made to start the meeting earlier in the evening and to survey residents for feedback on this idea. Board members noted that a Saturday morning meeting was difficult to hold at the middle school because of the numerous sports events that take place at the fields.

National Grid Pole Hearing 2, cont'd.

Motion; made by Andy Reardon, seconded by Brian Greenberg, to reopen the public hearing for the pole at Longwater Drive and Pond Street at 7:32pm. Unanimously voted

Mr. Smellie noted that Mr. Ferguson has no issues with this pole application. Mr. Carroll added that this is similar to the pole referenced in tonight's earlier hearing. This application is for a single pole.

The new pilot program with telecommunication technology on the poles will be able to talk to the National Grid control center and produce a quicker response. He added that the 911 communications poles go through this area, which is split with the town of Rockland. National Grid is open to hearing about safety concerns from the board.

Motion; made by Bruce Graham, seconded by Brian Greenberg, to close the public hearing. Unanimously voted

Motion; made by Bruce, Graham, seconded by Brian Greenberg, to approve the pole application for Longwater Drive and Pond Street. Unanimously voted

Mr. Carroll asked that his comments on the National Grid accident be included in these meeting minutes, offering sincere condolences to the families of National Grid worker Roderick Jackson and Waltham police officer Paul Tracey, who were killed at a job site on Totten Pond Road by an erratic pickup driver veering into the workplace. National Grid takes job safety seriously and works hard to maintain an excellent safety record.

2024 License Renewals

Motion; made by Jason Brown, seconded by Brian Greenberg to approve the Used Car Dealer - Class 2 Auto license for Norwell Collision for the year ended 12/31/24. Unanimously voted

Park View motel license renewal:

Atty. John Fink and Park View owner Chahine Elhoai were present to answer questions about the motel's operations.

1. There are 2 units operating as long term rentals
2. There are 13 units operating as high turnover rentals
3. There is 1 "cottage" operating as a high turnover rental

Atty. Fink and Mr. Elhoai stated that they did not receive the letter from the Board of Health (Health agent Ben Margro) listing the violations that must be corrected before the board approved their license renewal. A certified letter will now be sent in time for these corrections to be made before the next scheduled inspection by Mr. Margro on 1/8/24. Ms. Sullivan noted that all of the units appear to be long term rentals, as all have furniture, kitchen and personal items that look like permanent belongings in the units – definitely not 30 days or less. The board expressed concern in terms of safety issues, as there are only 13 permitted units in total, and one manager "unit" in the house.

The “cottage” is actually a former utility shed and is unpermitted. It needs significant upgrades done under a construction permit to qualify as a unit. Mr. Elhoai stated that the house was “like that in 2018 when he purchased the property”.

Mr. Graham brought up the fact that many of these issues were cited in 2019, leaving the zoning aside. His concern is for the safety of the people residing at this property. He would like to ensure that the owner works with the Board of Health and the Building Commissioner to prioritize corrections to the safety hazards.

The board could extend the current license for 30 days to allow corrections to be made before granting the new license. The board asked that the owner address these dangerous conditions to ensure that Town personnel are safe as well as “residents”. Mr. Margro has already spoken to the property manager about the extra illegal units. The building commissioner has also expressed concerns, citing safety issues that include the fire alarm system. Ms. Sullivan will share the building commissioner’s concerns with Mr. Elhoai, which include the evidence that people are staying longer than 30 days.

Mr. Graham reminded all that this situation is reviewed every year without much action take to correct the safety issues. He proposed that a meeting to review the situation should be scheduled after the next inspection on 1/8/24. The board is willing to work with the owner, but he must agree to commit resources to correct these problems and show progress. Mr. Graham volunteered to work with Mr. Barry, Mr. Margro, Ms. Sullivan and Ms. Roy to follow up on the status of the corrections after January 8th.

Town Counsel Bob Galvin stated that Mass General Law requires a motel log book to be kept and made available to the Board of Health. He noted that MGL, Chapter 140, section 127, requires a log book to be made available to the BOH to note tenure and identification of those staying at the motel. Atty. Fink will follow up with Atty. Galvin to work on this request.

Motion; made by Andy Reardon, seconded by Brian Greenberg, to extend the current year’s motel license for the Park View Inn to 2/2/24 to allow time to correct the outstanding safety issues. Unanimously voted

The board’s legal questions were addressed by Atty. Galvin, who cited the 2 court cases filed by the Park View owner.

One rental unit in the house is allowable, but the “cottage unit” is not legal and needs to be addressed.

Board of Assessors/Assessors Department overview – Tax Classification Hearing for FY24

Board members Ted Dawe, Mary Granville and James Koehler, along with Principal Assessor Meredith Rafiki were present for the 2024 tax rate hearing. Ms. Granville called the Board of Assessors meeting to order at 8:30pm.

A copy of Ms. Rafiki’s power point slides is attached to these minutes.

Questions were asked and answered about the new assessed values and how the tax levy works. Mr. Smellie noted that this is a 20% jump in four years and residents should be aware of this fact. The bottom line is that the number of commercial properties in the

Town is dropping. Mr. Graham added that this trend is creating a higher residential tax burden because residents don't vote for zoning that is friendly to commercial properties. The schools take the lion's share of the Town's budget.

The board agreed that this increase is troubling for the average resident in Norwell and some belt tightening is needed to give a measure of relief. Market price increases are a large part of this percentage.

All discussed a single vs split tax rate (residential and commercial), agreeing that a split rate would be detrimental to attracting new businesses to the Town and would not provide enough residential benefit.

Motion; made by Bruce Graham, seconded by Brian Greenberg, not to adopt an open space discount. Unanimously voted

Motion; made by Bruce Graham, seconded by Brian Greenberg, not to adopt a residential exemption. Unanimously voted

Motion; made by Bruce Graham, seconded by Brian Greenberg, not to adopt a small commercial exemption. Unanimously voted

Motion; made by Bruce Graham, seconded by Brian Greenberg, to adopt a residential single tax rate factor of 1 and accept the estimated tax rate of about \$13.46 per \$1000, pending approval by the Massachusetts Department of Revenue. Unanimously voted

The Board of Assessors adjourned their meeting at 8:27pm.

Ms. Sullivan updated the board on next steps for the new Town Hall; an RFP has been posted for bids to hire an architect to fit out the new building.

Future Meeting Agendas/Dates; January 7th.

Adjournment

Motion; made by Jason Brown, seconded by AR, to adjourn at 8:27pm. Unanimously voted

Peter W. Smellie, Chair