

**Town of Norwell
Select Board
Open Meeting
3/13/24**

Present: Jason Brown, Brian Greenberg, Andy Reardon, Peter Smellie, Darleen Sullivan, Kim Roy

Absent: Bruce Graham

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

Approval of Agenda

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

Approval of Meeting Minutes

Motion; made by Andy Reardon, seconded by Jason Brown, to approve the minutes of the 2/28/24 Open Meeting. Brown, Reardon, Smellie voting yes, Greenberg abstained as he was absent.

Select Board Reports

The board gave a shout out to the Norwell Girls Basketball team for making the state finals.

Town Clerk Pat Anderson reminded everyone interested in running for local office to take out papers by 3/27/24. Call the Clerk's office for more information.

Mr. Brown requested an agenda item for March 27th; a realistic update from Ms. Sullivan on the status and timeline for the move to the new Town Hall at 93 Longwater Circle, accompanied by a To Do list. He added that many residents are asking about the status and projected move date. There are also residents who are unaware that Town Hall is moving to a new location.

345 Main Street also needs to be shut down. The board will be forming a 345 Main Street Reuse Committee at the 3/27/24 meeting.

Ms. Sullivan noted that she will put a Town Hall update on the website.

Town Administrator Report - None

Citizen Comments – None

Discussion/Action Items

a) Park View License Extension

Ms. Sullivan reported that the working group met with the owner and his attorney on 3/7/24 to hear a progress report on the open items holding up the 2024 motel license renewal for this property. The owner is looking for an April 17th extension date to complete the fire alarm system installation and address the requests for a daily guest log, posted motel rules and emergency egress information next to the exits, among other open items. There is another meeting with the owner and his

attorney scheduled for 4/10/24. The board will review the status of the list at their 4/10/24 meeting before renewing or extending the 2023 license

Motion; made by Andy Reardon, seconded by Brian Greenberg, to extend the 2023 Park View motel license to 4/17/24. Unanimously voted

b) Cowings Cove Street Acceptance Petition

Mr. Greenberg recused himself from the deliberation and vote on this matter, as his house abuts Cowings Cove (though his address is on Summer Street). He joined the audience to provide technical information to the board as needed.

Mr. Smellie opined that a Select Board vote on this street acceptance can be taken pending the receipt of the department affidavits. No affidavits have been received to date.

Pam Sullivan, 6 Cowings Cove, was present (instead of the developer, who declared bankruptcy) to give a summary of the items still needed by the Town to complete this street acceptance process begun in 2022. This street is located off Summer Street. Ms. Sullivan noted that the HOA redoubled its efforts after being approached by the Highway Director who said he would like a plow turnaround on that side of Summer Street.

The HOA posted \$8200 as cash surety to cover the cost of remaining subdivision punch list items, none of which relate to street construction. The HOA is requesting the following items from the Select Board:

- Refer the layout petition to the Planning Board for a report
- Recognize that the Highway Surveyor can act as the “Drainage Committee” as the Town does not currently have one.
- Direct the HOA to obtain the correct affidavits from the various departments confirming the satisfactory width and acceptable construction of the road.
- Direct the Select Board to refer the layout petition back to the Planning board for a public hearing.
- Direct the Town Administrator to refer the layout petition to Town Counsel for review.

Further discussion highlighted the following questions and answers:

- The Town will be responsible for street maintenance and snowplowing but not drainage. (The layout petition requests the Town take the street but not the drainage infrastructure, which will be the responsibility of the HOA).
- Per Mr. Greenberg (speaking on his own behalf and to provide technical background, but not representing the HOA), there is a waiver of liability for personal property, catch basins and lighting.
- The road surface is only 2 years old and has 2 asphalt topcoats.
- Mr. Greenberg added that the punchlist was updated about two months ago with dollar amounts. Because the developer is in bankruptcy, it will be easier for the HOA to pay the street acceptance costs and then go after the developer to collect.

Motion; made by Andy Reardon, seconded by Jason Brown, to vote the intent to lay out as a public way Cowings Cove, pending the following actions: refer the layout petition to the Planning Board for a report, recognize that the Highway Director can act as the “drainage committee” as the Town does not have one, direct the HOA to obtain affidavits from the required departments that the road is satisfactory in width and

acceptable construction, direct the Town Administrator to schedule and notice the layout hearing and direct the Town Administrator to refer the layout petition to Town Counsel for review. Unanimously voted 3-0, with Mr. Greenberg recused.

c) Community Preservation Committee Articles Review

CPC Chair Bob McMackin and Admin. Assistant Kristin Ford were present to review the list of Warrant Articles proposed by the CPC. There are 9 applications, of which 7 were approved, 1 withdrawn, 1 not approved. He noted that the issues of ongoing maintenance and accountability were specifically addressed in this year's application process.

Attached is a list of this year's applications with a short summary of each.

The board discussed points in question on the applications, noting specifically that funding for the First Parish cemetery, which is being done in yearly phases, is bound by a grant agreement with the Town for both the cemetery and First Parish.

The board had a lengthy discussion with Mr. McMackin and Ms. Ford about the reasons for the failure of the application for new restroom facilities at the Clipper Community Complex (CCC).

- A recap of the project history highlighted the missed deadlines to obtain viable quotes for both conventional and modular construction options.
- State intervention made the project more expensive at an unexpected level.
- A lack of confidence in the ability of the requested amount to cover the revised cost of construction. The current estimates are already over the ask.
- The hope is that the groups requesting the funding will resubmit with organization and clarity.
- The encumbered money already allocated can either stay or be rescinded at 6/30/24 by the Town Finance Director. The preference is to keep the encumbered funds and see what happens next year.

The 10% reserve fund allocations for the three buckets will be about \$160K each.

d) Stetson Ford House – potential Sale and discussion

Mr. Smellie referenced a discussion from last summer about this topic.

Wendy Bawabe, NHS President and NHC Chair Laurie Detwiler were present to discuss the options for this property.

Ms. Bawabe gave a short recap of the timeline and task force meetings about the future of this property that took place in 2009. The house and immediate area was never registered as a separate parcel. The bottom line is that the property could not be subdivided or sold as it is currently part of a much larger property (144 acres). The only course of action is to rent the house and surrounding few acres until it can be subdivided and sold with a preservation restriction. The 2009 task force referred this information to the Planning Board for them to decide how to carve out the land and house.

Gregg McBride was present to give a short summary of his discussions with Town Counsel about options for this house. Per Atty. Galvin, the house absolutely can't be sold with some portion of the land as there is no road to the house. The land can't be altered to carve out this one parcel. Ms. Bawabe

concluded, citing "no spot zoning". FYI, this house is on the National Historic Register.

If there is any future change to the zoning, then a sale might be possible.

Ms. Detwiler added that the NHC has to agree to any potential sale. She hopes this will be a collaborative effort.

Next steps include:

- An updated discussion with Town Counsel Bob Galvin
- An opinion from the current Planning Board on any zoning discussions
- A meeting with the NHC and Select Board to discuss future options.
- Mr. Greenberg will follow up with the Planning Board to see where the discussion leads.

Questions were asked and answered about the whole parcel composition and road access in the Town.

Future Meetings: March 20th, March 27th

Adjournment

Motion; made by Andy Reardon, seconded by Jason Brown, to adjourn at 8:38pm.

Unanimously voted

Peter W. Smellie, Chair