



**TOWN OF NORWELL**  
Norwell Town Offices, Room 112  
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TOWN CLERK  
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**Norwell Advisory Board Meeting Minutes  
4/9/2020**

The Advisory Board was called to order by Chair Peter Smellie at 7:00 P.M. Also present were Town Administrator Peter Morin and Board Members Mark Cleveland, Harry Solis, Susan Darnell, Rick Goulding, Jesse McSweeney, Karen Reynolds, and Julie Sim. Unable to attend was Kate Steele. The meeting was held remotely, as allowed under the Executive Order dated March 12, 2020 suspending certain provisions of the Open Meeting Law, Gen. L. c. 30A §20 et seq. and 940 CMR 29.01 et seq.

**ADMINISTRATIVE MATTERS**

**Minutes** – The minutes of the March 24 and 26 meetings were distributed and reviewed.

*Motion made to accept the Minutes of the March 24, 2020 meeting as submitted. Seconded and passed 7-0-1 by roll call vote, Member Solis having abstained.*

*Motion made to accept the Minutes of the March 26, 2020 meeting as submitted. Seconded and passed 7-0-1 by roll call vote, Member Solis having abstained.*

**Bills** – None

**Reserve Fund Transfer Requests** – None

**Correspondence/Notices** – None

**Action Items / Discussions** – None

**2020 TOWN MEETING ARTICLES**

**Capital Stabilization Article (Amount)**

Mr. Morin asked that the matter be tabled pending further economic developments; his original intent was to request a \$250,000 transfer in, but he may recommend that some of these funds instead go to the stabilization fund.

**Stabilization Article (Amount)**

Mr. Morin asked that the matter be tabled pending further economic developments; his original intent was to request at \$50,000 transfer in, but he may recommend that additional funds be added in anticipation of a state aid shortfall.

**Town Center Engineering and Design**

Alison Demong, Board of Selectmen liaison to the Complete Streets Committee, gave an overview of a proposed traffic calming plan for Norwell Center. The Board of Selectmen had decided not

to vote on a Town Meeting article requesting \$200K for further study of the plan for budget reasons, and Advisory likewise was not being asked to vote on the article at this meeting.

Ms. Demong noted that a working group including herself and Town Planner Kenneth Kirkland had solicited ideas from business owners in Norwell Center for possible improvements; the concerns raised include speeding traffic and insufficient and unsafe parking. With the assistance of State Senator O'Connor, the town obtained \$75,000 in state funding for a study to improve the Center, and has been working with BETA Engineering Group on options for traffic calming. The estimated cost to implement the plans is about \$2 million, which would require state grant funding. The purpose of the \$200K article was to make the project "shovel ready" and first in line for any grants that become available.

The plan proposes several design changes to slow down traffic passing through Norwell Center; these include narrowing the River and Main Street intersection with landscaping, changing the angled parking in front of the Norwell General Store to parallel parking, creating a wider sidewalk, and inserting a landscaped traffic island on the stretch of Main in front of Joseph's Garage; another possibility is to make West Street, in front of the James Library and State Police barracks, one way with added parking.

A meeting to solicit public comment is currently scheduled for May 15 at the Cushing Center. BETA may break the project into smaller stages, and it may be possible for Highways/Public Works to tackle small portions as time and funds allow.

#### **Pond Street/Accord Park Zoning Article**

The Board continued its review from the March 26 meeting. The article would create an "Accord Park Loop" subdistrict where the building height limitation would be increased from three to five stories; it would also allow for additional lot coverage if a developer uses low-impact development features to improve stormwater retention. The districts would be subject to a streamlined permitting process by the Planning Board.

Selectman Bruce Graham advised the Board that they had discussed Mr. Smellie's suggestion to move the two lots closest to High Street to the proposed "Cordwainer" district, where the three-story limitation would still apply, but wished to present the article as is, without the suggested change, as they feel they had given sufficient consideration to abutter concerns. Selectman Ellen Allen noted that all three zones would require "dark skies" compliance to reduce ambient light, and felt concerns that lights from the buildings in the "Accord Park Loop" subdistrict would be visible on High Street were not factually accurate. She added that the Board had discussed Mr. Smellie's proposal at length, but ultimately voted to retain the original proposal and address any abutter concerns at Town Meeting.

Mr. McSweeney asked whether it was worth adopting Mr. Smellie's proposal to increase the article's chance of passage, but Selectmen Allen and Graham questioned the assumption that an amended article would in fact be more likely to pass. Mr. Smellie reiterated that he supported the plan in principle and felt his proposed changes would give it the best chance of passing at Town Meeting. If the article runs into trouble at the Town Meeting, he will consider introducing an amendment on the floor to remove the two lots from the Accord Park Loop subdistrict.

*Motion made to recommend favorable action on the Accord Park rezoning article as written. The motion was seconded but did not pass 4-4-0 by roll call vote.*

After the vote, Ms. Allen asked what had changed Board member minds from the previous meeting. Mr. McSweeney stated he had brought up similar concerns last week. Mr. Goulding stated he had become more concerned with the issues Mr. Smellie had raised, and wanted to give the article the best chance to pass.

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In response to a query from Brendan Sullivan, Chair of the Planning Board, the Board members that had voted no indicated they would change their votes if the two lots were removed. Mr. Smellie asked Selectmen Graham and Allen to let him know if they wished the Board to reconsider an amended article.

### **Stony Brook Cottage Demolition**

This article from the Conservation Commission requests \$47,500 in funds to demolish a dilapidated rental cottage on Stony Brook Lane. The cottage is structurally unsound, and its asbestos siding presents a safety hazard. They are proposing to install a small bench and a raptor nest once the cottage has been removed. The matter was discussed at the March 5 meeting and taken under advisement to allow Mr. Morin to research cost and funding sources.

Mr. Morin asked that this matter be held in abeyance pending further economic developments. He will prioritize the project for funding if there is a significant safety hazard.

### **Animal Control Bylaw Revisions**

Mr. Morin noted that the town bylaw currently has lower fines than those set by the state; this article adopts the state fines, as town fines cannot be lower.

*Motion made to favorably recommend the article amending the animal control bylaws to reflect the state statute. Seconded and passed 8-0-0 by roll call vote.*

### **Elevated Access Article**

Applicant Robert Proctor present along with Attorney Jeff De Lisi. Mr. Morin advised that he had received draft articles from Attorney De Lisi regarding general and zoning bylaw amendments. The general bylaw amendment will require a majority vote at Town Meeting; the Zoning amendment will require a two-thirds vote. A referendum will also be required if both articles pass at Town Meeting. The Board of Selectmen considered adding the question to the ballot for the town election in June, but instead they will ask for a special legislative act to place it on either the September or November election ballot to maximize resident input.

Attorney De Lisi advised that the subject property was located at 400 Cordwainer Drive. In 2016, the ZBA issued a special permit to allow for the cultivation, processing, and distribution of medical marijuana at the property; the property was subsequently sold to Mr. Proctor. The 2018 legalization of recreational marijuana use in Massachusetts upended Mr. Proctor's original business plan. They would like to amend the general and zoning bylaws to allow a business to obtain a special permit to cultivate, process, and distribute recreational as well as medical marijuana products; these amendments would not permit retail sales in town.

Attorney De Lisi indicate he had incorporated feedback from Town Counsel into the article language, and characterized the articles as providing additional revenue streams to the town while retaining the prohibition on retail sales in town.

Mr. Proctor added that he has received all the necessary approvals save for the building permit and was eager to get started. He still proposes to make medical products but wants to be able to wholesale products to both medical and recreational establishments, as he feels this is key to the business' survival. His establishment would be strictly wholesale and would not create traffic issues.

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Mr. Smellie asked about the differences between a wholesaling operation distributing to medical dispensaries only or to both medical and retail establishments; Mr. Proctor indicated there were essentially no operational differences. Mr. Solis asked about police and fire input regarding building security. Mr. Morin indicated that Police and Fire signed off on the grow facility for the previous client. Police's primary concern at the time was that marijuana is currently a cash business, which can present a theft risk. If there are no retail sales on site, however, this risk is minimized. Attorney De Lisi added that such establishments are bound to comprehensive security regulations, at both the state and local level.

Mr. McSweeney noted that next year's budget is likely to be very tight, and these articles could open up a new potential revenue source; however, Mr. Cleveland pointed out that the same economic argument was made at the Town Meeting in 2016, and voters still approved the prohibitions on recreational marijuana; he would prefer that a different commercial establishment occupy the site.

Selectman DeMong indicated she was in favor of the articles but asked if "shipping" could be interpreted as including delivery to residences. Mr. Proctor indicated that his license would not permit him to deliver product to a retain client. The state issues five different licenses for marijuana establishments, but an individual licensee can only have one kind.

*Motion made to recommend favorable action on article to amend the general bylaw prohibiting cultivation of marijuana for recreational purposes as written. Seconded and passed 7-1-0 by roll call vote.*

*Motion made to recommend favorable action on article to amend the zoning bylaw prohibiting cultivation of marijuana for recreational purposes within the medical marijuana overlay zone as written. Seconded and passed 7-1-0 by roll call vote.*

## **MISCELLANEOUS**

In response to a query from Chair Smellie, Mr. Morin indicated that he would likely recommend additional budget adjustments once he hears from the State regarding any local aid impacts.

Mr. McSweeney asked whether the town would offer extensions to the May 1 property tax due date. Mr. Morin noted that he did not want to create an incentive for banks to hold back the tax money they collect as part of escrow so they can keep the interest; once these escrow funds are received, he is willing to consider extensions to residents.

Mr. Morin indicated that the Board would likely have to meet at least one more time, at which point he hopes to have more information regarding revenues and state aid. The Board may need to make recommendations as to certain articles on the floor at Town Meeting.

## **FUTURE MEETINGS**

April 23.

# ADJOURNMENT

*There being no further business, a motion was made to adjourn at 8:30 P.M. Seconded and passed 8-0-0 by roll call vote.*

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Peter Smellie, Chair