



TOWN OF NORWELL
Norwell Town Offices, Room 112
345 Main Street
Norwell, Massachusetts 02061
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TOWN OF NORWELL
TOWN CLERK

2022 APR -5 AM 11:27

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Norwell Advisory Board Meeting Minutes
March 10, 2022

The Advisory Board was called to order by Chair Jesse McSweeney at 7:00 PM. Also present were Town Administrator Peter Morin, Finance Director Darleen Sullivan, and Board Members Mark Cleveland, Bob Perniola, Susan Darnell, Brian D'Souza, Elizabeth Hibbard, Peter Leppanen, and Dane Hutchison. Ms. Hibbard left at 7:36 PM.

AGENDA

Motion made to approve the agenda as printed. Duly seconded and unanimously voted.

ADMINISTRATIVE MATTERS

Minutes

The minutes of the March 1 and 3 meetings were distributed and reviewed.

Motion made to accept the Minutes of the March 1, 2022 meeting as printed. Duly seconded and approved by a 6-0-1 margin, Mr. D'Souza having abstained.

Motion made to accept the Minutes of the March 3, 2022 meeting as printed. Duly approved by a 6-0-1 margin, Mr. D'Souza having abstained.

Bills – None

Reserve Fund Transfer Requests – None

Correspondence/Notices – None

Action Items / Discussions

Board Reorganization

The Board voted to appoint Ms. Hibbard Vice Chair of the Board, replacing Rick Goulding, and Mr. Hutchison Clerk, replacing Ms. Hibbard.

Motion made by Mr. Cleveland to nominate Ms. Hibbard as Vice Chair and Dane Hutchison as Clerk of the Advisory Board. Duly seconded by Mr. Perniola and unanimously voted.

Motion made by Mr. Cleveland to appoint Ms. Hibbard as Vice Chair and Dane Hutchison as Clerk of the Advisory Board. Duly seconded by Mr. Perniola and unanimously voted.

FY 2023 BUDGET OVERVIEW

Council on Aging

Council on Aging Director Sue Curtin started with a brief overview of the COA's function. Established in 1966 by State statute, the Council provides services and programming for residents

over 60, under 60 if disabled, and caretakers. They provide recreational, educational, and social programming, assistance with Fuel Assistance and Medicare applications, and some transportation services. The COA pivoted during the pandemic to provide remote programming and pandemic support services. CARES Act funding enabled the Council to purchase iPads and Internet hotspots; they had been utilizing Zoom teleconferencing since 2013.

The Council has contracted with the UMass-Boston Gerontology Institute to do a needs assessment on how to adjust services to meet the changing needs of the population. The study will be funded through a two-year state grant, with any leftover funds going to programming not funded in the operating budget.

Ms. Curtin indicated that increases in the Salary line reflected an update to the Outreach Coordinator job description and the shifting of a portion of the receptionist salary from state reimbursement funds into the operating budget. To offset, she has reduced the Driver line to a figure close to recent spending; Mr. Morin indicated he could provide additional funds if needed. Council vans refuel in the Highway yard, and utilities are covered under the Town budget.

An increase in Professional Services reflects additional classes, as demand for them had increased during the pandemic. Mr. Leppanen asked if additional costs were anticipated as the Council resumed normal programming, but Ms. Curtin felt these had already been incurred. All discussed the possibility of joint classes/programming with the Recreation Department; Ms. Curtin agrees there is some opportunity for cooperation, but COA programs are more tailored to its clientele and are generally available for no fee and thus more accessible to seniors on a fixed income. They have used function rooms at the new Library for certain classes.

Ms. Hibbard noted she spoke with Ms. Curtin prior to the meeting and was impressed at the Council's ability to make the most of a limited budget. Their outreach services in particular were useful to Police and Fire, ultimately reducing calls for service.

2022 ANNUAL TOWN MEETING ARTICLE OVERVIEW

Conservation Commission

Conservation Agent Will Saunders, Chair Marynel Wahl, and Vice-Chair Robert Woodill present.

Article 56 - Stormwater Bylaw Amendment

The article proposes amendments to the Town's stormwater bylaw, updated in 2021, to resolve conflicts with state regulations, which were updated in 2021; these include making square footages consistent between the bylaw and state regulations, and adding language to close a loophole that allowed some projects that should have had a stormwater review to avoid it.

Several Board members asked whether the amendment would loosen or tighten the criteria for buildability of lots; Mr. Saunders indicated it would make no changes beyond bringing the Town's stormwater review bylaw into better agreement with the state regulations.

Mr. McSweeney noted that a section "strongly encouraging" applicants to review development plans with the Conservation Agent lacked clear direction. Ms. Quirk agreed such consultation wasn't required but was helpful to the Conservation Office.

Wetland Protection Bylaw

Mr. McSweeney recused from the discussion and vote; Mr. Hutchison assumed the role of Chair for the discussion.

Mr. Saunders indicated he had worked with Town Counsel to draft the article, whose intent is to protect against the use of state-approved Forest Cutting Plans to access and ultimately develop upland lots that were not otherwise buildable. Mr. Morin added that the amendment had been recommended by Town Counsel as necessary to protect the Town's interest after the state approved a FCP submitted by an applicant with a past history of using them for this purpose.

The amendment would require any forestry work greater than 10% basal area in a wetland resource area or buffer zone receive Commission approval. Once a FCP or permit expires, the land would no longer be considered land in agricultural use unless it had an approved long-term Forest Management Plan (FMP) from the State. Mr. Woodill noted that the 10% figure would allow for low-level forestry and maintenance activity to occur without the need for a permit.

Mr. Leppanen asked for more information regarding the recently permitted FCP. The Plan is for a section of upland off Mt. Blue Street and gives the applicant an exemption that potentially allows him to construct an access road through a wetland that would not be permissible under the local and state regulations. Once the road is constructed, Messrs. Saunders and Morin are concerned that an attempt to develop the upland lots will follow.

Mr. Perniola questioned whether the bylaw would be an impediment to residents who might legitimately want to conduct forestry on their property; Mr. Morin maintained that any such residents would be able to obtain a permit for such activity from the Commission. Currently there are no other town residents with approved FCPs, but Ms. Wahl stated that some property owners along the North River in other towns use them to expand their views of the river and opined that other towns in the area will have to consider enacting similar bylaws.

All present discussed the FCP permitting process at the state level, with Ms. Darnell commenting that this seemed to be the root issue. Mr. Saunders agreed and advised he and Town Counsel had conveyed their concerns to DCR. Mr. Cleveland expressed concern at the Town disallowing something DCR has permitted, but Mr. Morin opined that if DCR properly enforced their regulations, as they do in the Western part of the state which has more forestry activity, the Mt. Blue FCP would never have been permitted.

Mr. Cleveland noted that he was ultimately swayed by the threat to the wetlands, but cautioned that the wording of the article could be confusing to residents at Town Meeting, who may view it strictly as an attempt to limit their property rights without a clearer presentation. Mr. Saunders will work with Mr. Morin and Town Counsel to simplify their argument. Mr. Morin is also willing to have Town Counsel speak directly regarding the article.

Motion made to recommend Article 64, Wetlands Bylaw Amendments, to the 2022 Annual Town Meeting. Duly seconded and passed by a 5-1-1 margin: Leppanen aye; Cleveland aye; McSweeney abstain; Perniola no; Darnell aye; D'Souza aye; Hutchison aye.

Mr. McSweeney resumes the Chair after the vote.

Planning Board

Article 12 - Select Board Nomenclature

Planning Board Chair Brendan Sullivan advised that this article would update references to “Board of Selectmen” in the Zoning Bylaws to “Select Board”; the language in the General Bylaws were updated accordingly last year.

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Motion made to recommend Article 12, Select Board Nomenclature, to the 2022 Annual Town Meeting. Duly seconded and unanimously voted by roll call: Leppanen aye; Cleveland aye; McSweeney aye; Perniola aye; Darnell aye; D'Souza aye; Hutchison aye.

Article 13 - Special Permit Duration

This article will allow Special Permit durations to be up to 3 years so they match up with site plan approvals.

Motion made to recommend Article 13, Special Permit Duration, to the 2022 Annual Town Meeting. Duly seconded and unanimously voted by roll call: Leppanen aye; Cleveland aye; McSweeney aye; Perniola aye; Darnell aye; D'Souza aye; Hutchison aye.

Article 11 - Accessory Dwelling Unit

The proposed bylaw would allow the by-right construction of accessory dwelling units up to 900 square feet. The units can either be freestanding or contained within the principal dwelling, but freestanding units must look like the “parent” unit and cannot be located in front of it. ADUs inside a larger structure must have their own entrance. All ADUs would be limited to one bedroom only. They are limited to 900 sq ft in this bylaw so it can pass by a simple majority; larger ADUs, under state law, require a 2/3 majority vote. There would be a need to create a separate identifiable “location” for 911 purposes.

Mr. Morin opined that this bylaw could help meet a definite need, and is a priority of both the Select Board and the State. ADUs created under the bylaw would not count towards the Town’s subsidized housing inventory (SHI) without a separate deed restriction, but they could help residents stay in town. Mr. Sullivan also noted that a homeowner(s) could occupy the ADU and rent the remaining dwelling out so they could stay in their home.

Mr. Hutchison asked if the bylaw included any lot size limitations; the bylaw has no lot size requirement but any freestanding ADU would have to meet setback requirements. Mr. Perniola asked if such a bylaw was common in the area; Mr. Sullivan believed one had been in effect in Scituate for some time. Mr. Leppanen asked if the bylaw specified a maximum number of occupants; it did not but ADUs are specifically limited to one bedroom.

Mr. Cleveland questioned the possible impact on town services if it increased the population. Mr. Morin doesn’t think the bylaw would cause any stress to town services given the size and bedroom limitations; such units are already being created in town, and the bylaw would simply streamline the permitting process. Mr. Perniola added that the bylaw could give the parents of special needs adults new options for living arrangements that offered their kids greater independence.

Mr. McSweeney noted that the bylaw would not allow “short-term” or Airbnb rentals, and asked how “short-term” would be defined. Ms. Quirk suggested a “30 days or less” standard and noted they could add specific language to the bylaw. Mr. McSweeney recommended that language encompassing all competitors to Airbnb be used so there is no loophole.

Motion made to recommend Article 11, Accessory Dwelling Unit, to the 2022 Annual Town Meeting. Duly seconded and passed by a 6-1-0 margin: Leppanen aye; Cleveland aye; McSweeney aye; Perniola aye; Darnell aye; D'Souza aye; Hutchison no.

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Highway Department

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Special Town Meeting Article 8 - Snow and Ice Deficit

Mr. Morin requested that no vote be taken, as he was still waiting on a final number, but estimated it will ultimately be around \$190K.

Special Town Meeting Article 10 - River Street Betterment

Mr. Ferguson negotiated \$374,490 in reimbursement for road damage caused by utility work along River Street, which was deposited to the General Fund; this article would transfer the funds to the Highway Department so they can be used for repairs.

Motion made to recommend Special Town Meeting Article 10, River Street Betterment, for approval. Duly seconded and unanimously voted by roll call: Leppanen aye; Cleveland aye; McSweeney aye; Perniola aye; Darnell aye; D'Souza aye; Hutchison aye.

Special Town Meeting Article 11 - Circuit Street Paving Repayment

Mr. Ferguson negotiated \$19,553 in reimbursement for road damage caused by work along Circuit Street, which was deposited to the General Fund; this article would transfer the funds to the Highway Department so they can be used for repairs.

Motion made to recommend Special Town Meeting Article 11, Circuit Street Paving Repayment, for approval. Duly seconded and unanimously voted by roll call: Leppanen aye; Cleveland aye; McSweeney aye; Perniola aye; Darnell aye; D'Souza aye; Hutchison aye.

Special Town Meeting Article 12 - Main Street Sidewalk

This article requests \$500K to complete construction of the Main Street sidewalk, from Homestead Farm to Norwell Center. Mr. Morin requested that the Board not vote on the article as this time, as he was waiting to hear about possible grant funding. Mr. Ferguson respected Mr. Morin's position but indicated he would like to continue the recent project momentum and finish the sidewalk.

Complete Streets Committee Chair Peter Bloomfield added that they had sought to maximize grant funding for the project, and had received about \$400K in Complete Streets grants over the past three years; they had maxed out this grant and had applied for \$200K in funding from another DOT grant.

Mr. McSweeney asked about the possible impact of gas price increases. Mr. Ferguson will adjust by trying to economize on asphalt until prices drop.

Article 13 - Cemetery Betterment

This article requests an additional \$60K distribution from the Perpetual Care Trust Fund for Trees & Grounds to maintain the town cemeteries. Trees & Grounds Commissioner Ferguson requests periodic distributions as needed. The Trust, funded from lot sale proceeds, helps pay for cemetery

maintenance, and distributions have to be approved at Town Meeting. The Trust currently as a balance of about \$183K.

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Motion made to recommend Special Town Meeting Article 13, Cemetery Betterment, for approval. Duly seconded and unanimously voted by roll call: Leppanen aye; Cleveland aye; McSweeney aye; Perniola aye; Darnell aye; D'Souza aye; Hutchison aye.

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Article 53 - Conveyance of Phillips Lot Lane

Highway Commissioner Glenn Ferguson and the Select Board are sponsoring this article, which would convey Phillips Lot Lane, off Longwater Drive, to Clean Harbors. The road only services two buildings in the Clean Harbors campus and requires extensive maintenance. Mr. Morin indicated that legal paperwork needs to be prepared and executed by Clean Harbors before any conveyance can take place.

Mr. Ferguson is working with the Planning Department and Selectman Bruce Graham on a establishing a procedure for street acceptance that would address his concerns regarding maintenance of customized catch basins and drainage infrastructure; a possible solution may be for the Town to plow "accepted" streets but leave the maintenance of certain kinds of drainage infrastructure to the Homeowner's Association.

Mr. Morin also indicated that he intended to provide some level funding for a number of articles regarding traffic calming and signage, street and drainage repairs, and boardwalk maintenance but was not ready to recommend specific dollar amounts at this time.

MISCELLANEOUS

Mr. Morin advised that Annual Town Meeting Article 14, proposing amendments to the Demolition Delay bylaw, is being withdrawn.

Mr. Cleveland has not heard any news from the AB Nominating Committee regarding a replacement for Mr. Goulding; he will inquire further, and the matter will be discussed at the next meeting.

FUTURE MEETINGS

March 15, 22, 24, 29, 31

ADJOURNMENT

There being no further business, a motion was made to adjourn at 9:27 PM. Duly seconded and unanimously voted.

Jesse McSweeney, Chair