

Town of Norwell
BOARD OF APPEALS
Business Meeting Minutes
October 19, 2016

MEETING DATE: Wednesday, October 19, 2016
TIME SCHEDULED: 7:00 P.M.
LOCATION: Town Hall Building Office
MEMBERS PRESENT: Lois S. Barbour, Chair
Philip Y. Brown, Vice-Chair
David Lee Turner, Clerk
Thomas P. Harrison (arrived 7:20 P.M.)
Ralph J. Rivkind
OTHERS PRESENT: John C. Chessia, Town Consultant

RECEIVED
TOWN OF NORWELL
TOWN CLERK
2016 DEC -9 AM 9:23

The meeting was called to order at approximately 7:03 P.M.

MINUTES: No minutes were presented.

INVOICES: Upon a motion duly made and seconded, members present **VOTED** unanimously to approve Tiffany Hill 40B invoice #1633 in the amount of \$311.50; 103 Washington Street invoice #1629 in the amount of \$67.50; 495 Washington Street invoice #1631 in the amount of \$575.00; and 600 Longwater Drive invoice #1632 in the amount of \$402.50, all dated 10/15/16, and payable to Chessia Consulting Services.

NEW BUSINESS/CHAIR STATUS REPORT: No report offered.

OLD BUSINESS/STATUS UPDATES/LITIGATION:

495 Washington Street: The general contractor for the 495 Washington Street project requested a meeting with members at which John Chessia, the Town's peer review consultant/project monitor, was also present. There have been some questions about whether the unapproved construction modifications to the original Site Plan would stall the project further or whether all issues have now been resolved in order for the project to proceed. All issues now appear to be resolved. All modifications must be shown on revised plans to be endorsed by the Board of Appeals and reviewed with Mr. Chessia, prior to signing by members.

103/111/113 Washington Street: As Mr. Chessia was already present on the above matter, the Board took the opportunity to obtain updates on other projects, including this proposed project located across from Kappy's and CVS at the corner of Washington and Grove Streets. A Site Plan application, submitted in February 2016, was withdrawn per the Board's letter to Mr. Sullivan, dated June 1, 2016.

At that time, the Chair stated unequivocally that a modification application for any prior Site Plan decision must be filed, as well as a new application for the

revised project to be constructed on a smaller portion of the property than contemplated in the February 2016 application. In the letter, dated 6/1/16, signed by Member Rivkind, to the Applicant's attorney, Walter Sullivan, this requirement was noted, as was the Board's grant of withdrawal of the application.

Additionally, the proposed lot division(s) have not been processed through the Planning Board and do not, therefore, legally exist.

The Chair was instructed to write to the Applicant's attorney, stating the application cannot be considered complete, as the Board is unable to approve a hypothetical lot.

The steps in a logical process would include the following:

1. File with the Planning Board for a Form A subdivision, creating the new lots
2. File application for modification of the existing Site Plan
3. File application for proposed project

The Chair was instructed to write to the Applicant's attorney, stating the application cannot be considered complete, as the Board is unable to approve a hypothetical lot.

Tiffany Hill: Mr. Chessia also noted that there had been an issue with a portion of the sidewalk, which has been remedied.

Lot 62 – North River: Members were in agreement with the draft decision, which was prepared for signature and filing.

ADJOURNMENT: The business meeting was adjourned at approximately 8:00 P.M.

NEXT SCHEDULED MEETING: Wednesday, November 16, 2016

These minutes have been approved with reading of the minutes waived by unanimous vote of the Board of Appeals at a public meeting duly held on 16 NOV. 2016, in accordance with M.G.L. c40A, Section 11, and the Massachusetts Open Meeting Law.

Signed:


As Clerk/Assistant Clerk

Date: 16 NOV. 2016

Copy filed with: Office of the Town Clerk

2016 DEC -9 AM 9:23
TOWN OF NORWELL
TOWN CLERK
RECEIVED