

Town of Norwell
BOARD OF APPEALS
Business Meeting Minutes
January 18, 2017

MEETING DATE: Wednesday, January 18, 2017
TIME SCHEDULED: 7:00 P.M.
LOCATION: Town Hall Building Office
MEMBERS PRESENT: Lois S. Barbour, Chair
Philip Y. Brown, Vice-Chair
Thomas P. Harrison
Ralph J. Rivkind
MEMBERS ABSENT: David Lee Turner, Clerk
OTHERS PRESENT: R. W. Galvin, Town Counsel
Jeffrey A. De Lisi, Attorney for Lareau

The meeting was called to order at approximately 7:00 P.M.

MINUTES: None presented.

INVOICES: Upon a motion duly made and seconded, members present **VOTED** to approve invoices payable to Chessia Consulting Services in the amounts of \$2,483.81 (#1658, dated 12/13/16) for Tiffany Hill 40B project; \$137.00 (#1661, dated 12/13/16) for 495 Washington Street; and \$57.50 (#1654, dated 12/13/16) for 600 Longwater Drive.

EXECUTIVE SESSION VOTES: Purpose, as requested by Town Counsel, to offer clarification to Judge Cutler relating to the Stony Brook Lane decision, currently in litigation.

1. Upon a motion duly made and seconded, Members Brown, Harrison, Rivkind, and Barbour were individually polled and **VOTED** to enter into executive session for the purpose of providing requested clarification to Judge Cutler relating to the Stony Brook Lane decision, currently in litigation and to return to open session immediately following.
2. Upon a motion duly made and seconded, Members Brown, Harrison, Rivkind, and Barbour were individually polled and **VOTED** to return to open session.


DISCUSSION FOLLOWING EXECUTIVE SESSION: A short discussion ensued following the Executive Session to define Judge Cutler's clarification request for the Board of Appeals to respond to her question within a public meeting context, relating to the current Plymouth County Land Court case 10 MISC 419885 (JCC). Attorney De Lisi noted 40A Sec. 6 provides no definition of frontage and there was no extant zoning bylaw in the Town of Norwell prior to 1952. The question relates to the 1948 plan and where does the right-of-way (ROW) go? The Board of Appeals is not in a position to say.

Member Barbour moved, Member Rivkind seconded, and unanimously **VOTED**: "... by way of clarification, in the opinion of the Board, the Williams lot has frontage greater than 50' on the existing right of way."

ADJOURNMENT: The business meeting was adjourned at approximately 7:45 P.M.

NEXT SCHEDULED MEETING: Wednesday, February 8, 2017

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 18 Jan. 2017, in accordance with M.G.L. c40A, Section 11, and the Massachusetts Open Meeting Law.

Signed:  Date: 01 March 2017
As Clerk/Assistant Clerk

Copy filed with: Office of the Town Clerk