

*Town of Norwell*  
**BOARD OF APPEALS**  
**Meeting Minutes for 40 River Street 40B**  
**June 21, 2017**

RECEIVED  
2017 SEP 14 PM 3:18  
TOWN CLERK  
TOWN OF NORWELL

**MEETING DATE:** Wednesday, June 21, 2017  
**TIME SCHEDULED:** 7:00 P.M.  
**LOCATION:** Osborn Room  
**PANEL MEMBERS PRESENT:** Ralph J. Rivkind, Hearing Chair  
Lois S. Barbour  
Thomas P. Harrison

**TOWN REPRESENTATIVES:** Peter Shea, President – Community Housing Trust  
Elizabeth Hibbard, CHT  
Gregg McBride, BoS

**FOR THE APPLICANT:** Mark Bobrowski, Attorney  
Jennifer Van Campen, Executive Director – Metro West  
Peter Palmieri, Merrill Engineers & Land Surveyors  
Randy Johnson – Resolution Architects

Chair Rivkind opened the meeting at approximately 7:11 P.M. with reading of the public notice for the continued public hearing of the 40B Comprehensive Permit application on property located at 40 River Street, the site of the Town's former police station.

The previously agreed-upon agenda for this evening's meeting was to discuss the report of the Board's peer review consultant, as well as any comments received from Town boards and departments. The Board also anticipated an update on the veterans' preference question.

Attorney Bobrowski stated, although the Town's request could not be guaranteed, he was confident HUD would grant the maximum veterans' preference allowable under Fair Housing Rules. Chair Rivkind stated at the previous meeting on June 14 that Attorney Alpern indicated a similar project has been approved at the state level to allow the desired veterans' preference. Chair Rivkind also asked the Applicant's team who at the state level should be contacted for political encouragement to approve this desired preference.

Ms. Van Campen indicated the pending grant application has been drafted and will be ready to submit as soon as the project receives approval and the written decision is available. The grant is through DHCD under its Community Scale Housing Initiative. As previously stated, MetroWest would like to submit as soon as possible, so the funding authority can review the application and award funding. Although the current draft does include a local preference request, the requested veterans' preference will need to be added. Attorney Bobrowski stated the Applicant is agreeable to a condition to grant veterans' preference to the maximum extent allowed by law.

CHP President Peter Shea indicated he has been in conversation with Residents Malloy and Breen to determine what they would recommend, relating to their concern expressed at the last meeting about veterans' preference and what had been stated at the Town Meeting where this project received resident approval. He stated that they want local (Norwell) veterans' preference for future residents of this proposed project.

Mr. Chessia of Chessia Consulting presented his report. He pointed out that a detailed landscape plan is needed (p. 3 of his report). He also indicated that plans need to show abutters and abutting

buildings, especially the carriage house, belonging to the First Parish of Norwell, adjacent to the proposed apartment building. After a brief review of compliance with stormwater standards, Chair Rivkind asked if each item could be addressed by both the Board's consultant and the project engineer for clarity. The project engineer, Peter Palmieri, stated his belief that Mr. Chessia and he can address stormwater and any other concerns. He does not feel there are any issues that cannot be satisfactorily resolved prior to the next scheduled meeting on July 12, 2017.

Although applications have been transmitted to the Town's Fire, Police, and Highway departments, as well as Conservation, Planning, and the Board of Health, no written responses have been received at the time of this meeting. However, some outside discussion has occurred with most of these authorities expressing little concern to date.

In response to Member Harrison's query, it was confirmed Waiver requests must be individually voted and approved by the Board at the time the decision is voted. The Board should consider any board or department comments or recommendations it might receive.

As Chair Rivkind was informed an application has not yet been submitted to Natural Heritage, he suggested that an application be made as soon as possible to address that issue.

Mr. Chessia also reminded the Board that Smart Growth and Exec Order 385 concerns relating to this project should be considered. He further indicated that as the site will be reused, it would not have the impact or disturbance factor of new development.

Member Barbour offered to participate in a workshop session prior to the next meeting, if the Applicant's engineer and the Board's peer review consultant felt it could be helpful. Mr. Palmieri of Merrill is confident Mr. Chessia and he can satisfactorily address all stormwater standards, sight distance (numbers qualified), construction sequencing and any other related construction issues.

The agenda for the next meeting will include a discussion of waivers and resolution of any construction issues. Further, the Board will wrap-up any open items to the best of its ability and be in a position to vote its decision.

Attorney Bobrowski indicated he would provide a draft decision for the Board at least a week in advance of the next scheduled meeting.

**ADJOURNMENT:** At approximately 7:49 P.M., upon a motion duly made and seconded, members **VOTED** to continue the public hearing to Wednesday, July 12, 2017, at 6:00 P.M.

*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 12 JULY 2017, in accordance with M.G.L. c40A, Section 11, and the Massachusetts Open Meeting Law.*

Signed:   
As Clerk/Assistant Clerk

Date: 12 JULY 2017

Copy filed with: Office of the Town Clerk  
Posted to Town Website

2017 SEP 14 PM 3:18  
TOWN CLERK  
18 JUN 2017