

Town of Norwell
BOARD OF APPEALS
Business Meeting Minutes

TOWN OF NORWELL
TOWN CLERK

2015 DEC 10 AM 10: 54

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MEETING DATE:	Tuesday, December 1, 2015
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 Ralph J. Rivkind
MEMBERS ABSENT:	Thomas P. Harrison
OTHERS PRESENT:	Brian Murphy, Unicorn Realty Trust George Ford, Attorney for William Murphy John Sullivan, "Simon Hill" Warren Baker, Attorney John C. Chessia, Town Consultant Robert W. Galvin, Town Counsel

The meeting was called to order at 7:07 P.M.

MINUTES: Upon a motion duly made and seconded, members present **VOTED** unanimously to approve minutes for the business meeting held on November 17, 2015.

INVOICES: None presented

NEW BUSINESS/CHAIR REPORT: none

DISCUSSION ITEMS WITH TOWN'S CONSULTANT/TOWN COUNSEL:

239 Washington Street 40B: The purpose of the meeting requested by the Board of Appeals was to receive a status update from the Applicant. Members had further requested clarification of applicable plans from the Applicant at various times since the start of the project and again beginning over one year ago in anticipation of project completion in order to uncomplicate the As-Built review process insofar as possible. A list of plans, dated 8/11/10, was submitted at various times to Mr. Sullivan that detailed date discrepancies on those previously reviewed by Mr. Westcott and those in Building Office files. None has been submitted to the Board of Appeals, despite numerous requests to Mr. Sullivan through Mr. Baker.

The Town's consultant noted on a copy of that list dates of plans in his possession, copies of which were made for various representatives of parties at interest in attendance.

Although Brian Murphy had brought an update on potential As-Built plans to submit, it was agreed those should be withheld until such time as the project was completed to avoid a further review that would incur unnecessary expense to the Applicant. However, Mr. Murphy graciously agreed to provide requested plan sets to the Board of Appeals with additional set copies to be provided for the Town's Consultant and the Building Department.

The status update revealed nine of the ten affordable units have been sold with seven units remaining. A request will be made for a foundation permit in spring 2016 for the one unit remaining to be constructed. Several unfinished units are in process with plumbing and electrical work in process.

Simon Hill 40B: Mr. Baker indicated that the final appeal by abutters of this project was officially dismissed in March 2015. In response to a question by Mr. Galvin, it was agreed final building plans were to be submitted.

OLD BUSINESS/STATUS UPDATES: None

EXECUTIVE SESSION: Upon a motion duly made and seconded, individual members were polled to enter into executive session for the purpose of reviewing pending litigation with Town Counsel. Upon a motion duly made and seconded, Members Brown, Turner, Barbour, and Rivkind **VOTED** to enter into executive session and to return to open session immediately following.

ADJOURNMENT: The business meeting was adjourned at approximately 7:40 P.M.

PUBLIC HEARINGS: Upon a motion duly made and seconded, Members Turner, Brown, and Barbour **VOTED** unanimously to approve the Special Permit/Section 6 Finding for property located at **293 South Street** with the decision prepared by Mr. Turner signed.

NEXT SCHEDULED MEETING: Wednesday, January 13, 2016

NOTE: An unscheduled special business meeting is now scheduled to approve minutes on Wednesday, December 10, 2015, as well as an Executive Session requested by the Board of Selectmen relating to potential litigation on property located at 293 South Street.

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 09 DEC. 2015, in accordance with M.G.L. c40A, Section 11, and the Massachusetts Open Meeting Law.

Signed:  Date: 09 DEC. 2015
As Clerk/Assistant Clerk

Copy filed with: Office of the Town Clerk

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