

Town of Norwell
BOARD OF APPEALS
Business Meeting Minutes
with Public Hearing Votes
January 9, 2019

MEETING DATE:	Wednesday, January 9, 2019
TIME SCHEDULED:	6:00 P.M.
LOCATION:	Meeting Room 3 and Gym (Public Hearings)
MEMBERS PRESENT:	Lois S. Barbour, Chair David Lee Turner, Clerk Ralph J. Rivkind, Asst. Clerk Roy W. Bjorlin Matthew H. Greene Stephen T. Bright Philip Y. Brown Thomas P. Harrison
MEMBERS ABSENT:	
TOWN REPRESENTATIVES:	John C. Chessia, P.E., Chessia Consulting Services Thomas M. Barry, C.B.O., Building Inspector
40 RIVER STREET 40B:	Jennifer Van Campen, Metro West John Curtis, Curtis Construction Company, Inc. James Rosebach, Curtis Construction Site Manager Gregg McBride, Community Housing Trust (CHT) Andrew Reardon, CHT

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BUSINESS MEETING: The meeting was called to order at approximately 6:06 P.M.

DISCUSSION – 40 River Street 40B: Based upon reported concerns relating to lack of site inspection notifications to the Town’s consultant, missed filings with the building inspector, construction of the retaining wall without obtaining a building permit, and a request for change in lighting at the driveway entrance, the Board invited Metro West and its contractor, Curtis Construction, to appear before the Board. Representatives from the Community Housing Trust were also notified of the meeting.

Consultant John Chessia informed those present that the erosion control has been inspected with the Conservation Agent and is currently in satisfactory condition. As the drainage system had been installed without notification to CCS, the contractor agreed to excavate three corners for Mr. Chessia to view the observation ports. Based upon what he was able to observe, it appears the drainage system is functional. Although surveys with grades have apparently been completed, he has not received a copy to review. According to Mr. Chessia, the septic system permitting and construction observation have been handled through the Board of Health and the Health Agent.


Tom Barry, Norwell’s building inspector, advised although certain plans had been provided, the retaining wall was constructed without benefit of a building permit. He noted the construction process is divided into three segments with the first permit phase for demolition; the second for the building itself, and the third for the retaining wall. Mr.

Upon a motion duly made and seconded, Members Greene, Bright, and Barbour **VOTED** unanimously to approve the **Special Permit** application for an indoor dog park on property located at **106 Longwater Drive**. Member Bright will write the decision.

The Board completed its scheduled business at approximately 7:42 P.M.

NEXT SCHEDULED MEETING: Wednesday, January 23, 2019.

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

Signed:  Date: 23 JAN. 2019
As Clerk/~~Assistant Clerk~~

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Barry stated since construction of the retaining wall, engineering certifications have been submitted and he is now satisfied that construction was completed according to plan. However, the Board noted building permits must be applied for and issued, as for any construction project. [N.B. Fees for any and all building permits have either been waived or prepaid through an already funded escrow account.]

The Board also received a report that a large tree was apparently backed into and felled by heavy equipment and subsequently cleaned up. However, there is a question about whether the tree was on project property or the Church property adjacent. Mr. Curtis will investigate and report back to the Board.

One member of the Board has viewed the site on multiple occasions and noted that delivery slips would be available for inspection in the event they are needed. Another member reminded Mr. Curtis that construction hours are limited to dusk after observing a piece of heavy equipment operating well after dark in mid-December.

There was a brief discussion about external lighting. Ms. Van Campen stated she understood the Fire and Police Departments had requested higher intensity lighting at the driveway entrance. However, the Fire Chief happened to be in the audience as a member of the Community Housing Trust and stated he had no knowledge of such a request or order. There was speculation the Highway Department might have made such a request, which will be investigated. Members of the Board expressed reluctance to grant such a request but will continue to look into the matter. Ms. Van Campen also confirmed that the entrance lighting is the only fixture proposed along River Street. All other outside lighting is to be internal to the site.

The 40 River Street 40B project discussion ended at approximately 6:39 P.M. when the Board continued with its regular agenda.

MINUTES: Upon a motion duly made and seconded, members present **VOTED** to approve the business meeting minutes for December 5, 2018.

INVOICES: Upon a motion duly made and seconded, members present **VOTED** to approve the following Chessia Consulting invoices, dated 12/11/18: #2050 in the amount of \$403.00 for the Damon Farm 40B; #2051 in the amount of \$186.00 for the 40 River Street 40B.

BOARD UPDATES:

The Chair noted the **400 Cordwainer Drive** mylars have been endorsed. The Board is awaiting escrow to fund the Chessia Consulting Services scope of services contract, prior to releasing them to the Applicant for copying.

The final documents from General Code have been received. Town Counsel will be reviewing the warrant articles, drafted by General Code, for 2019 ATM.

PUBLIC HEARING VOTE:

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