

Town of Norwell
BOARD OF APPEALS
Business Meeting Minutes
with
Public Hearing Votes
April 6, 2022

TOWN OF NORWELL
TOWN CLERK

2022 APR 14 PM 12:22

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MEETING DATE: Wednesday, April 6, 2022
TIME SCHEDULED: 7:00 P.M.
LOCATION: Osborn Room at Town Hall on cable and Zoom
MEMBERS PRESENT: Lois S. Barbour, Chair
Philip Y. Brown, Vice Chair
Ralph J. Rivkind, Clerk
Nicholas K. Dean
Stephen H. Lynch
MEMBERS ABSENT: Daniel M. Senteno
William J. Lazzaro

CALL TO ORDER: The business meeting was called to order at approximately 7:10 P.M.

AGENDA: Upon a motion duly made and seconded, members present **VOTED** unanimously to accept the agenda, as written.

MINUTES: Upon a motion duly made and seconded, members present **VOTED** to approve the business meeting minutes of 3/3/22 and 3/9/22, with reading of the minutes waived. Upon a motion duly made and seconded, members present **VOTED** to approve the public hearing minutes of 12/7/2 and 3/9/22 for Lot 84 Winter Street, with reading of the minutes waived.

INVOICES: Upon a motion duly made and seconded, members present **VOTED** unanimously to approve Chessia Consulting invoice #2871, dated 3/12/22, in the amount of \$270.00 for the **Damon Farm 40B project**. Upon a motion duly made and seconded, members present **VOTED** unanimously to approve Chessia Consulting invoice #2866, dated 3/12/22, in the amount of \$202.50 for the **15 High Street 40B project**. Upon a motion duly made and seconded, members present **VOTED** unanimously to approve W.B. Mason invoice #S123342703 in the amount of \$58.69 for office supplies.

NEW BUSINESS/UPDATES:

Notice of Project Change for 15 High Street: The Board received a letter, dated 3/22/22, requesting an insubstantial change in the subsidy program from the MassHousing Partnership Fund to the New England Fund. Upon a motion duly made and Seconded Members Barbour, Lynch, and Rivkind **VOTED** unanimously to approve the change as insubstantial. It is anticipated that official confirmation of this change from the funding entity will be received in due course.

OLD BUSINESS/UPDATES:

Damon Farm: A cash bond in the amount of \$182,000.00 with the signed agreement was received and filed with the Town Treasurer.

Tiffany Hill: No further update has been received on the status of this project on which the Town is holding a cash bond in the amount of \$178,000.00.

ZBA Rules revision update: The ZBA needs to hold a public hearing on any proposed changes in the Rules so that approved revisions can be sent to General Code by the Town Clerk with any other bylaw articles approved by vote of Town Meeting. Ilana Quirk has examined and provided suggested revisions that were previously forwarded to members for review. She met with John Chessia recently to overhaul the Stormwater section that she would like the Planning Board to adopt, as well. Mr. Chessia has also been asked to review the Site Plan and 40B sections of the bylaw for compliance with any revisions in state or federal regulations.

Bylaw articles for Town Meeting: Member Rivkind raised the topic of the proposed Accessory Dwelling Unit (ADU) zoning bylaw ATM warrant article being proposed by the Planning Board. As Member Rivkind is also a member of the COA, he has already heard a presentation of this article in that context. All members agreed this should not be a "by right" change but should require a special permit with the ability to condition any approvals. Otherwise, jurisdiction would fall on the Building Office, the Board of Health, and/or the Conservation Commission; conditioning such approvals without a special permit could be problematic. The other changes do not appear to present any major obstacles. Member Brown would like to see this expanded to include the "pool house" applications that have cropped up over the last two years but only by special permit. Perhaps, the size of the proposed ADUs could be based upon lot size with those properties with larger lots expanding the current size restrictions included in the currently proposed article. Chair Barbour stated the SPGA could be either the Planning Board or the Zoning Board of Appeals but stated that "by right" was a concern she had discussed with a Planning Board member several months ago. As the Planning Board is holding a public hearing on this article on Wednesday, April 13, 2022, at 7:00 PM, several members plan to attend that requires posting by the ZBA to attend the Planning Board public hearing in accordance with the Planning Board's usual meeting practice that may or may not include a Zoom option but is not currently broadcasted from the Osborn Room.

ADJOURNMENT: Upon a motion duly made and seconded, at approximately 7:34 P.M., members present **VOTED** unanimously to adjourn the business meeting.

PUBLIC HEARINGS:

Upon a motion duly made and seconded, Members Brown, Dean, and Lynch **VOTED** unanimously to approve the **Sign Variance** on Property located at **89 Washington Street**. Member Dean will write the decision.

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 4/13/22 in accordance with M.G.L. c40A, Section 11, and the Massachusetts Open Meeting Law.

Signed: _____

As Clerk

Date: 4/13/22

Next scheduled meetings:

*April 13, 2022 Planning Board public hearing on zoning articles
May 11, 2022 Business meeting and public hearings*

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