

*Town of Norwell*  
**BOARD OF APPEALS**  
**Business Meeting Minutes**  
at  
**Planning Board Public Hearing**  
**April 13, 2022**

TOWN OF NORWELL  
TOWN CLERK

2022 MAY -9 PM 2: 38

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**MEETING DATE:** Wednesday, April 13, 2022  
**TIME SCHEDULED:** 6:45 P.M.  
**LOCATION:** Planning Office  
**MEMBERS PRESENT:** Lois S. Barbour, Chair  
Philip Y. Brown, Vice Chair  
Ralph J. Rivkind, Clerk  
William J. Lazzaro  
Stephen H. Lynch  
**MEMBERS ABSENT:** Daniel M. Senteno  
Nicholas K. Dean

**CALL TO ORDER:** The business meeting was called to order at approximately 6:55 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 4/6/22, with reading of the minutes waived.

**INVOICES:** None presented.

**PLANNING BOARD PUBLIC HEARING:** As several ZBA members had expressed concern about the proposed Accessory Dwelling Unit (ADU) zoning bylaw ATM warrant article during the last business meeting on April 6, 2022, an agenda was posted out of an abundance of caution in order for ZBA members to participate in the evening's public hearing discussion with the Planning Board at which five of the seven ZBA members were present.

As the Chair had previously informed the Planning Office of the ZBA's discussion that was recorded, some Planning Board members had been able to view prior to this meeting. Two Planning Board members read statements at the beginning of the public hearing on the ADU article to address some of the concerns previously discussed among ZBA members.

Following those statements, the ZBA Chair indicated ZBA members were now attending the Planning Board's public hearing to make their genuine concerns about the ADU article known prior to the ATM. The primary ZBA member concern relates to the removal of a special permit requirement to add an accessory dwelling unit, according to specified criteria in the proposed wording.

Although a new state housing requirement was signed into law in January 2021, the Town is not obligated to allow ADUs by-right and could impose special permit requirements. However, Planning Board members are concerned about the "red-tape" involved in obtaining a special permit, although anyone requiring a building permit would still need sign-offs from the Board of Health and the Conservation Commission.

ZBA members are also concerned about other unresolved zoning issues that had been brought to the attention of a prior town planner relating to pool houses, a concern also shared by the building inspector.

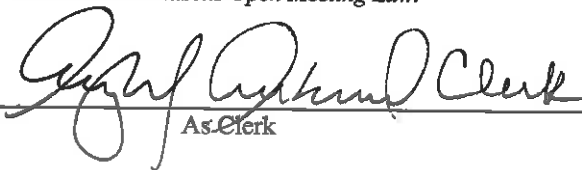
Planning Board members indicated the current article is a proposed first step and a future article will be considered for the next ATM to provide for expansion of the ADU concept by special permit.

Although Planning Board members believe the bylaw change would encourage those who currently have unpermitted rental units to come forward, there is no amnesty provision included for property owners to declare such units if the proposed bylaw were to pass at ATM.

**ADJOURNMENT:** Upon a motion duly made and seconded, at approximately 9:00 P.M., members present **VOTED** unanimously to adjourn the business meeting.

*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 5/5/22 in accordance with M.G.L. c40A, Section 11, and the Massachusetts Open Meeting Law.*

Signed:

  
As. Clerk

Date:

5/5/22

*Next scheduled meetings:*

*May 5, 2022 ZBA public hearing for proposed Rules revision  
May 11, 2022 Business meeting and public hearings*

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