

**Norwell Board of Selectmen  
Meeting Minutes  
March 8, 2017**

TOWN OF NORWELL  
TOWN CLERK

2017 APR 27 PM 12:51

**Present:** Jason Brown, Ellen Allen, Gregg McBride, Alison Demong, Peter Smellie

**Guests:** Lois Barbour, Sally Turner (Bylaw Review Committee), Glenn Ferguson (Highway/Tree and Grounds)

**Open Session**

Committee members Sally Turner and Lois Barbour were present to discuss a proposed Article which addresses changes in the OSRD (Open Space Residential District) bylaw proposed by the Bylaw Review Committee. Both committee members explained the reasoning behind the changes with regard to the open space requirement. Zoning Board of Appeals (ZBA) approval will be mentioned, as well as approval by the Planning Board.

The second proposed Article is a bylaw change which requires a standalone lotting plan that IDs the streets and ways providing access to each unit. The actual plan would be required for the entire site, including all proposed house lots and the open space (Ms. Demong suggested language adding "show all open space parcels"). Mr. McBride added that the bylaw should include language to address content for Affordable Housing. Ms. Barbour said that it would be put on the agenda. Ms. Turner referred to this as "inclusionary zoning". Discussion ensued about Affordable Housing and other zoning issues. There are currently two placeholders for these Articles and one for bylaw codification. Ms. Turner gave a status update on the codification project, adding that it will be the end of March before a draft of the "bylaw manuscript" will be ready for review. Although the draft won't be ready for this year's Town Meeting, Ms. Allen suggested scheduling at least a partial review of this draft for the May 2018 Town Meeting.

All discussed the OSRD proposals, and suggested that additional changes for building bylaws should be considered. Per Ms. Barbour, these changes are coming. She is hopeful that the Planning Board will make recommendations for additional changes.

**Signage Bylaw Discussion**

Mr. Brown updated Ms. Turner and Ms. Barbour about the current concerns of both residents and businesses with regard to signage in Town that violates the current bylaw. Perhaps the Bylaw Review Committee should consider a Warrant Article to address Town businesses' sign/advertising needs. There is currently a Placeholder Article for this issue.

Ms. Turner said that the committee would be willing to address this. Per Mr. McBride, no "OPEN" flags are allowed under the current bylaw, so businesses in buildings with multiple tenants are putting out A-frame signs. Clarification of the current bylaw by adding 2 sentences would give the Building Inspector authority to seize the signs that are in violation rather than just citing the owner. The Building Inspector would like to use language from the Hanover town bylaw that would work for Norwell. The board asked that the Bylaw Review Committee please review this new language before Town Meeting and determine if the bylaw should be included in the General or Zoning section. After discussing the pros and cons of this question, Ms. Barbour cited a good example of appropriate signage in a community. She also pointed out that the bylaw would lose grandfathering rights if it is moved into the General section from the Zoning section of the Town's bylaws.

Resident Vin Bucha was present to contribute a suggestion about small contractor signs. He also requested that the Bylaw Review Committee correct the Right to Farm bylaw wording mistakes on the Bylaw page of the Town website. Mr. Morin will follow up on this request. Ms. Barbour would also like to review this committee's mission statement at some point. All agreed.



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### **Open Session, cont'd.**

The meeting was called to order by Chair Jason Brown at 7:30. Mr. Brown gave an update on the meeting activities prior to 7:30.

*Motion; made by Ellen Allen, seconded by Peter Smellie, to approve the agenda as written.*  
*Unanimously voted*

### **Citizen Comments - None.**

**BOS Announcements** –Mr. McBride announced that a DHCD representative was present for a meeting with the Community Housing Trust (CHT) and Metro West Development at the 40 River Street site, which is a major step forward for the AH Senior Housing project being undertaken by the Community Housing Trust and Metro West Development. A formal DHCD project assignment will be forthcoming.

### **Town Administrator Announcements**

Mr. Morin attended a SSRECC meeting at Hingham Town Hall to discuss the possibility of expanding the surrounding communities' participation and the responsibility of this group. There is also the possibility of assuming responsibility for the State police dispatch, which might be difficult to negotiate. If cell phone call service is acquired, it would mean additional revenue for the Town. By getting the right to these calls it would be an enhancement to realized revenue and decrease the call response time. Mr. Morin added that it was a productive meeting.

### **Public Hearing for the CV License application for Extreme Pita**

*Motion; made by Ellen Allen, seconded by Peter Smellie, to re-open the public hearing.*  
*Unanimously voted*

Per Treasurer/Collector Darleen Sullivan's email to the BOS, the property owner does not have any outstanding bills more than 12 months past due; therefore, it would be acceptable to issue this license. Mr. McBride added that this is a tax issue which should be addressed at a future point in time. Discussion ensued, with all agreeing that it would be hard to withhold this license for an issue that is not the responsibility of the business owner.

*Motion; made by Ellen Allen, seconded by Peter Smellie, to approve the renewal of this Common Victualler's license to 12/31/17. Unanimously voted*

*Motion; made by Ellen Allen, seconded by Peter Smellie, to close the public hearing.*  
*Unanimously voted*

### **Norwell Grange Discussion**

All reviewed the letter to the Town from Grange member Rebecca McArthur offering the right of first refusal to the Town to purchase the Grange, per the agreement with the Town in return for its investment of CPA funds for building rehab. The President of the MA State Grange Association visited Town Hall to inquire about ownership of the building. He was under the impression that the building is owned by the State Grange Association, but the board is not certain that this is the case.

Mr. McBride gave a brief history of the building, which is a former schoolhouse in the Town. It was given to the VFW at some point after WWI. When they ceased to exist, the Town took it back in 1938, and subsequently sold it to the Norwell Grange for a dollar.

The building was offered to the American Legion for their meetings, but they are not currently pursuing this proposal. Town Counsel will research this property to see if the Town can take possession. Mr. Morin will follow up with this issue.

Discussion ensued about interest on the part of the American Legion in this building and whether or not there is any potential for reinvigorating the Grange membership. The board would like to have the Grange sell the building directly to the American Legion. Ms. Allen would



like to put an Article on the Warrant to facilitate a transfer of the building from the Town to another organization. The Warrant will be reopened at next week's meeting and a placeholder Article added for this purpose. Mr. Morin will talk to the Present of the American Legion about this issue. The discussion about a contingent purchase Article and content will be on the agenda for next week's BOS meeting.

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### **Glenn Ferguson – Highway/Tree Department Budget**

#### **Race and Road Opening Fees**

Mr. Morin reviewed these department budgets with the board. There is additional provision for expenses incurred for the upkeep of the Pathways and the two cemeteries. The Tree and Grounds Department will assume a more proactive landscaping and arborist role. The department will also allow overtime, which will provide more work in house and is cheaper than contracting out using prevailing wage.

Questions were asked and answered about increases; 100K in Trees and Grounds, or a 4% overall increase. There is potential for savings with in-house work, which is a more cost-effective use of CPA funds. The overall increase for the public works budget is 6.4%. Mr. Ferguson stated that it might be better to make this one group instead of two departments with separate activities, noting that the workers are all part of the same union. He would like to leave the departments as is for this coming year. He provided the board with a list of issues that will need to be addressed.

Mr. Ferguson gave examples of projects that impact his budget. Mr. Morin expanded on budget explanations; addressing seasonal workers, the recycling yard (hire of 1 additional person because of the increased activity). Recycling fees are included in the BOH budget.

Mr. Morin added 10K for the snow and ice removal line item. The Jacobs farmhouse tree and grounds expenses are included in the increase for temporary workers.

The departments are not adding any permanent staff. Mr. McBride complimented Mr. Ferguson on all the changes and improvements in the Town, as well as the huge amount of highway yard cleanup.

Ms. Allen asked about closing the Tree and Grounds location on South St. Mr. Ferguson would like to do a study about moving forward on this, and has put together an Article for Town Meeting for a concept plan. Also discussed was Mr. Ferguson's expansion plans for the Highway yard.

#### **Fees for Road Openings and Road Races**

The Highway Department will be doing aggressive repaving next year. In doing so, it will be important to protect the Town's investment in its roadways. Mr. Ferguson gave examples of ongoing problems encountered with Columbia Gas for road openings on roads that have recently been paved. See Cole School, for example, or their repair work on Central Ave. This proposed increase in the road opening fee will provide a fund to fix their paving mistakes in the future. Any road that has been paved within the last five years is under a road opening moratorium. The fee for a moratorium road opening would be \$4K, and a regular road opening would be \$350. Discussion ensued about moratoriums, proposed fees and enforcement of this policy.

The Town may want to consider taking action with regard to road openings performed by the Water Department and introduce some level of departmental reimbursement for associated indirect costs. A prime example of this exact issue is the recent water main leak on the newly paved area of Main Street.

#### **Event fees**

Mr. Ferguson talked about the increase in the yearly number of events in the Town, which creates more work (cleanup) for his departments. He gave examples of events that needed support by additional Town personnel. Mr. Brown asked about waiving event fees in specific instances. Mr. Ferguson recommended giving Mr. Morin the authority to review requests and waive fees at his discretion. All discussed the distinction between a fundraising event and a



public demonstration. The goal is to recoup some of the cost borne by the Town but not stifle events by charging too high a fee. Fees collected would create a fund to help pay Town employees and defray other Town administrative costs. The proposed event fee would be \$475. Mr. Brown asked about the 4 upcoming events whose approval is pending a BOS vote this evening.

*Motion; made by Ellen Allen, seconded by Peter Smellie, to support the new street opening permit application subject to approval from Town Counsel. Unanimously voted*

*Motion; made by Ellen Allen, seconded by Peter Smellie, to approve the new event permit application (subject to any minor adjustments by the Town Administrator) with additional language to include the ability to waive event fees at his discretion, subject to approval of the permit by Town Counsel. Unanimously voted*

### **Road Race Requests**

#### **Evans' Run**

*Motion; made by Ellen Allen, seconded by Peter Smellie, to approve the request for Evan's Run Road Race on May 21, 2017, subject to the race event organizers' compliance with the Operations Plan provided by the Police Department, no changes to the route unless prior approval from the Police Department, EMS detail on location, and pending receipt of the Certificate of Insurance. This event will be subject to the new event fee policy. Unanimously voted*

*Motion; made by Ellen Allen, seconded by Peter Smellie, to approve the request for the Best Buddies Road Race on June 3, 2017, subject to the race event organizers' compliance with the Operations Plan provided by the Police Department, no changes to the route unless prior approval from the Police Department, EMS detail on location, and pending receipt of the Certificate of Insurance. This event will be subject to the new event fee policy. Unanimously voted*

*Motion; made by Ellen Allen, seconded by Peter Smellie, to approve the request for the Cape Cod Bike Ride on June 25, 2017, subject to the event organizers' compliance with the Operations Plan provided by the Police Department, no changes to the route unless prior approval from the Police Department, EMS detail on location, and pending receipt of the Certificate of Insurance. This event will be subject to the new event fee policy. Unanimously voted*

*Motion; made by Ellen Allen, seconded by Peter Smellie, to approve the request for the McCourt Foundation Bike Race on September 23, 2017, subject to the event organizers' compliance with the Operations Plan provided by the Police Department, no changes to the route unless prior approval from the Police Department, EMS detail on location, and pending receipt of the Certificate of Insurance. This event will be subject to the new event fee policy. Unanimously voted*

### **Electronic Voting Committee**

Mr. Brown summarized the purpose and composition of this committee and the backgrounds of the 3 At Large position applications for the 3 open seats. The applicants are all current or former members of Town Committees.

*Motion; made by Ellen Allen, seconded by Peter Smellie, to appoint Chad Foreman, Brendan Recupero and Marybeth Shea for the duration of the Electronic Voting Committee. Unanimously voted*

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The board thanked the volunteers for agreeing to serve on this committee, which will research and make recommendations for electronic voting options to be used at Town Meetings.

**Open Warrant**

The board will re-open and then close the Warrant at next week's meeting.

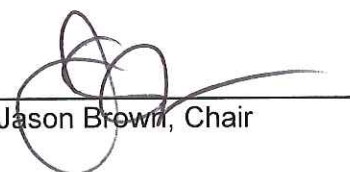
**Future Meetings**

3/15/17 – Grange discussion, Open/Close Warrant

3/22/17 - Non-traditional tax collection functions – Treasurer Collector

**Adjournment**

*Motion; made by Ellen Allen, seconded by Peter Smellie, to adjourn at 8:59pm. Unanimously voted*

  
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Jason Brown, Chair