**Town of Norwell**



*Office of Planning Board & Town Planner*

Norwell Town Offices, Room 112

345 Main Street

Norwell, Massachusetts 02061

(781) 659-8021

**Norwell Planning Board Meeting Minutes**

**April 19, 2023**

The meeting was called to order at 7:00 PM. with Chair Brian Greenberg presiding and Board Members Tripp Woodland, Mark Cleveland, Brendan Sullivan, and Michael Tobin present. Also present was Director of Planning and Community Development Ilana Quirk. The meeting was held in the Planning Office, Town Hall Room 112.

**CALL TO ORDER/AGENDA**

*Motion by Chair Greenberg to approve the agenda as posted. Seconded by Member Tobin and unanimously voted.*

**CITIZEN COMMENTARY**

None

**subdivision, site plans, special permits & other projects**

**ZONING ARTICLE PUBLIC HEARINGS**

Chair Greenberg read the Notices of Public Hearing.

**Retreat Lot (New)**

Chair Greenberg indicated he would like to indefinitely postpone this article so the language could be cleaned up and they could avoid having to amend at future meetings. Donald Shute, 39 Fox Hill Lane, cautioned the Board not to IP based on feedback from one individual present at the last meeting, but Mr. Greenberg noted he had also received suggestions from a local builder and would prefer not to rush the process.

After some further discussion of the options to move forward, Planner Quirk suggested indefinitely postpone the article as is may draw litigation, a substantial change on the floor may draw an objection from the moderator, and there was little harm in saying the article needed more work. The Board agreed and voted to postpone.

*Motion by Chair Greenberg to recommend that the article be indefinitely postponed. Seconded by Member Tobin and unanimously voted.*

**Accessory Dwelling Unit (Conversion Amendment)**

Chair Greenberg noted he discussed the article with ZBA but may not have addressed all of their concerns. He will work on the Town Meeting presentation and suggested that Board members be prepared to answer questions.

The Board discussed the lack of applications since the bylaw was implemented; Planner Quirk suggested that Title V regulations as to number of bedrooms served by a septic system may be preventing people from applying.

**Solar ZBL (Amendment)**

Chair Greenberg also discussed this article with ZBA; they asked some questions but had no concerns.

Planner Quirk spoke with Conservation Agent Will Saunders and Conservation Commission Chair Marynel Wahl about supporting the article without revision to delete the pollinator field certification requirement; Chair Wahl indicated she would circle back with the Commission, but she did not believe this would cause them to withdraw their support. Planner Quirk suggested that a Commissioner could offer a floor amendment to remove the requirement they had a concern.

The Select Board will be discussing this and other articles at its next meeting.

*Motion by Member Sullivan to close all Zoning Bylaw public hearings. Seconded by Member Woodland and unanimously voted.*

*Motion by Member Tobin to instruct the Director of Planning to issue favorable reports on all Zoning Bylaw articles to Town Meeting except for the Retreat Lot article. Seconded by Member Sullivan and unanimously voted.*

**PUBLIC HEARINGS**

**400 Cordwainer/Elevated Access**

Medical Marijuana Treatment Center - Site Plan Review and Special Permit

Chair Greenberg read the Notice of Public Hearing.

*Motion by Member Sullivan to open the public hearing. Seconded by Member Tobin and unanimously voted.*

Project Engineer Paul Mirabito present for applicant Rod Proctor, along with Attorney Matthew Mitchell. In October 2018, the ZBA granted zoning relief to Elevated after the PB’s site plan review. This relief has now expired, but the facility has yet to be built. They are now obtaining their license from the Cannabis Control Commission and are looking to get the relief renewed so construction can start.

Planner Quirk indicated the plan set was the same as that approved by ZBA in 2018; however, since then the Planning Board has replaced ZBA as the special permit granting authority for this use, and a Host Community Agreement has been executed between Elevated and the Town. Consulting engineer John Chessia has already conducted a “light table review” and found no substantive changes. Planner Quirk has drafted a decision with substantially the same findings and conditions as the 2018 decision but adding conditions that Elevated control any odor resulting from processing, and that the site be “solar ready.” The new decision updates citations as needed, and references the Planning Board and not ZBA as the permitting authority. Elevated will need new permitting from the Conservation Commission and Board of Health. Mr. Mirabito gave an overview of the proposal, noting that they have new filings pending with Conservation and Board of Health. All stormwater will be recharged on the site.

Member Cleveland asked for clarification regarding any changes from the original proposal. Planner Quirk indicated the original proposed use, cultivation and wholesale distribution, has not changed but with legalization for recreational use, the facility will distribute both recreational and medical products as opposed to medical alone.

Member Sullivan noted that the site plan seemed to include more parking than needed for a cultivation and distribution facility. Mr. Mirabito indicated that applicant originally envisaged a retail component but scaled back their proposal to wholesale only. Applicant Rod Proctor agreed they would only need 2/3 of the spaces shown on the plan with this change, but wished to keep the extra parking. There was no public comment.

*Motion by Member Tobin to close the public hearing. Seconded by Member Sullivan and unanimously voted.*

*Motion by Member Sullivan to approve the April 19, 2023 draft decision written by Planner Quirk for Elevated Access, 400 Cordwainer Drive. Seconded by Member Tobin and unanimously voted.*

**467 Washington Street**

Administrative Review of Recharge System to Paved Driveway in Aquifer Protection District

Member Sullivan recused from voting. Chair Greenberg advised that applicant wishes to construct a garage and paved driveway. Since the lot lies in the Aquifer Protection District and the project increases the net impervious surface beyond a threshold amount, they have to show the increase will not result in increased stormwater.

Applicant has submitted a plan for a stormwater recharge system; Chair Greenberg suggested that the system go through peer review as they required for a system on Bay Path Lane. Planner Quirk suggested that the Board could vote to approve conditioned on Chessia’s review and approval; however, Mr. Chessia did raise some issues that would require some research. Speaking only in his capacity as project engineer, Member Sullivan opined that the cost of the review would be minimal.

*Motion by Chair Greenberg to approve subject to peer review by Mr. Chessia in an amount not to exceed $500. Seconded by Member Tobin and approved 4-0-0, Member Sullivan having recused.*

**Schooner Way**

Street Tree Selection

Tabled at applicant request.

**APPROVAL OF MINUTES**

The minutes of the April 5 meeting were distributed and reviewed.

*Motion by Chair Greenberg to approve the Minutes of the April 5 meeting as amended. Seconded by Member Sullivan and approved, Member Tobin having not been present for the vote.*

**REVIEW CURRENT MAIL**

The following mail was received at the Planning Office:

HINGHAM, ZBA, WITHDRAWN 457 MAIN STREET

HINGHAM, ZBA, PH, VARIANCE 1 CAR GARAGE, 4 PALMERS LANE

NORWELL, ZBA, PH, VARIANCE, 64 SAMUEL WOODWORTH ROAD

PEMBROKE, PB, DECISION, GRANTED, SELF-STORAGE FACILITY

ROCKLAND, PB, ZONING BYLAW AMENDMENTS

SCITUATE, PB, PH, SPR, SP, FOR 4 MULTI-FAMILY BUILDINGS IN THE VILLAGE CENTER

**APPROVAL OF PENDING BILLS**

The following invoices were presented for payment:

**Vendor Description Amount**

Christopher Sullivan February 9 meeting minutes $150.00

W. B. Mason Office supplies $253.00

Chessia Consulting Stetson Woods $1050.00

*Motion by Chair Greenberg to approve the invoices as submitted. Seconded by Member Sullivan and unanimously voted.*

**NEXT MEETING**

May 3, 2023 - Town Hall, Room 112, 7 PM

**ADJOURNMENT**

*There being no further business, a motion was made by Chair Greenberg to adjourn at 8:50 PM. Seconded by Member Woodland and unanimously voted.*

I certify that the above minutes were reviewed and approved by a majority vote of the Planning Board on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

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Tripp Woodland, Clerk

Copy filed with: Office of Town Clerk ­­

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