**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**

**December 2, 2023**

The meeting was called to order at 10:07 AM with Chair Brian Greenberg presiding and Board Members Mark Cleveland, Tripp Woodland, Brendan Sullivan, and Michael Tobin present. Mr. Woodland left at 11:45 AM. Also present were Historical Commission Chair Laurie Detwiler and 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 submitted. Seconded by Member Cleveland and unanimously voted.*

**CITIZEN COMMENTARY**

None

**PLANNING WORKSHOP - 2024 ANNUAL TOWN MEETING ARTICLES**

Review, discussion, and potential votes on language for the following potential zoning articles:\*

**Retreat Lot**

Ms. Detwiler suggested the article would need an affordable housing component to sell it to the Town; further discussion was tabled to December 20.

**FEMA Floodplain Updates**

Planner Quirk noted that the FEMA flood maps are updated regularly, and the references in the Town bylaw must be updated accordingly. This will allow residents living in a flood zone to continue to get Federal flood insurance. Member Sullivan asked if the bylaw could simply reference “the most recent FEMA mapping” but Planner Quirk advised the references needed to be more specific.

**MBTA Adjacent**

Planner Quirk received a $20K grant for professional assistance updating the bylaws to maintain the Town’s eligibility for certain grant funding as an “MBTA adjacent community”. These communities must create a district of a certain size that allows at least 750 multifamily units, minimum 15 units per acre, by right with no age, number of bedroom, or occupant restrictions and no ground floor commercial requirements. The Attorney General has indicated that failure of communities to comply could result in additional civil liability.

Ms. Quirk has created a proposed district that currently comprises the Accord Park area but requested feedback from the Board before drafting the bylaw. All agreed that the developments in the district should be permittable by site plan review by the Board, provide a density bonus for senior or rental units, and require that a certain percentage of the units count towards the Subsidized Housing Inventory. Buildings be no higher than three stories and be located at least 50 ft away from any abutting residential properties. Planner Quirk will add Longwater Drive and the area behind Big Y to the district.

**Senior Living ZBL**

Attorney Jeff Tocchio, representing Brightview Senior Living, has provided language for a proposed overlay district that would include the St. Helen’s property on Main Street. Planner Quirk advised that the district should be specifically defined so it does not constitute spot zoning. The Board agreed the district should include the Longwater Drive and Accord Pond industrial parks, and the Route 53 corridor. Chair Greenberg noted they could trim the district back if there was any pushback.

Member Cleveland commented that the article seemed to be a big change to accommodate one business and asked what the benefit to the Town was. Planner Quirk noted the article would make feasible Brightview’s proposal for the property, which would be a less intense use than alternatives such as a 40B development. Residents would have no school-aged kids and limited cars, and use relatively few services. Brightwood would also provide significant tax revenue to the Town. Member Cleveland noted that a 40B on the property could potentially bring the Town to 10% SHI, but others pointed out this would incur significant litigation and be a very intense use for the property. Ms. Detwiler suggested that the Town add a requirement for affordable housing; Planner Quirk noted this had already been asked and Brightwood has declined to do so.

All agreed to Planner Quirk’s suggestion that the district have a three-story, 40 ft maximum height, with an additional 5 ft to be allowed at the Board’s discretion. Any structures on the roof must be 10 feet from the roof edges. Accessory buildings must be at least 35 feet from the road. Member Sullivan suggested an allowed density of 17.5 units per acre which, for this property, would allow for up to 180 units. An outdoor pool was proposed to be allowable at Board discretion, but Planner Quirk noted one had not been proposed to date.

Planner Quirk also suggested additional provisions requiring a lighting plan to minimize impacts to wildlife and abutting properties, an integrated emergency call/security system, and a new special permit if the facility is abandoned or ceases operations for greater than one year. Planner Quirk will forward the alterations discussed to Attorney Tocchio for his feedback.

**Front Yard Setback**

Member Sullivan sent a draft revision to the Board that would delete references to measurements from the “way center line,” which pushes houses further back into the lots on narrower roads. Chair Greenberg would like to hear ZBA’s rationale for the rule, and Planner Quirk will send the draft to ZBA Chair Lois Barbour.

**Height**

Tabled to December 20

**80-Foot Rule / 5000 Foot Rule**

All discussed possible revisions to provision in the bylaw that “no two points on lot lines shall be less than 80 ft apart” and “the lot shall contain at least 5000 square feet between the required setback line and the way.” Chair Greenberg would like to delete these provisions in its entirety, as odd-shaped lots are not out of place in New England, but Planner Quirk stated that not having any standard could create disputes between neighbors not knowing where their property ends.

Discussion ensued regarding the objective and parameters of an updated standard, particularly to ensure structures are sufficiently set back from the road. Member Cleveland expressed concern at the possible impact of creating newly buildable lots in the town, but Chair Greenberg suggested that giving these owners additional by-right development options would make them less likely to pursue higher-impact, “hostile” developments.

Planner Quirk suggested that any standard be waivable by special permit from the Board, and will research the language used in nearby towns.

**Aquifer Protection District**

Tabled pending further revisions.

**Demolition Delay**

Historical Commission Chair Laurie Detwiler provided Planner Quirk a draft bylaw based on a template from the Massachusetts Historical Commission, that would apply to properties built prior to 1930 or that had a Form B on file with the MHC. The purpose of the update is to provide clarity to residents and the Building Department as to which buildings were subject to the bylaw and ensure the Commission was part of the discussion when such buildings were proposed to be altered. A brief discussion ensued regarding how the inventory or criteria for inclusion in the inventory would be updated. Planner Quirk will forward Ms. Detwiler’s draft to the Board for further review.

**SUBDIVISION REGULATION UPDATES**

**Fees**

Planner Quirk suggested that the Board add a Chapter 91 License fee to offset administrative costs and encourage better organized submittals. Member Sullivan opined this should be nominal, as the PB only confirms receipt of and comments on such plans, and applicants are already subject to review and filing fees from multiple agencies. All agreed to a $100 fee after further discussion.

The Board also discussed establishing a site plan review filing fee. Chair Greenberg was reluctant to add another fee on top of those charged by other Departments, but all were agreeable to a $500 fee for filings where the Planning Board was the permitting agency.

**NEXT MEETING**

December 20, 2023 – Town Hall, Room 112, 7 PM

**ADJOURNMENT**

*There being no further business, a motion was made by Chair Greenberg to adjourn at 12:52 PM. Seconded by Member Sullivan 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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(Name and Title)