

OFFICE OF
BOARD OF APPEALS

TOWN OF NORWELL

345 MAIN STREET, P.O. BOX 295
NORWELL, MASSACHUSETTS 02061
(781) 659-8018 • Fax (781) 659-1892

Members

Lois S. Barbour, Chair
Philip Y. Brown, Vice Chair
David Lee Turner, Clerk

Associate Members

Thomas P. Harrison
Ralph J. Rivkind

FINDINGS AND DECISION *of* The Norwell Board Of Appeals

File No. 18-04

A Public Hearing before the Norwell Zoning Board of Appeals was scheduled on May 2, 2018. The hearing was opened, closed, and voted on that date under NZBL Section 1500 and M.G.L. c. 40A, at the Norwell Town offices, 345 Main Street, Norwell, MA on the application of:

Jumbo Capital Management, LLC
1900 Crown Colony Drive
Quincy, MA 02169

For **Site Plan Review** under the Town of Norwell Zoning Bylaw Section 1510 for construction of a 323 sq. ft. glass foyer with a cantilevered asymmetrical roof at the main entrance of the building located at **600 Longwater Drive**, consisting of 5.6 acres, in Business District C-2, as shown on Assessor's Map 17B, Book 18, Lot 60, and recorded in the Plymouth County Registry of Deeds at Book 16301, Page 218.

Notice of the public hearing was posted at Town Hall and duly advertised in the *Norwell Mariner* on April 14 and 21, 2018.

This property was the subject of a previous Special Permit application, submitted on February 1, 2018, and heard on March 7, 2018, that was withdrawn without prejudice, as confirmed in the Board's letter of March 12, 2018. During that meeting, it was determined that the proposed construction was in excess of 200 sq. ft. and subject to site plan review under the Norwell Zoning Bylaw for which an application had not been submitted.

Scott Golding, Esq., of Drohan Tocchio & Morgan PC, representing the Applicant, was in attendance at the earlier public hearing and also presented the new application to the Board and responded to questions during the public hearing.

No member of the public spoke either in support of or in opposition to this application.

FILE DOCUMENTATION (includes without limitation): The following documents, plans and reports were received into evidence:

1. Copy of the legal notice
2. Abutters List
3. Assessor's card for 600 Longwater Drive, Norwell.
4. Documents from the application for a Special Permit, signed by Jumbo Capital Mgt. on 1/27/18, and date-stamped by the Town Clerk on 2/1/18, consisting of the following:
 - a. Completed Form ZBA-1: Special Permit and/or Section 6 Finding application
 - b. ZBA Decision for construction of the original building, filed with the Town Clerk on August 6, 1997
 - c. Topographic Plan, prepared by Precision Land Surveying, Inc., dated July 21, 2015, not stamped by the Town Clerk
 - d. Architectural Plan Set (date-stamped by the Norwell Town Clerk on 2/1/18), as prepared by Levi Wong Design Associates, dated December 20, 2017, consisting of the following drawings:
 - G0.01 Title Sheet, Drawing List and Locus Plan
 - A1.01 Demolition Floor & Reflected Ceiling Plans
 - A1.11 Proposed Floor & Reflected Ceiling Plans
 - A1.41 Finish Plans and Finish Material Legend
 - A2.01 Exterior Elevations, Sections & Details
 - A3.01 Stair Enlarged Plans & Sections
 - A3.02 Stair Elevations, Sections & Details
 - A3.03 3D Views
 - S0.00 General Notes
 - S1.11 Foundation and Framing Plans
 - S2.00 Section & Details
 - S2.01 Section & Details
5. Topographic Plan, prepared by Precision Land Surveying, Inc., dated July 21, 2015 (not date-stamped by the Norwell Town Clerk)
6. Form ZBA-1A Site Plan Review: Supplemental Review completed application, date-stamped by the Norwell Town Clerk on 4/13/18
7. Norwell Planning Board recommendation memorandum dated March 29, 2018, relating to construction of a glass vestibule addition to the existing structure, providing a positive recommendation to provide the requested relief with no recommended conditions.

FINDINGS OF THE BOARD: Based upon the evidence received, the Board finds:

1. The Property (the Property) is known and numbered as 600 Longwater Drive and is shown on the Assessors' Map as 17B, Block 18, Lot 53 in Business District C-2, containing 5.6 acres according to the Assessors' card.
2. The Property is entirely within the Business C-2 Zone.
3. This building and the site in general have been and will continue to be used as professional office space with related features.
4. There is adequate parking, traffic circulation and infrastructure for the relief applied for by the Applicant.

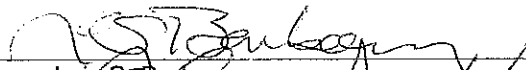
5. The use proposed by the Applicant is in keeping with the character of the zoning district as this Application represents no additional office space but will augment the building entrance.
6. The proposed vestibule addition of 323 square feet represents a *de minimus* increase to the site and the subject building and its facilities, as it simply encloses the first-floor level.
7. **Norwell Planning Board Recommendations:** Norwell Planning Board recommendation memorandum dated March 29, 2018, relating to construction of a glass vestibule addition to the existing structure, providing a positive recommendation to provide the requested relief with no recommended conditions.


DECISION OF THE BOARD: Based upon representations by the Applicant as delineated in the Findings of the Board above, the written recommendations of the Norwell Planning Board, dated April 23, 2018, and other evidence received into the public record and presented during the public hearing, upon a motion duly made and seconded, the Board **VOTED** unanimously to approve the application for modification of the Site Plan Review for the property, located at 600 Longwater Drive, in accordance with the plans submitted, subject to the following:

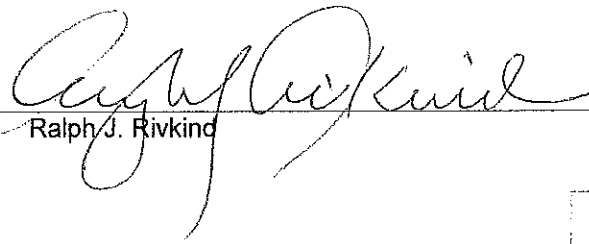
CONDITIONS APPLYING TO ALL DECISIONS:

- 1 **RECORDING OF THE DECISION:** A certified copy of this Decision with all documents referenced in Paragraph 2 below shall be filed with the Registrar of Deeds or Recorder of the Land Court, as appropriate. The applicant shall return a copy of the recording fee receipt to the Board of Appeals for its files.
- 2 **PLAN SET AND DOCUMENTS TO BE FILED WITH THIS DECISION:** The following drawings shall be filed as part of this decision; specifically, the two (2) drawings also detailed in *File Documentation* Paragraphs 4d and 5 above:
 - Drawing A1.11** Proposed Floor & Reflected Ceiling Plans from the Architectural Plan Set, as prepared by Levi Wong Design Associates, dated December 20, 2017
 - Topographic Plan**, prepared by Precision Land Surveying, Inc., dated July 21, 2015
- 3 **EFFECTIVE DATE OF APPROVAL:** The zoning approvals granted by the Board of Appeals shall take effect only at such time as this Decision and the supporting documents as referenced above are filed with the Office of the Town Clerk of the Town of Norwell, and recorded with the Registrar of Deeds or Recorder of the Land Court. **NOTE: Evidence of recording of the Board's Decision and documents specified above shall be provided to the Building Inspector, prior to issuance of any building permit.**
- 4 **LAPSE OF SITE PLAN APPROVAL:** The Applicant shall complete any work described in the site plan approved by the Board of Appeals within one year of the date this Decision is filed with the Office of the Town Clerk or approval granted herein shall lapse.
- 5 **EXTENSION OF APPROVALS:** The Board of Appeals may grant an extension of such time as it may deem necessary to carry the approved site plan into effect. However, the applicant must file an application for any such extension prior to expiration or a new Site Plan application shall be required. Any such extension shall be certified by the Board of Appeals to the Town Clerk and shall include the date on which any such extension is to lapse.
- 6 **CONSTRUCTION MONITORING;** This project is not subject to the construction monitoring and escrow requirements contained in Article H of the Rules and Regulations of the Board of Appeals, ratified 6/25/14, subject to any modifications as may be adopted from time to time.

7 **CERTIFICATES OF OCCUPANCY:** A certificate of occupancy shall be issued upon completion of construction satisfying the requirements of the Norwell Inspector of Buildings and in compliance with this decision.


Lois S. Barbour


Thomas P. Harrison


Ralph J. Rivkind

*This space reserved for
Date Stamp of Town Clerk*

Date Filed with Office of the Town Clerk

NOV 16 2017
TOWN CLERK'S OFFICE

NOTICE OF APPELLATE RIGHTS: Any decision of the Board of Appeals may be appealed pursuant to Massachusetts General Laws, Chapter 40A, Section 17, to the Land Court or Superior Court Department within twenty (20) days after filing of the written decision with the Town Clerk. Any construction or pre-construction activity is undertaken at the applicant's risk during the appeal period.