



OFFICE OF  
BOARD OF APPEALS

# TOWN OF NORWELL

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## FINDINGS AND DECISION of The Norwell Board Of Appeals

*File No. 18-18*

A Public Hearing (the Hearing) by the Norwell Zoning Board of Appeals (the Board) was scheduled on October 3, 2018, under Ch. 40A, Sec. 9, at the Norwell Town offices, 345 Main Street, Norwell, MA on the Application (the Application) of:

**Elevated Access Center, Inc.**  
175 Derby Street, Suite 12  
Hingham, MA 02043

The Application proposes a **Site Plan Review** (Section 1500) and a **Special Permit** under Sections 1420 and 2341(n) of the Norwell Zoning Bylaw to construct a two-story building with a building footprint of approximately 20,300 sq.ft. for use as a medical marijuana treatment center as defined in the Norwell Zoning Bylaws for cultivating and processing of medical marijuana, and related offices. The Property (the Property), hereinafter described, is located at and known as 400 (Lot 9) **Cordwainer Drive**, in Business District C-1, as shown on Assessors Map 11D Block 17 Lot 87 and recorded at Registry of Deeds Book 49780 Page 154.

Notice of the opening of the public hearing on October 3, 2018, was posted at the Norwell Town Hall and duly advertised in the *Norwell Mariner* on September 13, 2018, and September 20, 2018, and such notice sent to abutters and others pursuant to statute. The Application and plans were submitted to the Planning Board and distributed to other interested and requisite boards, committees, and offices for review with comments and recommendations received, as noted in the File Documentation section below

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At the opening of the public hearing on the evening of October 3, 2018, Jeffrey A. De Lisi, Esq., of Ohrenberger, De Lisi & Harris, LLP, representing the Applicant introduced his client, Robert Proctor, who is the sole owner of the applicant and ownership entities, Elevated Access Center, Inc. and Corse Made Good, LLC, respectively, and Paul J. Mirabito, CE, PLS of Ross Engineering Company, Inc. Attorney De Lisi made a substantive presentation to the Board that consisted of a procedural history and addressed many use and site specific interests related to the proposal and the Application.

No member of the audience stood to speak in favor of or in opposition to the application.

**FILE DOCUMENTATION:** The following documents, plans and reports were received into evidence over the course of the Public Hearing process:

1. Assessors' card for the property
2. Abutters' list
3. Letter of July 31, 2018 to the Board from Attorney De Lisi re Application for Public Hearing Special Permit and Site Plan Review, Lot 9, 400 Cordwainer Drive – Assessor's Map 11D Block 17 Parcel 87, Elevated Access Center, Inc. – Applicant, received and date-stamped by the Town Clerk and Board of Appeals on August 1, 2018.
4. Application for Public Hearing completed and signed by the property owner and Applicant, dated July 31, 2018 with completed Form ZBA-1A Supplemental Information.
5. Certificate of Good Standing from the Secretary of the Commonwealth of Massachusetts for the applicant entity, Elevated Access Center, Inc.
6. Deed dated May 4, 2018 and recorded with the Plymouth County Registry of Deeds at Book 49780, Page 154 demonstrating that Course Made Good, LLC is the existing owner of the property.
7. A copy of Findings and Decision of the Board (File No. 15-12) filed with the Norwell Town Clerk on March 8, 2016 and recorded with the said Registry at Book 47455, Page 144.
8. Plan set entitled "Site Plan for 400 Cordwainer Drive in Norwell, Massachusetts", dated July 30, 2018, prepared by Ross Engineering Company Inc. of 683 Main Street, Norwell, MA, signed and sealed by Paul Joseph Mirabito, Registered Land Surveyor, and Gregory J. Tansey Registered Professional Engineer, consisting of the following drawings, as received by the Board on August 1, 2018:

- Sheet 1 Cover Sheet
- Sheet 2 Existing Conditions Plan (Paul Joseph Mirabito, R.L.S. only)
- Sheet 3 Site Layout Plan
- Sheet 4 Utilities Plan
- Sheet 5 Drainage and Grading Plan
- Sheet 6 Sight Distance Plan
- Sheet 7 Construction Details Plan I
- Sheet 8 Construction Details Plan II
- Sheet 9 Construction Details Plan III.

9. Report and Recommendations of the Norwell Planning Board dated September 13, 2018, recommending approval of the special permit and site plan.
10. Mylar of above referenced Site Plan, revised through \_\_\_\_\_ so as to include a registry block, a Board sign-off block, and the required certifications.

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## **FINDINGS OF THE BOARD:**

Based upon the evidence submitted by the Applicant, including the Exhibits and the Plans submitted, as modified endorsed by the Board, the Board finds:

1. The property consists of one parcel, identified on Assessors Map as 11D Block 17 Lot 87, and Lot 9 Cordwainer Drive in the application, and also known and numbered as 400 Cordwainer Drive.
2. The parcel consists of 2.87 acres with 258.54 feet of frontage on Cordwainer Drive, a private way.
3. The parcel is located within the Business C-1 Zone. The lot is currently vacant with no building or structure situated thereon.
4. The parcel is not located within Norwell's Aquifer Protection District, as shown on the Town's Aquifer Protection District map, dated 2010, although it is shown on that map as located within Zone C of a State Water Supply Protection Area.
5. The proposed 1-story building has a footprint of 20,300 sq. ft.
6. The Applicant does not propose retail medical marijuana sales, and therefore the Applicant seeks approval for cultivation and processing only of medical marijuana.
7. All activities will be confined to the interior of the building, which will have a state-of-the-art HVAC air filtration system to prevent spread of any pathogens deleterious to the plants in one area from spreading to other growing areas in the building.
8. For security purposes, all deliveries to and from the site will be confined to a secure, enclosed area within the building. Drivers will not be allowed to store money or product within the vehicles, except in transit to and from a specified delivery location.
9. The product will be sold as permitted by regulations of the Massachusetts Department of Public Health.
10. All parts of the plant will be utilized in production with any remaining plant material to be "composted" and reused as such within the building.
11. The building is proposed to be accessible seven days a week from 8:00 A.M. to 8:00 P.M.
12. The building will be owned and constructed by Course Made Good, LLC, a Massachusetts limited liability company. The applicant, Elevated Access Center, Inc. will be the holder of the RMD license issued by the Commonwealth of Massachusetts, and will operate the business on the property.
13. The licensing of a registered marijuana dispensary (RMD) is a multi-phase application licensing process at the State level. The Applicant is waiting for approval to enter the final application phase.
14. The proponent, as an RMD, is required to follow a specified State regulatory process.
15. Norwell was chosen as a location because of the Medical Marijuana Treatment Center bylaw adopted at Town Meeting in 2013, property location relative to Route 3, and general siting in Plymouth County, as well as proximity to hospitals and cancer treatment centers. The lot under consideration is one of a handful of suitable sites available; other locations explored by the Applicant had setback issues and/or concerns relating to proximity of lots containing residences, schools, and daycare facilities.
16. In 2016 the Board issued a site plan approval and special permit to a different applicant to operate a RMD on the Property having the exact same footprint, but for a two-story building and containing a retail sales component. The proposal before the Board in 2018 is a scaled-down version of the prior permitted project; it is the exact same site and building footprint, but has one less floor than was

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previously allowed and does not contain a retail sales component. The Board's peer review consultant, John C. Chessia, P.E., of Chessia Consulting Services, confirmed that there are no material deviations between the 2016 site plan and the 2018 site plan.

17. **Norwell Planning Board Recommendations:** The Norwell Planning Board voted to recommend approval of the Site Plan with the condition that the Board incorporate the conditions approval recommended by the Planning Board in 2016, and that the final plan set be revised to include a registry block, a block for Board sign-off, and the required certifications. The site plan conditions which the Planning Board recommended in 2016, and therefore incorporate by reference in this decision, are as follows:

- a) The applicant shall provide a final landscape plan developed by a landscape designer to be approved by ZBA.
- b) All lighting shall be Dark Sky compliant and no lighting shall be directed toward Cordwainer Drive. The lighting layout shall be consistent with the SKE-1 plan dated 1/15/16.
- c) Plans shall be tied in to the Mass Grid system.
- d) The stormwater report section pertaining to illicit discharges shall be certified by a P.E.
- e) The plans shall include a general note that states all underground precast structures shall be capable of withstanding HS-20 loading.
- f) The final roof drain system shall be designed consistent with the civil design plans.
- g) Plans shall indicate that the water pipe from the well shall be slip lined and there shall be no connections between the well and public water lines.
- h) A post indicator valve (PIV) shall be installed and a detail included in the plan set.
- i) A design data sheet shall be required to be submitted to the Water Department for any backflow device.
- j) Plans shall indicate that valves are to be manufactured by Mueller (see detail sheet materials list item 1.5)
- k) Prior to Land Clearing: The applicant shall provide the 21E report.
- l) Prior to Land Clearing: The applicant shall provide construction phase plans to be approved by ZBA. Plans shall be submitted one month prior to land clearing.
- m) Prior to Land Clearing: The applicant shall provide a Storm Water Pollution Prevention Plan (SWPPP) with the NYPDES Construction Works Permit. Plans shall be submitted one month prior to land clearing.
- n) Prior to Occupancy: A final site review of the installed lighting shall be approved by ZBA.
- o) Prior to Occupancy: A street sign for Cordwainer Drive shall be placed at the intersection of Accord Park Drive.
- p) The Special Permit shall be valid for a period of three (3) years from the date of the decision. The applicant shall apply to renew the license as per section 2341.n.5 of the Norwell Zoning Bylaw.
- q) The final plan set endorsed by the Board shall include a registry block, a block for Board sign-off, and the required certifications.

18. **Procedure, Section 1530:** The Applicant complies with Section 1530, *Procedure*, of the NZBL, as all information required therein has been provided.

19. **Criteria for Approval, Section 1540:** As required in NZBL, Section 1540, *Criteria for Approval*, the Board has considered that the proposed Project constitutes a reasonable use of the site for the purposes permitted by the

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- regulations for the district in which it is located. The Board finds such use is allowed in Business District C-1 by Special Permit under Section 2341(n).
20. **NZBL Section 1541** requires the Board to consider, "*The protection of the district in which the site is located and adjoining district against detrimental, offensive, or incompatible uses or structures on the site.*" The Board finds that design changes for the proposed project resulting from the Planning Board Recommendations and additional comments by the Town's consulting engineer as incorporated into the Planning Board comments, adequately address Section 1541 and issues raised during the course of the public hearing as such use is allowed in Business District C-1 by Special Permit under Section 2341(n).
  21. **NZBL Section 1542** requires the Board to consider, "*The convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent streets and land.*" Based upon the plans submitted by the Applicant, comments received by various Town of Norwell officials, departments, boards, committees, and consultants, and compliance with Planning Board Recommendation #15 to provide signage to identify Cordwainer Drive, the Board finds this requirement will, upon installation of such signage that shall also identify the roadway as a "private way", be satisfied. Further, as noted by the Planning Board, pedestrian movement is minimal with no sidewalks within the industrial park but would be confined to areas on-site. As further noted, sight lines are adequate based upon the sight distance plan, as reviewed by the Town's consultant.
  22. **NZBL Section 1543** requires the Board to consider "*The adequacy of the methods of disposal for sewage, refuse, and other wastes resulting from the uses permitted on the site, and the methods of drainage for surface water from its parking spaces and driveways.*"
    - a. The Board finds this requirement has been satisfied, based upon the Planning Board recommendation to the Board of Appeals, relating to sewage, refuse, and other wastes:
      - i. The Applicant has made adequate provisions for the disposal of sewage as the "Board of Health has reviewed and approved the septic system."
      - ii. "Chessia Consulting has reviewed the stormwater drainage and is satisfied that the proposed system will contain most water on site and no increases of stormwater would flow onto surrounding properties."
      - iii. The Commonwealth of Massachusetts regulations concerning RMDs require employees to be trained by the state in matters such as proper waste disposal of plant material (935 CMR 500.105(2)(b)(7), compel the retention waste disposal records (935 CMR 500.105(9), and mandate the adherence to best management practices concerning waste disposal (935 CMR 500.105(12).
    - b. Further, the Plans submitted shows an outside dumpster with fencing will be placed on site for disposal of refuse and other wastes. Provisions for marijuana plant waste has been described by the Applicant and the Board finds such handling to be comprehensive and reasonable.
  23. **Grant of Uses Allowed by Special Permit in Business District C, 2341(n)**, to allow a Medical Marijuana Treatment Center:
    - (n) 1. The facility is located in Business District C-1 and is allowed by special permit of the Board of Appeals.
    - (n) 2. The proposed medical marijuana treatment center is not located within five hundred (500) feet of any lot with a residence, school or daycare facility.

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- (n) 3. The hours of operation shall be daily from 8:00 A.M. to 8:00 P.M., except Federal holidays.
- (n) 4. This special permit under NZBL Section 2341(n) is granted to Elevated Access Center, Inc. and is not transferable and shall remain exclusively with the Applicant, who shall exclusively operate the business described in the application. The Special Permit shall automatically terminate on the date the applicant alienates that title or leasehold interest in the premises.

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**DECISION OF THE BOARD:**

On October 3, 2018, based upon the Application, file documentation, testimony during the public hearing, and the Board's findings above, upon a motion duly made and seconded, the Board **VOTED** unanimously to grant the following:

- 1. **Site Plan Approval** under Norwell Zoning Bylaw Section 1500 for construction of the proposed approximately 20,300 square foot 1-story building, located on Lot 9, 400 Cordwainer Drive, heretofore to be known and numbered as **400 Cordwainer Drive**, for use as a registered marijuana dispensary and
- 2. **Special Permit**, as a Medical Marijuana Treatment Center, under Norwell Zoning Bylaw Section 2341(n).

The above vote and relief granted are subject to the following *Special Conditions* and *Conditions Applying to All Decisions*.

**SPECIAL CONDITIONS:**

- 1. **Occupancy Permit.** The Property shall be developed in accordance with the Plans approved and endorsed by the Board for identification purposes with all subsequent revisions to be reviewed and approved by the Town's peer-review consultant. The details and requirements in the endorsed Plans shall be observed and implemented. **The Inspector of Buildings shall issue a Certificate of Occupancy only after the Applicant has meet all compliance requirements, including final review of As-Built Plans by the Town's peer-review consultant. No temporary occupancy permit may be issued unless and until the Applicant is in full compliance with this decision.**
- 2. **Endorsed Plans:** A copy of the complete set of the Plans, endorsed by the Board for compliance identification, shall be filed with the Town Clerk with this Decision or within fifteen (15) days thereafter, as provided in Section 1550 of the Norwell Zoning Bylaw.
- 3. **Plan Compliance:** Any deviation from the Plans as endorsed by the Board, and as specified in Conditions Applying to All Decisions below, except minor modifications thereto in the opinion of the Town's peer-review consultant/project monitor shall be subject to review by the Town's Consulting Engineer at the expense of the Applicant and may require at the sole discretion of the Board of Appeals, Modification of this Decision in compliance with the Open Meeting Law and public hearing process, as detailed in the Board's Rules and Regulations.
- 4. **Planning Board Recommendations: Prior to land clearing,** the Applicant shall provide evidence that the project plans comply with recommendations of the Norwell Planning Board, as detailed in the Board's Findings in Paragraph 17, Sections a-q inclusive, which are incorporated by reference as Special Conditions of this decision, except as further specifically modified in Special Conditions Paragraphs 5-21 below.

5. **Chessia Consulting Services (CCS) Recommendations:** Prior to land clearing, the Applicant shall provide evidence that it complies with all of CCS's recommendations contained in the September 13, 2018 memorandum to the Board of Appeals from the Planning Board.
6. **Landscape Plan (CCS #1):** Prior to issuance of a building permit, the Applicant shall provide a landscape plan, prepared by a landscape designer for review and approval of the Town's consultant/project monitor.
7. **Dark Sky compliant lighting (CCS #2):** Prior to issuance of a building permit, the applicant shall provide evidence that the lighting plan has been reviewed for compliance with this decision and modified to meet this recommendation.
8. **Mass Grid (CCS #3):** Prior to endorsement of the project plans, the Applicant shall provide evidence that the plans have been modified to meet this recommendation.
9. **Stormwater Report – Illicit Discharge Certification (CCS #4):** Prior to issuance of a building permit, evidence shall be provided that an Illicit Discharge Statement has been completed to meet this recommendation.
10. **Subsurface Stormwater Leaching Galley System (CCS #5):** Prior to endorsement of the project plans, the Applicant shall provide evidence that the plans have been modified to meet this recommendation.
11. **Final Roof Drain System (CCS #6):** Prior to issuance of a building permit, the Applicant shall provide evidence that the plans have been modified to meet this recommendation.
12. **Water Pipe connecting from the irrigation well (CCS #7):** Prior to issuance of a building permit, the Applicant shall provide evidence that the plans have been modified to meet this recommendation.
13. **Post indicator valve (CCS #8):** Prior to issuance of a building permit, the Applicant shall provide evidence that the plans have been modified to meet this recommendation.
14. **Backflow Device (CCS #9):** Prior to issuance of a building permit, the Applicant shall provide evidence that the plans have been modified to meet this recommendation.
15. **Plan revisions (CCS #10):** Prior to endorsement of the project plans, the Applicant shall provide evidence that the plans have been modified to meet this recommendation.
16. **Construction Phase plans (CCS #12):** A minimum of one month prior to land clearing, the Applicant shall provide evidence that the plans have been submitted to meet this recommendation.
17. **Storm Water Pollution Prevention Plan (SWPPP) and NPDES Construction Works Permit (CCS #13):** Prior to land clearing, the Applicant shall provide evidence to meet this recommendation.
18. **Lighting (CCS #14):** Prior to issuance of a Certificate of Occupancy, the Applicant shall provide evidence that the plans have been modified to meet this recommendation.
19. **Street Sign (CCS #15):** Prior to issuance of a Certificate of Occupancy, the Applicant shall provide evidence that a street sign for Cordwainer Drive (Private Way) is placed at the intersection of Accord Park Drive.
20. **On-Site Signage:** Signage must comply with 105 CMR 105(L). Further, all external property signs shall conform to requirements of the Norwell Zoning Bylaw and are subject to permitting by the Building Inspector with any required approval of the Board of Appeals.
21. **Hazardous Materials:** Any and all hazardous materials shall be disposed of according to any and all local, state, and federal regulations.
22. **Host Community Agreement:** The Applicant shall provide the Town Administrator as the designee of the Board of Selectmen with a copy of the fully executed host community agreement for the registered marijuana dispensary prior to commencement of business operations and shall notify the Board of Appeals at the time such documentation has been delivered.

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23. **RMD Operational Requirements:** The Applicant shall comply with operational and security requirements for registered marijuana dispensaries of 105 CMR 725, et seq. and 935 CMR 500, et seq., as may be amended from time to time or successor regulations (collectively, the "Regulations").
24. **Orders and/or Notifications to the Applicant from the Commissioner of Public Health:** The Applicant shall report to the Town Administrator as the administrative arm of the Board of Selectmen and further notify the Board of Appeals of any orders issued by the Commissioner of Public Health or his/her designee under the Regulations or any suspensions, revocation, or surrender of registration under the Regulations, as may be amended from time to time or successor regulations.

**CONDITIONS APPLYING TO ALL SITE PLAN DECISIONS:**

1. **RECORDING OF THE DECISION:** A certified copy of this Decision with all documents referenced 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. Such recording by the Applicant shall be a precondition to the issuance of a building permit for the project.
2. **PLAN SET AND DOCUMENTS TO BE RECORDED WITH THIS DECISION:** The Applicant shall file the following mylar® sheets, described in Paragraph 8 of the File Inventory, as endorsed by the Board of Appeals, and detailed below, with the Registrar of Deeds and/or Recorder of the Land Court, specifically:
  - Sheet 3 Site Layout Plan.
  - Sheet 4 Site Utilities Plan.
  - Sheet 5 Drainage and Grading Plan.
3. **EFFECTIVE DATE OF APPROVAL:** The building Site Plan approval granted by the Board of Appeals shall take effect only at such time as this Decision, supporting documents as referenced above, and the approved plan set 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. **LAPSE OF SPECIAL PERMIT:** The applicant must exercise any Special Permit granted by the Board of Appeals within two years of the date this Decision is filed with the Office of the Town Clerk or it shall lapse.
  - a. Any Special Permit issued by the Board of Appeals for the proposed use as a registered marijuana dispensary (RMD) shall remain exclusively with the Applicant, which shall be the owner or lessee of the premises described in the application. The Special Permit shall terminate automatically on the date the Applicant alienates that title or leasehold interest in the premises.
  - b. Further, this Special Permit, allowed by NZBL Section 2341(n) shall be valid for a period of three (3) years from the date this decision is filed with the Town Clerk.
    - i. The Special Permit granted for this use shall be renewed for successive three (3) year periods, provided that a written request for renewal is filed with the Board of Appeals not less than three (3) months prior to the expiration of the then-existing Special Permit.
    - ii. Publication of notice of a Special Permit renewal request shall be made in the same manner as required for the original application for this Special Permit. Such renewal request will be granted unless, prior to the expiration of the then-existing Special Permit, a written objection to the

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renewal, stating reasons, is submitted to the Board of Appeals. In the event of an objection, a public hearing on the renewal of the Special Permit shall be held and shall follow the process of the original Special Permit application.

- iii. The expiring Special Permit shall remain in effect until the conclusion of any required public hearing and decision of the Board of Appeals to either grant or deny the Special permit renewal. In granting the Special Permit renewal, the Board of Appeals may impose additional conditions, including without limiting the foregoing, time limits to correct violations, change in the hours of operation, and requirement of provision of additional landscaping, fencing, or screening, upon which a specific lapse of time without correction or compliance shall result in immediate revocation of the Special Permit.
6. **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 and/or Special Permit application shall be required. Any such extension(s) 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.
  7. **PEER REVIEW ESCROW:** Consistent with the practice of the Town, escrow deposits shall be provided and maintained in compliance with the Board's Rules and Regulations for any required Peer Review by the Town's consultant and monitoring of the project during the construction phase to ensure compliance with the Board's decision, as well as peer review of project interim and final as-built plans.
  8. **PRECONSTRUCTION MEETING:** At least forty-eight (48) hours prior to any initial site work, a pre-construction meeting shall be held with the Applicant, Applicant's contractor, a representative of the Board of Appeals (if available), its consulting peer review engineer/ project monitor, and representatives of the Town departments having an interest in the plan and construction. Said meeting shall be for the purpose of familiarization with the project, the conditions of approval, and the project's construction sequence and timetable and is intended to be consistent with the practice of the Town.
  9. **CONSTRUCTION WORK DELAY:** Consistent with the practice of the Town, if work activity on the project site ceases for a period of more than one month, appropriate notification must be given to the Inspector of Building prior to restarting work. The Applicant shall also notify the Board's construction monitor of any anticipated work stoppages and restarts.
  10. **CONSTRUCTION MONITORING;** This project is 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, and any revisions thereto as may be adopted from time to time.
  11. **CERTIFICATES OF OCCUPANCY:** No certificate of occupancy, including a temporary certificate, shall be issued until such time as ALL conditions of the Board's decision are met.
  12. **DESIGN ENGINEER CERTIFICATION:** Prior to the issuance of any occupancy permit, the Applicant's registered professional engineer, landscape architect, and such other professionals that prepared the approved plans, shall certify to the Board or its agent that the location and elevation of all underground utilities, including drainage, water and sewer, and landscaping plan substantially conform to the plans approved by the Board of Appeals and reviewed by its consulting engineer.
  13. **PEER REVIEW:** Further, the project design shall be checked against the filed As Built plans and reviewed by the Town's consulting engineer at the sole expense of the Applicant for compliance with the project plans as approved by the Board of Appeals and detailed in this decision or any modifications thereto, prior to issuance of any Certificate of Occupancy.

14. **AS-BUILT PLANS:** *Prior to issuance of a Certificate of Occupancy*, the property owner or Applicant shall provide *As-built* plans, signed and stamped by a registered professional engineer, landscape architect, and/or professional land surveyor, as appropriate, in accordance with Section 1560 of the Norwell Zoning Bylaw. These plans shall show:
- a. Pavement locations, building locations, lot lines, driveway locations, all utilities above and below ground such as water, gas, electric, septic, telecommunication, utility poles, manholes with rim elevations and inverts, catch basin rims and inverts, other drainage with pipe size and invert.
  - b. All utility easements; ties from building foundations to utility services.
  - c. Final site grading including all drainage structures and lot grading to demonstrate conformance to the approved drainage design, with a certification as to final grading that is.

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*Lois S. Barbour*

Lois S. Barbour

*Philip V. Brown*

Philip V. Brown

*Thomas P. Harrison*

Thomas P. Harrison

*This space reserved for  
Date Stamp of Town Clerk*

Date Filed with Office of the Town Clerk

**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.

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