

Town of Norwell
BOARD OF APPEALS
Public Hearing Minutes
15 High Street
November 10, 2021

TOWN OF NORWELL
TOWN CLERK
2021 DEC -7 PM 12:37
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MEETING DATE: Wednesday, November 10, 2021
TIME SCHEDULED: 7:15 P.M.
LOCATION: Osborn Room at Norwell Town Hall and telecast via Harbor Media with Zoom option
PANEL MEMBERS: Lois S. Barbour, Chair
William J. Lazzaro
Stephen H. Lynch
OTHER MEMBERS PRESENT Ralph J. Rivkind, Clerk
MEMBERS ABSENT Philip Y. Brown, Vice Chair
Daniel M. Senteno
Nicholas K. Dean

On behalf of the Board of Appeals R. W. Galvin, Town Counsel

15 High Street 40B Representatives Peter Crabtree, Senior Vice President of Northland
Peter Freeman, Project Attorney (via Zoom)
Stephen Gallagher, Development Manager of Northland (via Zoom)

CALL TO ORDER: The notice for the continued public hearing of the 15 High Street Comprehensive Permit application was read at approximately 7:20 PM with introduction of the panel, including Members Barbour, Lazzaro, and Lynch. The previously scheduled discussion on Civil Engineering, Architectural, and Plan revisions was delayed as plan revisions and peer review is taking longer than originally anticipated. The purpose of this meeting is to provide members of the public time dedicated time to restate or add to their concerns.

Zoom participation instructions by Mr. Lynch

Town Counsel presentation on 40B, including the ZBA's role and appeal options. Copies of "Chapter 40B Fact Sheet" prepared by CHAPA (2014) were available to members of the public.

Public Questions and Comments:

- Olivia Roberts of 105 High Street: Applicant stated previously that it would work with the property owner; particularly, would like an update on the 10/12 traffic report and specific concerns about CVS and enforcement of "right-turn-only" at the High Street exit.
 - Mr. Crabtree responded he had met with the owner of the property the day before the meeting and indicated an easement would be required for crosswalk repositioning toward the entrance of CVS; also, to add an internal "no left turn" sign for southerly bound traffic on High Street to the CVS entrance/exit. Internal sign stating "No right turn" should be relocated closer to the exit. Willing to work with Applicant within the confines of the [earlier ZBA Site Plan] permit.
- Olivia Roberts of 105 High Street: Additional question whether Applicant will use Town water for irrigation on site.

- Mr. Crabtree stated a private well will be installed for landscape irrigation to comply with Water Dept. and Board of Health requirements, as shown on a newly submitted plan shared with members of the Board.
- Olivia Roberts of 105 High Street: Also, noted that water pressure is a long-term problem in that section of town but does not see additional information posted on the 15 High Street webpage. What is Town doing to make sure that everyone has water.
 - Member Barbour stated the ZBA has no authority over water commissioners or department and does not receive such reports; had personally spoken previously with a member of both the Board of Health and Water Commissioners.
- Olivia Roberts again noted that water pressure is a long-term problem in that section of town.
 - Mr. Crabtree stated will address on 12/6.
- Kevin Roberts of 105 High Street: Residents on the street have had water testing by Water Department; stated personal water pressure recently was 38 where 40 is required by the State but has dropped to 35. Concerns about historic and long-term future issues.
 - As the Water Department's authority is outside of the ZBA's scope, Member Barbour suggested that residents with such concerns write letters or emails, and attend Water Commissioner meetings, or contact the State, as they feel appropriate.
- Bill Lavery of 125 High Street: How can the ZBA approve the project with questionable water pressure? Also inquired about possible CVS signage, adding a Stop or sign for crosswalk. Concerned about pedestrians, especially children.
 - Applicant response: Plans to install a flashing sign for pedestrians entering the crosswalk to give cars ample warning notice/time to slow down and avoid accidents.
- Matt Zayotti of 122 High Street: Many concerns have been expressed over time about a number of issues. What are the plan changes that have already been made?
 - Mr. Crabtree summarized major plan changes that include:
 - Relocation of sidewalk along the project frontage away from the curb
 - Buildings now setback approximately 30' from street; will need waivers for setbacks at rear of property
 - Both entrances widened from 20' internal driveway width to 22', as well as radius
 - Enhanced green space
 - 2nd building on the southerly side – two higher decks removed and replaced by patios to provide privacy to the adjacent residence
 - More detailed landscaping plan to be provided
 - Mail pavilion with patio/terrace to include grills and tables
 - Rear drainage basin downsized as smaller is adequate per peer review
 - Bike racks added
 - Parking spaces enlarged to 20'
- Kim Zayotti of 122 High Street (on Zoom): concerns about stone wall removal and necessity for Planning Board public hearing under the Scenic Roads bylaw; does not believe the ZBA has that authority.
 - Attorney Galvin responded the ZBA is acting on behalf of most local boards not acting on behalf of the state, including the Planning Board for Town bylaws and has the ability to address removal of the stonewall and street trees, as needed.
- Michelle O'Hara of 39 Oak Street: concern about traffic speed near Oak Street.
 - ZBA Members Lynch and Lazzaro recognize the existing traffic issue needs to be address by the Town and/or State and that although the project certainly does not make traffic better, it does not make it significantly worse.

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- Mr. Crabtree indicated a second flashing speed sign to be added near Oak Street
- Olivia Roberts of 105 High Street: concern about six curb cuts so close to the High Street/Rte. 53 intersection and the CVS High Street access; could it be closed off? That property was previously permitted by the ZBA several years ago.
- Kevin Roberts of 105 High Street: concern about CVS internal signage locations changed; not as originally placed.
- Bonnie Holmes of 121 High Street: concerns about internal parking for project
 - Mr. Crabtree indicated a total of 112 spaces, including two for each apartment (counting garage spaces) except four units to take spaces from total of fourteen designated visitors parking.
- Member Lazzaro brought up CHT letter and recommendation for local preference and that the Comprehensive Permit should be effective in perpetuity.
 - Local preference under subsidizing agency per Town Counsel; Mr. Crabtree stated can help with drafting of articles but must be initiated by municipality.

Future meeting dates (reserved): Process 180 days is 11/29/21 plus 40 days to file decision; Applicant's attorney has filed an extension on behalf of the Applicant to 12/28/21 and will write a first draft for the decision.

Monday, 12/6 **Topic:** Civil Engineering, Architectural, and Plan revisions
Monday, 12/13 **Topic:** Waivers and decision drafting
Monday, 12/20 tentative **Topic:** Wrap-up loose ends

At 8:32 P.M. upon a motion duly made and seconded, Members Barbour, Lazzaro, and Lynch **VOTED** unanimously to continue the public hearing to Monday, December 6, 2021, at 7:15 P.M.

These minutes have been approved with reading of the minutes waived by unanimous vote of the Board of Appeals at a public meeting duly held on 12/6/21 in accordance with M.G.L. c40A, Section 11, and the Massachusetts Open Meeting Law.

Signed: _____ Date: 12/6/21

As Clerk/Assistant Clerk

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