

Town of Norwell
BOARD OF APPEALS
Public Hearing Minutes
15 High Street
December 13, 2021

TOWN OF NORWELL
TOWN CLERK
2022 JAN 13 AM 11:37
RECEIVED

MEETING DATE: Wednesday, December 13, 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 (lv. 9:20 P.M.)
Daniel M. Senteno
MEMBERS ABSENT Philip Y. Brown, Vice Chair
Nicholas K. Dean

On behalf of the Board of Appeals R. W. Galvin, Town Counsel
John C. Chessia, P.E., Chessia Consulting

15 High Street 40B Representatives Peter Crabtree, Senior Vice President of Northland
Peter Freeman, Project Attorney (via Zoom)
Stephen Gallagher, Development Manager of Northland
Deb Keller, P.E.; Merrill Engineering & Land Surveyors

CALL TO ORDER: The notice for the continued public hearing of the 15 High Street Comprehensive Permit application was read at approximately 7:16 PM with introduction of the panel, including Members Barbour, Lazzaro, and Lynch with the public notice read by Member Lynch. The purpose of this meeting is to discuss plan modifications resulting from the public hearing process, including recommended architectural and civil plan modifications to address peer review, board, town, and public comments.

Purpose of Meeting: Work on draft and discuss waivers; no public comments

Zoom participation instructions by Mr. Lynch

Mr. Freeman reviewed the project draft decision after a copy of the decision was given to Harbor Media to share on the screen. Discussion of changes or proposed changes, most of which represent clarification and editing, except as noted below:

1. Proposed landscaping changes if drainage pipe needs to be repaired or replaced
Resolve: Condition with landscaping at Applicant's expense; if plantings impede drainage, Applicant will make whole. If work on drainage work is required by Town, Applicant will replace plant material.
2. Traffic safety wording to include
3. Draft p. 9 at beginning of conditions with date of plan added (12/29/21) and added "except as described below"; peer review question about when should this be done; attorneys to discuss

4. Conform conditions to 760 CMR 56, as needed
5. Paragraph B (p. 12 of draft): what to file with Registry of Deeds; legal language should read for consistency with this decision relating to plan filings
6. Paragraph 9 (p. 13): section about minor deviations, including civil
7. Prior to Site Construction Conditions for plans to be approved within 30-days
8. Section (f) Affidavit by Landscape Architect with final as-built filing
9. Third party LSP for lead paint or asbestos (not Board's peer reviewer/project monitor); should comply with State regulations
10. Change wording to reflect "project monitor" for consistency
11. Paragraph 7 ok but add "if and as required by applicable state regulations".
12. Paragraph 11 Add "... except for installation of utilities required for the Project".
13. P. 18 Add subsection (b). that Architectural plans shall be provided for sizing of gutters and downspouts and shall be subject to peer review, if not on civil plans that are peer reviewed.
14. P. 19 Prior to First Certificate of Occupancy Paragraph 1 ok as proposed.
15. Paragraph 9 should be "highway surveyor" not Public Works Department.
16. P. 21 Post-occupancy conditions relating to drainage pipe failure #8.
17. Incomplete work before final as-built and post-occupancy put traffic safety requirements in that section
18. #8 on p. 20 already addressed
19. Last full page before waivers: should reinsert "peer review consultant" or "project monitor", where appropriate, for consistency.
20. #8 (c) "failure and replacement" of concrete drainage pipe should also include "repair"

John Chessia's recommendations should become conditions per Board agreement

1. ANR lots and include easements and sidewalk (pp. 3-4)
2. Plans should include labels and notes for walk
3. Plantings in drainage easement
4. Gutters and Downspouts already a condition
5. P. 7 all foundations shall be slab on grade
6. P. 8 adjust CB-7 to be no more than ¼ acre of impervious area
7. SWWPP shall be stand-alone document with snow storage area
8. P. 10 O&M plan should be a separate document and include all data in the peer review letter of 11/30/21
9. P. 10 illicit discharge signed certification
10. Condition for town-provided water and project should comply with Norwell Water Department standards
11. Is xeriscaping included?

RECEIVED
 2022 JAN 13 AM 11:38
 TOWN OF NORWELL
 TOWN CLERK

12. P. 11 some detail on underground system
13. P. 12 Chessia should receive a full copy of calculations for storm/sewer design calculations (JCC copy was inadvertently incomplete with some critical data missing)
14. Upon a motion duly made and seconded, panel members **VOTED** to approve a working group consisting of Town Counsel, Peer Review Consultant Chessia, and Applicant's representatives to discuss waivers. A chart will be prepared by the Applicant for discussion at the next meeting.

At approximately 10:01 P.M. upon a motion duly made and seconded, Members Barbour, Lazzaro, and Lynch **VOTED** unanimously to continue this public hearing to Monday, December 20, 2021, at 6:00 P.M.

Next Public Hearing:

Monday, 12/20 **Topic:** Review final draft decision and waivers with Votes

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 1/12/22 in accordance with M.G.L. c40A, Section 11, and the Massachusetts Open Meeting Law.

Signed:  Date: 1/12/22
As Clerk/Assistant Clerk

RECEIVED
2022 JAN 13 AM 11:38
TOWN OF NORWELL
TOWN CLERK