

*Town of Norwell*  
**BOARD OF APPEALS**  
**Public Hearing Minutes**  
**15 High Street**  
**December 20, 2021**

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

**MEETING DATE:** Wednesday, December 20, 2021  
**TIME SCHEDULED:** 6:00 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. 5:25 P.M.)  
**MEMBERS ABSENT** Philip Y. Brown, Vice Chair  
Daniel M. Senteno  
Nicholas K. Dean

**On behalf of the Board of Appeals** R. W. Galvin, Esq.; Town Counsel (lv. 8:03 P.M.)  
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)  
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 6:02 PM with introduction of the panel, including Members Barbour, Lazzaro, and Lynch. Mr. Crabtree introduced members of the Development team in attendance.

**Zoom participation instructions by Mr. Lynch**

Attorney Galvin reviewed each revision from the prior meeting and added plan revision data with discussion among the panel members and Applicant's representatives with consensus reached on all items.

There was extensive discussion about inclusion of "as-built plans", which Conditions were inadvertently deleted but now added back into the final draft decision.

Plant material replacement will relate to one-year for each phase of building occupancy permit issuance, which completed discussion on the draft decision.

However, there was discussion on "Exhibit A" with copy and paste detail shown to be deleted, except Dark Sky standards should be included as a condition and shown on final plans. Plant materials should be native and/or drought tolerant, as represented by the Applicant. Member Barbour clarified that Exhibit A relates solely to the file inventory; Exhibit B to the waivers; and Exhibit C to the traffic safety conditions.

Letter submitted by an abutter was noted and had been received by an applicant.

Waiver discussion: Revised waiver chart, dated 12/14/21. Delete one sentence in introductory paragraph as moot. Mr. Galvin read each waiver by number on chart with each being discussed and agreed upon with significant items noted below.

- Discussion to allow sign at each entrance and location of construction sign to be approved by Town's peer review consultant/project monitor.
- Lease agreement would follow building code and den would have no closet or doors.
- Most ZBA Rules requirements waived as moot.
- Make sure Exhibit C is included in decision.

Chair Barbour conferenced Glenn Ferguson into the meeting via cell phone to discuss the traffic safety issues that benefitted from his inclusion. After extensive discussion, the first four items were agreed upon and two additional were added to provide pedestrian safety during construction: condition to work on sidewalk during summer when school is not in session. Project will be fenced during construction. CVS changes can't be conditioned as it is not on project property. Include condition for design that would be peer reviewed for traffic aspect (Condition 5). Item 6 would be construction management plan to address pedestrian safety. Applicant to email "cleaned up" wording for Exhibit C to Town Counsel and panel members.

A discussion among panel members preceded the below votes. As the final wording has not yet been memorialized, the votes do not necessarily reflect exact wording that would be incorporated into the final decision. Any concerns can be worked out prior to signing.

#### Public Hearing Votes:

1. At approximately 8:25 P.M., upon a motion made by Member Lynch and seconded by Member Lazzaro, Members Lynch, Lazzaro, and Barbour **VOTED** unanimously to approve or deny Waivers to be detailed in **Exhibit B**, as discussed and agreed upon during this public hearing.
2. Upon a motion made by Member Lynch and seconded by Member Lazzaro, Members Lynch, Lazzaro, and Barbour **VOTED** unanimously to GRANT the application for a **Comprehensive Permit**, subject to the Conditions agreed upon, further incorporating the File Inventory shown in **Exhibit A**, and including the "Traffic and Pedestrian Safety Measures" to be shown in **Exhibit C**, all as revised and agreed upon during this public hearing.
3. Upon a motion made by Member Lazzaro and seconded by Member Lynch, Members Lazzaro, Lynch, and Barbour **VOTED** unanimously to close the public hearing.

*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: \_\_\_\_\_

As Clerk/Assistant Clerk

Date: \_\_\_\_\_

1/12/22