

Town of Norwell
BOARD OF APPEALS
Business Meeting Minutes
March 6, 2024

TOWN OF NORWELL
TOWN CLERK

2024 APR 25 AM 11:32

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MEETING DATE: Wednesday, March 6, 2024
TIME SCHEDULED: 6:45 P.M.
LOCATION: Norwell Town Hall, Osborn Room
MEMBERS PRESENT: Lois S. Barbour, Chair
Ralph J. Rivkind, Clerk
Stephen H. Lynch, Vice Chair
Daniel M. Senteno
William J. Lazzaro

In attendance for Damon Farm: Jeff Tocchio, Applicant's attorney
William Edes, Attorney
Maureen Trifone, Applicant
Mike Grandinetti, HOA President
Lauren Fackler, HOA

CALL TO ORDER: The business meeting was called to order at 6:46 P.M.

AGENDA: Upon a motion duly made and seconded, members present **VOTED** unanimously to accept the agenda as written.

MINUTES: Upon a motion duly made and seconded, members present **VOTED** unanimously to approve meeting minutes of 2/14/24 with reading of those minutes waived.

INVOICES: No invoices were presented

DISCUSSION ITEMS:

DAMON FARM 40B: Members Rivkind, Lynch, and Barbour with Consultant Chessia, the Applicant and representatives, and members of HOA attended a site walk on February 23, 2024, at 9:00 AM to review the current project status relating to concerns detailed in John Chessia's letter of January 24, 2024, to the ZBA with the below listed as open items. However, the only remaining open items are #4, Landscape Plantings, and 7, Roof infiltration systems.

1. **Entrance at Washington Street** change from the approved plans. Access improved at abutter's request at least two years ago to which the Board had previously expressed no objection.
2. **Detention basin's** relatively-steep, easterly side-slope was revised to replace grass with rip rap. This change was required due to erosion of the side slopes, as known to the Board, to which no objection was previously raised.
3. **Property boundaries** at rear of Units 19 & 20. This is not a ZBA issue but is a civil matter for involved property-owners and is, therefore, outside of the Comprehensive Permit requirements.
4. **Landscape Plantings** required under Comprehensive Permit. The Applicant has requested relief from this requirement. As the HOA has

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raised concerns about landscaping, the ZBA is looking for agreement by the HOA, prior to granting any waiver from showing the landscaping on the final As-Built plan—one of the primary site walk purposes.

5. **Parking area** at the easterly side of the site not striped as shown on the approved plans. The Applicant has requested that striping not be required at this location. The Board previously received agreement from the HOA.
6. **Catch basin hood** remains to be installed in CB1. Mr. Chessia indicated this has now been completed
7. **Roof infiltration systems** As-Built differs from the Approved Plans in location and the data provided does not include inverts, the roof collection systems, etc. Electronic copies of subdrain certification and stamped plans provided—to be reviewed by the Town’s consultant. Paper copies to be submitted to the ZBA Office, including any copies for the Board’s consultant.

Attorney Tocchio stated the Applicant met with the HOA, following the site walk on 2/23/24. The HOA has baseline data. Iaria Brothers of Hingham installed the drainage. However, Jim Burke, project engineer, will provide certifications on drainage to include his professional stamp.

Five plans have been submitted to the ZBA Office electronically with a Scone estimate for additional plant material and the wording for the one-year plant guarantee to be effective after the final as-built has been approved by the ZBA.

Member Rivkind asked when we could reasonably expect the project to be completed. Attorney Tocchio stated all items should be accomplished by 6/30/24. Member Lynch requested a “punch list” should be developed, showing what has been completed and what remains outstanding for all to agree upon.

Additionally, Attorney Tocchio stated a 3/4/24 email was sent to the ZBA Office that included a highlighted landscaping plan, as prepared by EcoTerra Design, dated 3/12/07, showing areas where additional plant materials would be added: Area 1 (westerly end of Norwell project), Area 2 (pin oaks street trees to be installed by basin), Area 3 (house to be caulked; flowering crabs to be installed), and Area 4 (blueberries to be added in lieu of trees at entrance as site-distance needed).

Attorney Tocchio noted these four (4) drawings are stamped by Jim Burke with a drainage certification, represented to exceed what was originally approved. Chair Barbour requested that the certification, although signed by the project engineer, should also include his stamp. She further reminded Attorney Tocchio that any communication must be through the ZBA Office and that paper copies of plans for Mr. Chessia’s review should be submitted to the ZBA Office for transmittal.

Michael Grandinetti, HOA Chair, stated the HOA had not seen the documents discussed by Attorney Tocchio until the Friday prior to this meeting, which did not allow sufficient time to meet with other HOA members. He requested more time to review with homeowners. Member Barbour noted that our next meeting is April 24, 2024, at the Norwell Library at which time additional discussion will take place.

111-119 WASHINGTON STREET Site Plan: Upon a motion duly made and seconded, members present **VOTED** unanimously to approve the Chessia Consulting final report of the as-built and to close this file. Any remaining escrow will be returned to the Applicant.

15 HIGH STREET 40B: The Project Manager will attend the next meeting on 4/24/24 at the Norwell Public Library to provide an update.

BUSINESS MEETING ADJOURNMENT: Upon a motion duly made and seconded, members present **VOTED** unanimously to adjourn the business portion of the meeting at approximately 7:26 P.M.

PUBLIC HEARING VOTES:

Upon a motion duly made and seconded, Members Senteno, Lazzaro, and Barbour **VOTED** unanimously to approve the **Section 6 Finding/Special Permit** application on property located at **11 Tyler Street** in accordance with the filed plan, dated 12/15/23. (N.B. The Variance shown on the original application was withdrawn prior to advertising and no vote was required or taken.)

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 April 24, 2024 in accordance with M.G.L. c40A, Section 11, and the Massachusetts Open Meeting Law.

Signed: _____

Joseph A. Aiello, Clerk
As Clerk

Date: _____

4/24/24

Next scheduled meeting: April 24, 2024 at the Norwell Public Library

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