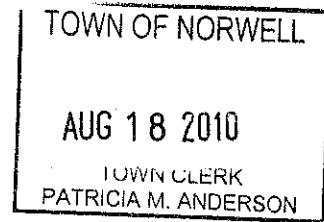


Town of Norwell
BOARD OF APPEALS
Business Meeting Minutes

MEETING DATE: August 11, 2010
TIME SCHEDULED: 7:00 P.M.
LOCATION: Town Hall, Building Office

MEMBERS PRESENT: Lois S. Barbour, Chair
Philip Y. Brown, Vice Chair
Thomas P. Harrison
Michael E. Kiernan, Clerk
David Lee Turner



The business meeting was called to order at 7:05 P.M.

MINUTES: Upon a motion duly made and seconded, members **VOTED** unanimously to approve minutes for the business meeting of 6/30/10.

INVOICES: Upon a motion duly made and seconded, members **VOTED** unanimously to approve payment of \$57.50 per the 8/2/10 invoice from Chessia Consulting Services for preliminary coordination discussions relating to the 239 Washington Street project.

STATUS UPDATES: Neither the Building Inspector nor the Board's secretary expressed any new concerns to bring to the Board.

The Chair introduced a new ZBA-2 Legal Notice form to be signed by the applicant for required newspaper legal notice. This form clearly states that payment of all legal notice advertising is at the sole expense of the applicant, as detailed in the Board's Rules. Joanne indicated this form has already been helpful with recent applicants, as newspaper advertising costs for legal notices continue to increase. Upon a motion duly made and seconded, members **VOTED** unanimously to adopt the new ZBA-2 form, effective immediately.

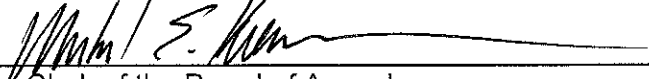
There was discussion of the project plans relating to transfer of project monitoring responsibilities from Westcott Site Services, previously approved, to be replaced by Chessia Consulting Services. Project plans reviewed by Mr. Westcott in 2006 as part of a HAC settlement agreement are not in the Board's file. However, copies of most of those drawings were found in the Building Office files along with later revisions of two drawings and an additional third. It is clear there is not an endorsed plan set filed with the Registry of Deeds, which has created some confusion about what might constitute the applicable plans. The proponent has to date refused to acknowledge that the Board has the right and obligation to maintain a complete file to comply with the Open Meeting Law. Town Counsel has spoken with the proponent's attorney through whom it was suggested the Chair attend a working meeting with Mr. Chessia and project representatives. As members agreed that it should be a simple matter for the proponent to provide the requisite drawings, the requirement for such a meeting was deemed unnecessary. Therefore, upon a motion duly made and seconded, it was **VOTED** unanimously to instruct the Chair to inform Town Counsel that a working meeting is deemed unnecessary, and further request that Town Counsel obtain from the proponent, the required plans/mylars for the project including revisions of the Utility Plan, dated 8/17/06, and the Roof Drywell Plan, dated 8/15/06, to receive a quick peer review.

The Chair updated members on various items. Ralph Rivkind is the new Advisory Board liaison to the ZBA. There has been no activity of concern to the Board on the Friendship Home project under construction.

OLD BUSINESS: As respects the Open Meeting Law, effective 7/1/10, the Town Clerk had advised all members are required to sign an acknowledgement form to be returned to the Town Clerk, stating that Open Meeting Law changes have been reviewed with Board members. All members have now signed and Joanne will return the outstanding signed forms to the Town Clerk.

ADJOURNMENT: The business meeting adjourned at approximately 7:30 P.M., followed by the duly noticed public hearings.

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 _____, in accordance with M.G.L. c. 40A, Section 11, and the Massachusetts Open Meeting Law.

Signed:  Date: 8/18/10
As Clerk of the Board of Appeals

Copy filed with: Office of the Town Clerk

