

May 28, 2014

Present was Scott Bugbee, James Lehan, Jeff Palumbo, Jack Hathaway, Town Administrator and Marian Harrington, Executive Assistant.

Also present was Bob Bullock, Ray Goff, Peter Chipman, Peter Diamond, Nancy Connors and Kevin Doolin.

At 8:49 a.m., Scott Bugbee opened the meeting.

Jim said he put a number of things on this agenda for discussion. Most revolve around zoning.

First, Jim wants to discuss the Zoning Bylaw Study Committee (ZBSC). To work effectively, we need strong participation from the members to attend the meetings. We also need control of who is on the Board. Jim said he would like this brought forward to all Boards with a member on the ZBSC.

Jim would like to see the following for the ZBSC:

- Be permanently chaired by Town Planner
- Makeup on Committee is same as it is currently
- Members to be appointed by Selectmen and not committees. Jim said that sometimes these are default committees – no one wants to be on it. Attendees show at few meetings.
- Any participant – no financial issues – and they should be published – direct or indirect. Undue influence.

Jim said zoning is critically important. We have to pay careful attention to how we address this. They are not public hearings. There is a difference. People should not be giving thoughts and inputs unless addressed by the Chair. We need rules and guidelines and professional help by Ray to fix this.

The Southwood project is a big issue. There are potentially some significant issues surrounding zoning changes. He cannot go forward with current zoning. The Town must establish what type of development is acceptable at Southwood, and create the necessary zoning. We need a group who can work quickly on this process in 3 months. Hopefully they can meet during the day. The Board agreed they can do a working group at our pleasure to work on this. Like we did with Jane and Paul's. Jim recommends we do this to be ready for fall town meeting. The Warrant opens in June and closes in September.

Jeff said we have met with the Southwood group. Are we at a point where they can't do anything economically feasible until we fix this? Jack said after he signed the deal with the Archdiocese, he outlined a 2 year process to make this happen. He has

benchmarks and first is zoning. He has to complete zoning changes by February. Ray said there is a lot of flexibility in this. His concern was water. Ray said the Over 55 concept was too constraining; it's a limited market. It is not as robust as it used to be. It is a family market now. It is a transition from family to elderly to assisted living. Ray said they threw into the mix commercial. Phase this in. Maybe a supermarket; it would be good for that area. But he needs to put in water in that area. The benchmarks can be flexible.

Jim said we need to get a committee that is committed. The past ZBSC had meetings without a quorum.

Jim said we eliminated residential outside of commercial considerations. No one brought to the attention what that amendment did. He thought it was only density.

Jim said we need to look at the Master Plan. The bylaws should reflect a vision. The Master Plan should, too. Ray agreed that it doesn't look toward the future. What do we need to do to get to those points. Break it down into components that will point toward the future. Jim said we also need practical components that includes what the public wants to see. We need community input to help with the vision. Some people don't want to see the downtown built up. Ray said you could have something on say a Saturday at the Library. Let people see what we're considering. Public can put in their thoughts. We should start with Southwood.

Jeff agreed that we could have this included in the input of the Master Plan. Jim said people with a vested interest will participate. Jim said some towns don't have the ability to shape themselves, but we do. And the community should have input.

Scott said mail out something. Maybe people would mail it back or bring it in. Ray said Facebook or Norfolk Net. You will reach out to different people and get feedback, which is what we want.

Jeff said it's a different type of project, but he saw on cable where they went to the old State Mental Health facility on a Saturday. Maybe we could do something like that at Southwood. Have people come see what we're talking about.

Jack said that the Master Plan is coming up on the 10 years, and it's a good time to start working on it. There have been a lot of changes. The makeup of the Town has changed dramatically. Master Plan is 15 years. But it changes every 5 years.

Jim said everyone's life is busy. We need to take the initiative. Jim feels we have too many committees, and some aren't active.

Jeff asked if we'll screen people for these committees. Jim said his bias is that if you have volunteers, you can't turn them away. Will they make the commitment to meet once a week, or whatever. They cannot have any interest in the project. They do need

to know zoning. Jim would rather come up with a list and consider people that way. Bob agreed. Jim said we meet on Monday, and we can put it out there at our meeting. They can contact Marian or Jack.

Jeff said we can invite interest, because we may be able to use everyone, because we may have a number of different needs or projects, and we can probably use everyone. We shouldn't turn people away.

Jack mentioned we have exhausted our sources in getting volunteers. Scott suggested using reverse 911. Jack said if we were advertising a specific forum – like a Master Plan meeting, that would be the perfect use of reverse 911. Jack doesn't want to over use reverse 911.

Jeff asked if we should articulate with a little description of what we are looking for. Use all media channels. People can express their interest. Get the input from the community. Ray said we need to find out what the big questions are – what do we want input on – Southwood, town center, etc. Jim said have two lists – long term and short term. Jeff said you could even make mention of what will need participation and the time commitment. People may not want that. Jim said we should do bi-weekly. Commit to 6-8 meetings to help us work through these issues.

We need a Planning Board member, as well as ZBA, Board of Health, and Conservation. We need a committed member, not just a member. We need someone who will attend meetings.

Jeff mentioned a Roundtable. Jim said good point. We will start this with a roundtable. All members from all boards should attend. It's a great place to start. Everyone can give their comments, and discuss participation and what are we trying to accomplish. We will put this together, and then we can ask for residential input. Time is of the essence.

Jack said don't lose sight of other sites like Buckley and Mann. Jack said this roundtable should be done first without developers. Find time constraints and recruit the talent for the different projects. Jim said maybe two roundtables – one with no developers; and one with the developers. Or have the roundtable without the developer, and then have the working committee go to the developer. Jack said it could go either way. We always did it first with a developer. But we could do it without the developer, and then go from there.

Topic is organizational and we need to think through groups before us – not just Southwood, but others like Buckley and Mann. The Board will send Jack a list. Overview of what we are trying to accomplish and participation; list of projects; and other zoning besides the two current articles to be done for the Fall.

Jeff said to provide relevant information to all.

Jack said we need to clean up economic development and sign bylaws. We should do that in the fall. Zoning enforcement issues or bylaws that we can discuss with the working group.

It was agreed by all to have a Roundtable on Monday, June 9th at 7 p.m. with all land use boards and the public. Discussion will center around the two large developments – Southwood and Buckley & Mann, and others that we need to. Considerations for the Fall Town Meeting, and the time commitment for the working group. We will have a second Roundtable later with developers. We will put together the new working group after volunteers come forward, and we will have Ray Goff chair the group.

Bob mentioned solar. Solar is an accessory to an existing home. Some want ground mounted, and they can. Jeff said he's seen both sides being on the Planning Board. He understands the protections that exist. It becomes difficult to restrict. Bob said what's reasonable and unreasonable. Close to a neighbor's line could be a problem. It needs to work for everyone. Neighbors can have input. That's what a special permit is – it gives everyone a say. Now Bob can issue it by right. No one knows it's happening. Bob said we have nothing in place to be sure the neighbors are aware. Ray said the committee should look at some of these bylaws. Such as a swimming pool – you can't have one in your front yard. Let the resident do what they want to do, but not so it bothers other neighbors. Everyone has property rights.

Jim said fees associated by consultants. Is there accountability to those fees? There is a very thorough reporting process. They should be reviewed for the projects. Jack said the bills go to the Planning Board and then to Finance and then paid. The accountability would be the Planning Board. Jeff said what they get is the company does the work, prepare a report, tangible evidence of work done, Board signs the invoice/document to authorize payment. Not sure if that's a deep enough accounting.

Jim said we need a full analysis of the project and fees associated with the project. Before starting, you say time, cost, end result and all this in a report. Needs to be some mechanism in the front end giving an estimate as to what it will cost and what would be done. Jim feels it's open ended, and there is no idea of what it will cost for the specific project. Jeff agreed, and said that we need to be more rigorous. It could cost a developer more, because of the bits and pieces approach.

Scott felt that this is a Planning Board issue, not a Selectman issue. Jim said we are a policy Board. When it comes to fees and structures, we can put policies in effect for accountability. This is the process on how we work with consultants. There isn't a uniform policy, and we don't have one. Jim said we can establish a process on how a consultant will be used. Very simple. Jim said he is thinking of the applicant.

Jeff asked what we do about Town Counsel. Jack said that we do consult with Town Counsel regarding costs on certain projects. Jeff said a good faith estimate is good, but

it could be more than that and we can give someone an estimate, but it could be more costly. Jack said a lot of this is time, too. Jack said time can be costly too. Don't want to exceed time.

Jack said he gets complaints from developers, usually after the fact. They complain about the final bill. Jim has heard the same thing from homeowners, too. No guidance as to what is happening or how much it will cost. In some circumstances, they may say no, it's too costly.

Jim would like Jeff to raise these two issues to the Planning Board. Are we giving them direction and costs.

Jack mentioned the Comparison Chart. Jeff said it was put together by Gino Carlucci. It helps explain zoning and thought it might be useful. Voters can limit the impact of what they want to see. We could limit every bylaw associated with this. Maximum opportunity of a bylaw so residents know the major impact to the town, and understand the impact of the vote.

Jack said Charter. A lot of the challenges that we have discussed, may affect charter and possibly we would need changes. Maybe not right now, but we should think about this. There is a difference between running for an elected position, and being appointed. One is that some very qualified people don't want to go through running a race, so we lose them being a member. We should consider looking at the charter. It hasn't been done since the 90's.

Jack suggested the November meeting for finances, or possibly January. They discussed zoning for fall and not overload it with things that we haven't fully discussed.

ACTION ITEM:

Jim Lehan moved to approve an Auctioneer's License for Robert W. Turner of Boston, MA for a one-day auction at 36 Fredrickson Road, Norfolk on June 7, 2014. Jeff Palumbo seconded, and it was **so voted**.

At 10:26 a.m., Jim Lehan moved to adjourn the meeting. Jeff Palumbo seconded, and it was **so voted**.

This is a true and accurate report of the Selectmen's Meeting of May 28, 2014.

Jeffrey Palumbo, Clerk