

# PLANNING BOARD

1 Liberty Lane  
Norfolk, MA 02056

## MEETING MINUTES

**Date of Meeting:** Tuesday, January 7, 2014

**Place:** Town Hall Room 124

### PLANNING BOARD MEMBERS ATTENDING:

**Chairman:** Steve McClain

**Vice Chairman:** Peter Chipman

**Clerk:** Walter Byron

**Members:** Michelle Maheu, Jeff Palumbo

**Associate Member:**

**Others:** Betsy Fijol, Tom Houston, Gino Carlucci

Steve McClain called the meeting to order at 7:44 pm and informed the audience that the meeting is being audio and video taped.

### New Business

Time: 7:37 pm

**Project:** Village @ River's Edge-Bond Release Phase II & Bond Reduction Phase III

**Applicant:** Thomas DiPlacido, Jr.

**Comment:** Tom Houston said that he prepared a cost to complete in the amount of \$17,200 for Phase III of the Village at Rivers Edge. Phase II is complete and has a \$0 cost to complete.

Jeff asked for a status update on the commercial portion of the development. Mr. DiPlacido explained that the infrastructure is installed and the buildings are supposed to be started in the spring. At the moment he has no tenants lined up for the commercial space. The residential portion of the development should be wrapped up this year.

Jeff asked if there was a bond for the commercial phase. Mr. DiPlacido said that the commercial phase is not bonded and privately owned.

Peter moved to reduce the bond for the Village at Rivers Edge Phase II from \$39,875 to \$0. Michelle seconded the motion. The motion carried unanimously.

Peter moved to reduce the bond for the Village at Rivers Edge Phase III from \$116,275 to \$17,200. Michelle seconded the motion. The motion carried unanimously.

Peter moved to secure the cost to complete for the Village at Rivers Edge Phase III by Bank Passbook Account in the amount of \$17,200. Michelle seconded the motion. The motion carried unanimously.

Peter moved to release the Performance Secured by Lender's Agreement for the Village at Rivers Edge Phase II, which was formally in the amount of \$39,875 and is now \$0. Walter seconded the motion. The motion

carried unanimously.

Peter moved to release Performance Secured by Lender's Agreement for the Village at Rivers Edge Phase III, which has been replaced by Bank Passbook Account in the amount of \$17,200. Walter seconded the motion. The motion carried unanimously.

Time: 8:00 pm

Project: **Review of 242 Dedham Street/Leo's Landing for Endorsement**

Applicant: Alan Quaglieri/Applicant and Louis Caccavaro/Attorney

Comment: This discussion is a continuance from the 12/3/13 meeting. Steve said that there is still a problem with this particular site because the design engineer is being investigated by the Norfolk Police Department and the Board of Registration of Professional Engineers and Professional Land Surveyors for improperly signing and sealing plans. Steve said the Board was not aware of these issues when reviewing these plans.

Mr. Caccavaro said that he is unaware of any developments that would negatively impact the suitability of these plans for endorsement. He said that they have satisfied the Town that the engineering is sound for Pondville Plaza and the preparation of the 242 Dedham Street was done in the same fashion. An affidavit was provided by the engineer of record, Howard Millard, that the plans were prepared, reviewed, and supervised by him. Mr. Caccavaro said that the Planning Board's engineering consultant spent 81 hours of review time on 242 Dedham Street, which was paid by Mr. Quaglieri.

Jeff said that he would like to see the Board demonstrate more time on this project and not rush the process since there is legitimate concern regarding the work that was done.

Michelle said that Board has not seen the revised plans and she wants to see the drawings presented to the Board by Mr. Millard at the next meeting. Michelle said the engineer and surveyor of record has changed and the Board has not reviewed the plans since the change, so the Board cannot sign plans they have not reviewed.

Tom Houston said he has not reviewed the plans stamped by a new surveyor and new signature by Mr. Millard.

Jeff said he would like to see Mr. Millard review the plans & records of the project in detail with Mr. Houston.

Al said that when he brought the Pondville Plaza plans to Tom Houston, he also gave him the Leo's Landing plans but Tom rejected keeping those plans. Tom said that he did not have time to copy those plans and returned them to Mr. Quaglieri to keep them in his possession.

Steve suggested that Mr. Quaglieri submit the plans with enough time for Tom Houston to review.

Steve moved to continue this discussion to 1/30/14 at 7:45 pm so the engineer & surveyor of record are present to answer questions by the Board. Jeff seconded the motion. The motion carried unanimously.

Time: 8:30 pm

Project: **Cont'd Public Hearing for 77 Rockwood Rd/11 Stacey Rd Estate Lot Special Permit**

Applicant: Frank Bonvie

Comment: The continued Public Hearing was called to order at 8:30 pm. The Board is in receipt of a request for continuance from the applicant. Peter moved to continue the hearing to 1/30/14 at 8:00 pm. Michelle seconded the motion. The motion carried unanimously.

Time: 8:35 pm

Project: **106 Main Street Site Plan Continued Public Hearing**

Applicant: Jim Pavlik/Outback Engineering, Peter Chipman/Applicant

Comments: The continued public hearing for 106 Main Street was called to order by Steve McClain at 8:35 pm.

Peter Chipman recused from the hearing himself as a Planning Board member.

Walter stated that the Board is in receipt of a letter on 1/6/14 from Mr. Peter Diamond, 114 Main Street, and included the letter into the public record.

Mr. Pavlik presented a revised site plan that incorporates the comments from the last meeting. The plan provides a future access to the Findlen and Diamond properties. The main access driveway has been shortened by about 50' by shifting the two roadways A & C to the south. The roadway is looped around the outer portion of the two sites. The plan eliminates many of the homes directly abutting the Findlen & Diamond properties and moved them to the middle of the property. It is the same number of units on both properties. He said they are trying to incorporate more visitor parking spaces throughout the site. The drainage system may be simplified with this layout.

Tom said this plan seems to address some of the prior concerns related to the orientation of the proposed buildings to the existing abutting properties, the ability to extent access through the abutting properties, and it eliminates the long dead end street.

Jeff inquired about the visitor parking in proximity to the units. Mr. Pavlick pointed out that there are about 9 visitor spaces along the two southerly portions of the roadways. Walter suggested that the spaces be dispersed throughout the site.

Walter commented that the MBTA has a 60 ft wide strip of land paralleling the tracks, beginning at the east side of their parking lot and extending to the 108 Main Street property, which might be a way to provide a secondary egress lane.

Michelle said that she would like to see a traffic analysis done and is not in favor of a waiver of the traffic study.

Steve and Walter agreed with Michelle and are not in favor of a waiver for the traffic study.

Mr. Pavlik requested a continuance of the hearing to the meeting on 1/30/14.

Jeff read an email dated 12/3/13 from Chief Stone into the public record regarding the tight width of the roadway and the lack of off-street parking.

Michelle asked about a sequencing plan that completes the circulation in case one side does not get developed.

Steve opened up the hearing for public comment:

Bill Kelley, 76 Main Street, expressed concern over flood plain & traffic issues.

Peter Diamond, 84 Seekonk Street, asked how many parking spaces are required for each unit. Steve said that there will be a garage and one space in the driveway.

Ron Ober, 69 Main Street, reiterated Mr. Kelley's concern about the traffic issues.

Paul Combe, 105 Main Street, asked if parking is allowed on Main Street.

Christina Gleason asked what is the impact on public safety and schools. Steve said that is not a purview of the Planning Board.

Walter moved to continue to the hearing to 1/30/14 at 8:15 pm. Michelle seconded the motion. The motion carried unanimously.

Time: 9:40

Project: **108 Main Street Site Plan Continued Public Hearing**

Applicant: Jim Pavlik/Outback Engineering, Mujeeb Ahmad/Applicant

Comment: Steve called the continued Public Hearing for 108 Main Street Site Plan to order at 9:40 pm.

Peter Chipman recused from the hearing himself as a Planning Board member.

Steve moved to continue the hearing to 1/30/14 at 8:30 pm. Walter seconded the motion. The motion carried unanimously.

Time: 9:43 pm

Project: **Public Hearing for MacArthur Avenue 1-Lot Subdivision Continuance to next meeting**

Applicant: Landmark Engineering

Comment: Steve called the Public Hearing to order at 9:43 pm. Walter read the Notice of Hearing into the public record.

The Board is in receipt of request from Landmark Engineering for a continuance of the hearing.

Walter moved to continue the hearing to 2/11/14 at 7:45 pm. Michelle seconded the motion. The motion carried unanimously.

Time: 9:45pm

Project: **Public Hearing for 240 Dedham Street Site Plan Modification & Special Permit**

Applicant: Hugo DiMartino

Comment: Steve called the Public Hearing to order at 9:45 pm. Walter read the Notice of Hearing into the public record.

Mr. DiMartino presented the modified site plan for 240 Dedham Street to add an outside vestibule to the south side building and relocating the menu board to accommodate a Dunkin Donuts restaurant. A Special Permit is requested to allow more than one freestanding sign and to allow signs advertising multiple businesses to be combined into a single structure with some panels larger than 12 square feet. A Special Permit is also requested to allow a drive-up window. This Special Permit was originally issued by the Zoning Board of Appeals and has expired.

Jeff wanted to ensure that there is not site line issue with the vestibule. After a lengthy discussion, Jeff was satisfied that there was no issue.

Gino said he sees no issues with the modified site plan.

Steve instructed Mr. DiMartino to call PSC to schedule an after the fact site inspection since there were no inspections conducted during the construction process.

Tom Houston said that an as-built drawing needs to be submitted, as well as other information that Mr. DiMartino may have on the paving.

Mr. DiMarino also stated that it is requested to relocate the menu board so that it is pushed back further to allow more queuing. Peter said that pushing the menu board back at the Main Street Dunkin Donuts has worked well for relieving the traffic back up and supports this request.

Jeff moved to close the Special Permit and Site Plan Modification Hearing for 240 Dedham Street contingent upon satisfactory surveillance of the site and review of the as-built plan by PSC and the review and determination of conformance of the proposed signage. Peter seconded the motion. The motion carried unanimously.

Time: 10:25 p.m.

Project: **Public Hearing for 9 Shire Drive Site Plan & Special Permit**

Appliant: Kevin Wallace/WFM Enterprises, Rick Goodreau & Carlos Quintal/United Consultants

Comments: Steve called the hearing to order at 10:25 pm. Walter read the Notice of Hearing into the public record.

Rick Goodreau presented the site plan for the construction of a new 2-story office building and car storage area with appurtenant utilities.

Tom Houston outlined his January 6, 2014 peer review memo.

Gino outlined his January 3, 2014 review memo.

Michelle said she'd like to see other options for fencing other than vinyl & chain link. She likes the modification to the drainage.

Jeff said that he would like to see a determination from Bob Bullock on the landscaping requirements & car stacking.

Betsy Whitney/26 Valley Street asked if signage to prevent trucks from using Sharon's Avenue will be written into the conditions of approval. Jeff said directions could be included in the management plan. Mr. Wallace said he will educate the drivers the best he can.

Steve moved to continue the hearing for 9 Shire Drive to January 30, 2014 at 8:45 pm.

Project: **Extension of Engineering & Planning Consultants Contracts**

Comment: Michelle moved to extend the contracts for PSC and PGCA to 6/30/14. Motion carried, 4-0 (Peter abstained from the vote).

## **Next Meeting & Schedule**

Thursday, January 30, 2014 and Tuesday, February 11, 2014 at 7:30 pm.

## **Adjournment**

Walter moved to adjourn the meeting at 11:40 pm. Jeff seconded the motion. The motion carried unanimously.

Respectfully submitted,

  
Walter Byron, Clerk