

PLANNING BOARD

1 Liberty Lane
Norfolk, MA 02056

MEETING MINUTES

Date of Meeting: Thursday, January 30, 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 7:35 pm and informed the audience that the meeting is being audio and video taped.

New Business

Time: 7:37 pm

Project: **Discuss options for Oak Knoll Estates**

Applicant: Shawn Dooley

Comment: Mr. Dooley said that he is looking for some guidance from the Board on options for Oak Knoll Estates. The current subdivision plan has been approved for three lots off Stop River Road. Mr. Dooley said that he would like to construct two lots and asked about the possibility of waiving the construction the roadway until the third lot is sold. One lot would be his own private residence and the other lot for his in-laws. He spoke to the fire Chief who did not have a problem with it.

Steve said if the road is not constructed then the lots do not have frontage and can not get building permits. He said it is allowed to phase the roadway construction with a secondary egress, but the Board does not have the ability to create a private way.

Peter said that perhaps the Board could fashion a zoning change at this coming Town Meeting.

Michelle said that maybe this could be done with a proper surety or bond in place to ensure the road eventually gets constructed.

Gino commented that other towns do have provisions for small subdivisions.

The Board agreed to continue this discussion at the next meeting.

Time: 8:00 pm

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

Applicant: Alan Quaglieri/Applicant, Louis Caccavaro/Attorney, Howard Millard, P.E., Dan O'Driscoll/

O' Driscoll Land Surveying

Comment: This discussion is a continuance from the 1/7/14 meeting.

Mr. Houston said that at the applicant's request, PSC met with the applicant's team at the Planning Board office this past Monday. It is clear that the person who prepared the original plans that were submitted to the Board was not a licensed surveyor. At that meeting, Mr. O'Driscoll presented his field survey work for 242 Dedham Street, which was substantial. Tom said he thought the Board might be agreeable to a minor modification of the prior site plan decision for this the project solely to reference the new survey plan. Mr Quaglieri authorized Mr. O'Driscoll to prepare new survey plan and property prepare the septic system plan for Pondville Plaza. Tom said that the drainage calculations for 242 Dedham Street had never been signed and sealed by Millard. Mr. Quaglieri agreed to engage the services of a registered professional engineer to prepare drainage reports for 242 Dedham Street and Pondville Plaza.

Tom also said that Mr. Quaglieri requested Planning Board endorsement of the current set of site plans for 242 Dedham Street. Mr. Houston said that he recommends that the Board not sign the plans that are presented for endorsement. The reason for this is that standard engineering practice requires that a boundary and topographic survey serve as the base & basis of the design of the site plan. The current survey is not valid and will be replaced by a new survey. Presently, there is no engineer that has custody of these drawings that could be responsible for inserting the new survey work into the drawings and modifying the plans as necessary to comply with any new information that could be indicated on the new survey plan. Tom said there is a question on the chain of custody. It is unclear when the former survey firm stopped making revisions to the drawings and who made the final revisions to the current drawings. The site design and the on-site stormwater management system must be supported by proper drainage calculations, which the Board does not have.

Mr. Caccavaro said that applicant engaged Mr. O'Driscoll to survey the property and inserted a certification on the plans. The engineering was done by Mr. Millard and the plans are in full compliance. Mr. Caccavaro said that the drainage reports were not signed and stamped and agreed to engage the services of another engineer to prepare new drainage reports for the properties at 242 Dedham Street and Pondville Plaza.

Mr. Millard told the Board a bit about his background and he said that he worked with the former survey firm for over 20 years. He said that met with 5 or 6 times with Mr. Wilmarth regarding these two projects. He said that none of his recommendations or decisions were influenced by anything other than the needs and wishes of the client, engineering rules, zoning, and building code requirements. The actual plans were drafted by Mr. Wilmarth because he has a computer and printer. They acted as a team. Mr. Millard said that he did not review the drainage calculations because it was computer generated and there we no computers when he went to MIT.

Walter asked Mr. Millard if he ever visited the sites. Mr. Millard replied that he visited each site one or two times. There was no need to revisit the sites once the survey work was done.

Dan O'Driscoll said that he was approached by Mr. Quaglieri in October, 2013 about surveying 242 Dedham St and Pondville Plaza because the prior surveyor's licensed had lapsed. He agreed to do it but would assume his own survey, field work, research, calculations and boundary determination. His information was in agreement with what Mr. Wilmarth had done so he added his own statement, seal, title block to the existing site plans since the plans did not change and the approval decision was already recorded at the Registry of Deeds referencing those site plans.

Al requested that the Board accept the new survey plan as a minor modification.

Steve move to accept the new survey plan as a minor modification. Michelle seconded the motion. The motion carried unanimously.

Michelle moved accept the modification of the site plan decision for 242 Dedham Street as a minor

modification to remove the existing survey plan and replace it with the revised O'Driscoll stamped, sealed survey plans, sheet 2 endorsed by Mr. O'Driscoll on 11/21/13, sheet 3 endorsed by Mr. O'Driscoll on 11/21/13, & cover sheet endorsed by Mr. O'Driscoll on 11/21/13. Walter seconded the motion. The motion carried unanimously.

Peter moved to consider acceptance of revised drainage calculations performed by a licensed professional engineer as a minor modification. Jeff seconded the motion.

Peter moved that the Board accept the revised drainage report when submitted to the Planning Board office. Walter seconded the motion. The motion carried unanimously.

Time: 9:27 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 9:30 pm. The Board is in receipt of a request for continuance from the applicant. Peter moved to continue the hearing to 2/11/14 at 8:45 pm. Jeff seconded the motion. The motion carried unanimously.

Time: 9:28 pm

Project: **Pre-Submission Meeting for 36 Fredrickson Road Subdivision**

Applicant: Mr. Bonvie

Comment: Mr. Bonvie presented a conceptual plan for a possible 14 lot subdivision that connects Oak View Trail to Fredrickson Rd. He said that he would be asking for a waiver to only build one sidewalk.

Steve commented that it would not be of any advantage for an open space preservation subdivision.

The Board suggested that a preliminary subdivision plan be submitted for review prior to a definitive plan.

Time: 8:35 pm

Project: **106 Main Street & 108 Main Street Site Plan Continued Public Hearing**

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

Comments: The Board is in receipt from the applicants for a continuance of the public hearings for 106 & 108 Main Street.

Michelle to continue the hearing for 106 Main Street to 2/11/14 at 9:00 pm and the hearing for 108 Main Street to 2/11/14 at 9:15 pm. Walter seconded the motion. The motion carried, 4-0 (Peter abstained from the vote)

Time: 9:45 p.m.

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

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

Comments: Steve called the continued public hearing to order at 9:45 pm.

Steve read a letter from Bob Bullock dated 1/16/14. Bob Nicodemus said that the DRB met to review the project and are in agreement on of all the building, colors & landscaping.

Walter asked what type of perimeter fence was decided. Mr. Wallace replied that it will be chain link fencing with black vinyl strips.

Peter moved to close the hearing for 9 Shire Drive. Jeff seconded the motion and the motion carried unanimously.

Time: 10:00 pm

Project: Discuss Town Meeting Warrant Article to allow a landscape business in the B1 zoning district based on a Special Permit by the Planning Board or Zoning Board

Applicant: Charlene Flynn & Reuven Levi/RL Realty, LLC

Comment: Ms. Flynn explained that Mr. Levi purchased the building at 194 Main Street in March 2013. He was told that there was landscape business operating in the barn in the rear for 15 years. The current landscape business has been there for the last 3 years. They were told by Bob Bullock that a landscape business is not an allowed use in the B-1 zoning district. Bob recommended that the Planning Board proposed a Town Meeting warrant article to amend the Zoning Bylaws to allow this use by Special Permit by the Planning Board or Zoning Board of Appeals.

The Board asked Gino to draft an article for the Town Meeting warrant to capture what the Board is looking for.

Time: 10:15 pm

Project: Establish Bond for Mill River Heights

Applicant: A. DiMartino Construction, Inc.

Comment: The Board is in receipt of a cost to complete from the DPW. Steve said that before the Board votes on an amount of the bond, he would call Bob McGhee to see where he recommends the Board can go to observe mono-berm curbing.

Time: 10:20 pm

Project: Associate Member appointment

Comment: Steve informed the Board that Greg Mirliss has resigned as Associate Member to the Planning Board because he has taken a job out of state. He said that Andrea Langhauser is willing to fill the position.

Jeff moved to appoint Andrea Langhauser as Associate member to the Planning Board. Michelle seconded the motion and the motion carried unanimously.

Time: 10:25 pm

Project: 75 Fruit Street ANR Plan

Comment: Gino said that he has reviewed the ANR plan to subdivide 75 Fruit Street into 3 lots and only had a few minor comments, which have been addressed. _____ moved to accept the ANR plan for 75 Fruit Street. _____ seconded the motion. The motion carried unanimously.

Time: 10:30 pm

Project: 201 Main Street Conceptual Plan

Applicant: Peter Chipman

Comment: Peter presented a conceptual site plan for 3 stand-alone conforming lots at 201 Main Street, which is in the B-1 Zoning District. It is proposed to construct 5,000 square foot, 3-story buildings on each lot. The first floor will be a commercial component that is 1,000-4,000 square foot units depending on the use. The second and third floor residential apartments will have 4-2 bedroom units. Peter explained that the only Special Permit he anticipates is I.4.b.2 (A) Build-to-Line. He said that Fire Chief saw no problem with the project through a preliminary review.

Time: 11:30 pm

Project: Review 240 Dedham Street Site Plan Modification & Special Permit Decisions

Applicant: Hugo DiMartino

Comment: Tom said that has had preliminary conversation with Mr. DiMartino about the as-built plan and documentation as to what has been installed at the site, but nothing has been finalized.

Next Meeting & Schedule

Tuesday, February 11, 2014 & Tuesday, February 25, 2014

Adjournment

Walter moved to adjourn the meeting at 10:55 pm. Jeff seconded the motion. The motion carried unanimously.

Respectfully submitted,



Walter Byron, Clerk