

PLANNING BOARD

1 Liberty Lane
Norfolk, MA 02056

MEETING MINUTES

Date of Meeting: Tuesday, October 13, 2015

Place: Town Hall Room 124

PLANNING BOARD MEMBERS ATTENDING:

Chairman: Steve McClain

Vice-chairman: Michelle Maheu

Clerk: John Weddleton

Members: Jeff Palumbo, Walter Byron

Associate Member:

Others: Ray Goff/Town Planner, Andy Ogilvie/BETA Group, Larry Keegan/Weston & Sampson

Steve called the meeting to order at 7:40 pm and informed the audience that the meeting is being audio and video taped.

New Business

Time: 7:30 pm

Project: **5 Phillips Way - Site Plan Public Hearing-** cont'd from 8/18/15

Applicant: Paul Cutler/Landmark Engineering, Don Masison/Taylor Rental

Comments: The Board is in receipt of a request for a continuance of the hearing. Walter moved to continue the public hearing for the 5 Phillips Way site plan to November 10, 2015 at 7:30 pm. Michelle seconded the motion. The motion carried unanimously.

Time: 7:45 pm

Project: **Winding Hollow Subdivision/38 Holbrook St- Public Hearings-** Scenic Road Tree Hearing, Earth Removal & Stormwater Management Public Hearings-Continued from 9/15/15

Applicant: Rick Goodreau/United Consultants, Tom DiPlacido/DiPlacido Development Corp

Comments: Steve called the continued hearings to order the Winding Hollow Definitive Open Space subdivision Scenic Road Tree Hearing.

Mr. Goodreau said that it is proposed to remove 21 trees for the construction of the proposed sidewalk as part of this project connecting the proposed roadway to Pondview Road. A portion of the sidewalk was relocated from the Holbrook Street right of way and into the open space in order to preserve some of the trees that were of a concern to the abutters. The trees have been posted by the DPW. It is proposed to plant a row of white pine trees to assist with screening of the roadway system into the development. Steve said that he would like to see a bigger selection of trees there, rather than all white pines.

Walter said that he walked the site and there are actually 23 trees to be removed, rather than the 22 that were listed on the application.

John moved to close the Winding Hollow Scenic Road Tree Hearing. Walter seconded the motion. The motion carried unanimously.

Steve moved to reopen the Winding Hollow Scenic Road Tree Hearing to accept public comment. John seconded the motion. The motion carried unanimously.

Michael Hayes, 6 Pondview Road, read the following questions & comments from his 8 year old daughter: *Who is paying for the tree removal?* Steve replied that the developer is paying for the tree removal. *The 22" oak tree to be removed is between 94-112 years old and it is proposed to replace it with a 3" caliper tree.* Steve the Board will try to go for a comparable replacement in the decision, but it is not inch for inch. *Is this the minimum number of trees needed to cut down for the sidewalk?* Steve commented that tree removal is also needed for the grading to take place.

Steve moved to close the Window Hollow Scenic Road Tree Hearing. Michelle seconded the motion. The motion carried unanimously.

Steve moved to open the Stormwater Management Permit hearing to order.

Mr. Goodreau said that a proposed erosion control plan has been provided within the subdivision plan set, which includes an operation & maintenance plan and erosion control protocol for the project. He said that he concurs that all of the standards in the draft stormwater management permit have been met.

Gerry Bluhm, 30 Holbrook Street, asked what kind of curbing is going to be installed along Holbrook Street from the proposed roadway to Pondview Road. Steve said that the Board has no jurisdiction over the existing street.

John moved to close the Winding Hollow Stormwater Management Permit hearing. Walter seconded the motion. The motion carried unanimously.

Steve called the Winding Hollow Earth Removal Permit hearing to order.

Mr. Goodreau said that he had previously provided the Board with an Earth Removal Permit application requesting the earth removal of 12,986 cubic yards, but a revision to the stormwater system has reduced that request to the earth removal of 12,525 cubic yards. Mr. Goodreau said that the applicant agrees that the truck route would head west out of the roadway system towards Route 115.

Michelle said that in order to be consistent with other Earth Removal permits, the developer should provide a more specific schedule of when the earth will be removed and the quantities.

Steve said that if this information is provide to the Board this week, the Board will meet for a quick meeting to finalize and vote on the Earth Removal permit on Monday, October 19, 2015 at 7:00 pm.

John moved to continue the Winding Hollow Earth Removal hearing to October 19, 2015 at 7:00 pm. Walter seconded the motion. The motion carried unanimously.

Time: 8:20 p.m.

Project: **Priscilla Ave**-Definitive Subdivision Public Hearing to construct road for access to 2 existing lots off River Road & Donald Road-Continued from 9/15/15

Applicant: Ron Nation/Norfolk Development & Construction, Peter Lavoie/Guerriere & Halnon

Comments: Steve called the continued hearing to order at 8:20 pm.

The Board conducted a site walk on 9/20/15 to determine what trees will be removed and if street trees will be planted or not depending on how woody it is. Steve said street trees will be needed on the right and left hand sides of road where it enters off River Road. Steve said he is not inclined to request street lights.

Sarah Delmastro, 31 Lakeshore Drive, asked how it was decided that it was not advantageous to use the little town lot to make the junction perpendicular to River Road. John said the Board of Selectmen did not want to use it for that use because there is a potential that it is a buildable lot. Ray said that there is minimal benefit by moving the intersection further down the road.

Michelle moved to close the hearing for the definitive subdivision entitled "Site Development for Priscilla Avenue". John seconded the motion. The motion carried unanimously.

Time: 8:30 pm

Project: **Sandy Knoll Estates** – Earth Removal Permit Public Hearing, 4 (Lot 2B) & 6 (Lot 3B) Silver Fox Rd- Continued from 9/15/15

Applicant: Bill Ronca & Mike DiNapoli/Maple Sands Corp, Attorney Lou Caccavaro

Comments: Steve called the continued public hearing to order for the Sandy Knoll Estates – Earth Removal Permit at 8:30 pm.

Mr. Caccavaro said explained that his applicant has provided the information that the Board was looking for at the last hearing as part of their earth removal permit application material and is in keeping with the language of the agreement many months ago. It provides for detail concerning third party contractors and mobilization of forces to move all of the gravel for the lots in question to be completed by January 1, 2016.

Mr. Ronca said that he has hire DiPlacido Development Corporation to move the material off the site. Once house is under construction and another will be started soon. They hope to have the project finished by the middle of next summer. Mr. Ronca explained that approximately 8,500 yards of earth will be moved from the site by January 1, 2016 and provided a schedule for the earth removal of where and when it will be removed. Mr. Ronca has accounted for about 5,100 yards of the earth and will notify the Planning Board when he has a commitment of where and when the remaining earth will be removed.

Michelle moved to close the Earth Removal Hearing for Sandy Knoll Estates. John seconded the motion. The motion carried unanimously.

Time: 9:15 pm

Project: **Associate Member interview with Jennifer West**

Comments: Ms. West said she has lived in Norfolk for almost 5 years and would like to be more involved. Ms. West has an environmental background working for the past 10 years with Rhode Island communities as the Coastal Training Program coordinator for the Narragansett Bay National Estuarine Research Reserve.

The Board agreed that Ms. West would make an excellent addition to the Planning Board.

Walter moved to appoint Jennifer West as Associate Member to the Planning Board. Michelle seconded the member. The motion carried unanimously.

Time: 9:00 pm

Project: **Public Hearing for Fall Town Meeting Warrant Articles**

Comments: Steve called the public hearing to order at approximately 9:00 pm for the Fall Town Meeting warrant articles. Walter read the Notice of Hearing into the public record.

Jeff explained that the Town is still in negotiations on a development agreement with the potential developer of the proposed project on the former Southwood Hospital property, so the Board of Selectmen have pulled the fall town meeting warrant article to create a zoning overlay district for that property.

Steve said that since the Board of Selectmen have pulled this article from the town meeting warrant, there is no need to discuss it.

The proposed amendments to the Norfolk Zoning Bylaws are as follows:

1. To see if the Town will vote to amend Section I B-1 District (Town Center) of the Norfolk Zoning Bylaws by revising Subsection I.4.a.6. and to take any other action relative thereto.

Ray explained that currently under the B-1, (Business Core) Zoning District, it is allowed to construct a 40 foot tall building with a flat or pitched roof. You are allowed to go higher with a Special Permit from the Planning Board. There is no limit in the number of stories a building can be in this subdistrict. In addition, under the B-1 (Outside the Business Core) Zoning District, it is allowed to construct a building that is up to 40 feet in height with a flat roof. You can be approved for up to 46 feet with a pitched roof as part of a site plan review by the Planning Board. Said buildings are limited to 3 stories though and this does not include steeples, cupulas, flag poles, weather vanes. Currently the highest buildings in the B-1 District are Town Hall and the Holmes Building (Santander bank) which are 36 feet tall, two and one half (2 1/2) stories. This by-law change would make consistent the maximum height for the entire district. It will ensure that any new development is limited in height to the highest buildings that currently exist throughout the B-1 Zone. By way of example, the new medical building on Pine Street which is 40 feet tall with a flat roof and a parapet wall that extends it to 48 feet tall could be approved in the B-1 (Business Core). A similar building with a flat roof could be approved in either sub-district of the B-1. In the Business Core District a taller building could be built with approval of the Planning Board by Special Permit with Site Plan. This proposed amendment would affect the entire B-1 zone and would keep the height of proposed new buildings consistent with the existing buildings in this zone. It does allow, as before, an approval by the Planning Board for greater height. By making the bylaw consistent over the entire B-1 it adds to the predictability of building heights and helps with interpretation of the zoning for the public and developers.

Steve opened the hearing up for public comment:

Peter Chipman said this zoning change is affecting many properties in the B-1 district and should not have been done on a unilateral decision.

Paul Kelly, Rockwood Road, said that this zoning would be too restrictive by limiting the building height.

The Board discussed some amendments to the article and Ray provided a re-cap: Leave building height at 40' and up to 46' maximum, 3 stories including roof, delete street grade, adjust the minimum pitch of the roof, delete the word colonial.

John moved to continue the public hearing for the fall town meeting zoning warrant article to Monday, October 19, 2015 at 7:00 pm. Walter seconded the motion. The motion carried unanimously.

Project: **Bristol Pond Estates**-Request for release of last 7 lots (Lots 4, 6, 7, 8, 9, 11 & 12) & sign Lot Release Form H

Comments: The Planning Board will ask the DPW Director to review the current cost to complete to make sure the bond is sufficient prior to releasing any lots.

Project: **Priscilla Ave/2 Lot**-Definitive Subdivision Decision

Comments: John moved to approve the definitive subdivision for the Priscilla Avenue decision with the modifications discussed. Walter seconded the motion. The motion carried unanimously.

Next Meeting & Schedule

The next regular meeting was scheduled for Monday, October 19, 2015 at 7:00 pm and Tuesday, November 10, 2015.

Adjournment

John moved to adjourn the meeting at approximately 10:40 pm. Walter seconded the motion. The motion carried unanimously.

Respectfully submitted,



Walter Byron, Clerk

