

PLANNING BOARD

1 Liberty Lane
Norfolk, MA 02056

MEETING MINUTES

Date of Meeting: Tuesday, June 14, 2016

Place: Town Hall Room 124

PLANNING BOARD MEMBERS ATTENDING:

Chairman: Michelle Maheu

Vice-chairman: Walter Byron

Clerk: Jennifer West

Members: Steve McClain (Absent), John Weddleton

Associate Member: Gregg Damiano

Others: Ray Goff/Town Planner, Betsy Fijol/Administrative Asst.

Michelle called the meeting to order at 7:15 pm and informed the audience that the meeting is being audio and video taped.

New Business

Michelle said that Ray has provided a guidance document to assist in reviewing Special Permit applications for Ground Mounted Solar Projects. Ray explained that Special Permit applications require an additional level of review to avoid nuisances to abutting properties, aesthetic and/or safety concerns.

Time: 7:20 p.m.

Project: **95 Park Street- Ground Mounted Solar Special Permit**

Applicant: James Laskowski/Endless Energy

Comments: Michelle called the hearing to order at 7:20 pm. Jen read the notice of hearing into the public record.

Mr. Laskowski explained that a special permit has been requested to allow ground mounted solar photovoltaic system accessory to a residential building at 95 Park Street. He said that it is proposed to install multi-pole solar mount that meets all the required zoning setbacks and is more than 100' from the wetlands. It is proposed to remove 3 trees to accommodate the solar array.

John said the Conservation Agent sent a memo that the wetlands at the rear of the property and on the abutting property need to be delineated and a permit may be required from the Conservation Commission.

Michelle said that she would prefer to see landscaping of lower shrubbery along street edge and evergreens along the northern property line to provide screening.

Mr. Laskowski explained it is proposed to install lattice work on the rear of the array, rather than fencing. John recommended that he discuss this option with the Building Commissioner.

John moved to continue the hearing for the ground mounted solar special permit for 95 Park Street to 7:00 pm on 7/12/16. Walter seconded the motion. The motion carried unanimously.

Time: 7:30 pm

Project: **32 Lawrence Street-Ground Mounted Solar Special Permit-Continued from 5/17/16**

Applicant: Joanna & Paul Mann/Bright Planet Solar, Inc.

Comment: The continued hearing for the ground mounted solar Special Permit for 32 Lawrence Street was called to order at 7:30 pm.

The Board is in receipt of a request for withdrawal of the Special Permit application. John moved to withdraw the Special Permit application for the ground mounted solar at 32 Lawrence Street without prejudice. Jen seconded the motion. The motion carried unanimously.

Time: 7:45 pm

Project: **Lot 5A Knoll Drive-Estate Lot Special Permit-Continued from 5/17/16**

Applicant; Attorney Edward Cannon/Knoll Drive Realty Trust

Comments: Michelle called the continued hearing for Lot 5A Knoll Drive Estate Lot Estate Lot Special Permit to order at 7:45 pm.

Michelle said at the last meeting, the Board agreed to get advice from Town Counsel the legalities of creating this Estate Lot. In summary, there were 3 separately owned pieces of property, which had a portion of their backyards carved off and combined into one ANR parcel. After the ANR lot was created, those owners formed a trust to create a common ownership of that ANR and are now attempting to turn that ANR into an Estate Lot.

John said that an email provided by the Board's planning consultant, Gino Carlucci, stated that the Estate Lot bylaw does not prohibit combining parcels to create an Estate Lot, it prohibits landowners from creating more than one estate lot on their properties.

Michelle said it is still unclear if the intent of the Estate Lot bylaw prohibits combining commonly owned or separately owned parcels.

Mr. Cannon said once lots are in common ownership, it is merged into a single lot.

John said he sees no harm in granting the Estate Lot and it is beneficial to the Town. Michelle expressed concern that this may be precedent setting.

Dan Winslow, former resident and Planning Board member, explained that the Estate Lot bylaw was created because of a parcel on Seekonk Street that had insufficient frontage and wanted to construct a cul de sac to create one buildable lot, which the Board thought was too intrusive. Mr. Winslow also explained that a landowner in Norfolk is only eligible for one Estate Lot.

John Nuhibian, 3 Knoll Drive, requested that the board put a restriction on the removal of trees on that lot. Michelle replied that the bylaw does require careful considering of tree removal on the land.

Mr. Winslow also said that there is a deeded tree buffer on the property.

Donna Atkinson, 5 Knoll Drive, asked the Board to spend a little more time and do this the right way.

John moved to close the hearing for the Lot 5A Knoll Drive Estate Lot Special Permit. Walter seconded the motion. The motion carried unanimously.

John moved to approve the Lot 5A Knoll Drive Estate Lot Special Permit decision #2016-02 with condition that paragraph j. of the Findings be amended as discussed and that a landscape plan be submitted and approved by the Planning Board prior to occupancy. Walter seconded the motion. The motion carried, 4-0

Time: 9:00 pm

Project: Fern Ridge Estates Subdivision-Request for bond reduction

Applicant: Lou Petrozzi/Wall Street Development

Comments: Ray said that he has spent a considerable amount of time with the neighbors and Mr. Petrozzi on developing a tree planting plan that everyone was satisfied with. Ray said that he is frustrated because the trees have not been planted yet and is told that won't happen until the fall. Ray said that an interim as-built was done previously and deficiencies were identified.

Mr. Petrozzi said he won't be doing any more work unless the Board releases bond money. He said no money, no trees.

Michelle said the Board is not able to make a decision without a current cost to complete by the DPW or Planning Board engineering consultant.

John said that an as-built plan has not been provided showing the locations and elevations of some of the structures. The Board may need every bit of that bond money.

John moved to deny the request for bond reduction or Fern Ridge Estates. Jen seconded the motion. The motion carried unanimously.

Project: Alexander Estates-Discuss gravel fill options

Applicant: Ron and Frank Bonvie

Comments: Mr. Bonvie explained that they need 3000-4000 yards of material to bring the road to base coat. There is approximately 4,000 plus yards of material on the lots, but cannot cut the lots until they get building permits. He said they can't get building permits until the road is finished, so they are in a quandary. The material could be obtained from Lots 1, 6 & 9 in order to satisfy their needs to get the road to basecoat.

John said that the Zoning Bylaws allow the developer during road construction to take gravel from one part of the subdivision and cut and fill on the other side of the development for the purpose of minimizing the number of trucks on and off the site. John also said that they are allowed to clear up to the 50' front setback with the condition that the lot has to be loamed and seeded if construction has not started within 90 days.

Project: Review & approve 29 (Lot 2) Valley Street Site Plan & Special Permit Decision & endorse final site plans

Comments: Walter moved to approve the Site Plan and Special Permit decision #2016-03 for 29 (Lot 2) Valley Street. John seconded the motion. The motion carried unanimously.

Walter moved to endorse site plan for 29 (Lot 2) Valley Street. John seconded the motion. The motion carried unanimously.

Project: 5 Phillips Way-Review final site plan for Board endorsement

Comment: Walter moved to endorse the final site plan for 5 Phillips Way. Jen seconded the motion. The motion carried unanimously.

Time: 9:25 pm

Project: Discuss proposed amendments to Subdivision & Site Plan Regulations

Comments: The Board agreed to schedule a work session to discuss amendments to the regulations.

Project: **Approval of Meeting Minutes**

Comments: Jen moved to approve the 5/17/16 meeting minutes. John seconded the motion. The motion carried unanimously.

Next Meeting & Schedule

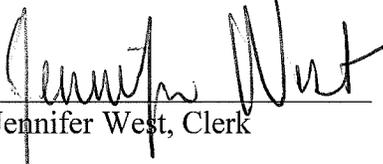
The Board scheduled a work session on June 27, 2016 at 6:30 pm to discuss proposed amendments to the Subdivision and Site Plan Regulations.

The next regular meeting was scheduled for Tuesday, July 12, 2016 at 7:00 pm.

Adjournment

Walter moved to adjourn the meeting at 10:00 pm. John seconded the motion. The motion carried unanimously.

Respectfully submitted,



Jennifer West, Clerk