

PLANNING BOARD

1 Liberty Lane
Norfolk, MA 02056

MEETING MINUTES

Date of Meeting: Tuesday, October 11, 2016

Place: Town Hall Room 124

PLANNING BOARD MEMBERS ATTENDING:

Chairman: Michelle Maheu

Vice-chairman: Walter Byron

Clerk: Jennifer West

Members: John Weddleton

Absent: Steve McClain (Absent)

Associate Member: Gregg Damiano

Others: Ray Goff/Town Planner, Amy Brady/Administrative Asst.

Michelle called the meeting to order at 7:10 pm and informed the audience that the meeting is being audio and video taped.

New Business

Time: 7:10 pm

Project: **Westfield Drive - Water Service Discussion**

Applicant: Ron & Chris Nation

Comments: Chris Nation stated that he and Ron Nation were here looking for guidance from the Planning Board on the water service for the two proposed homes on Westfield Drive. It is proposed to have 2 lines coming in off the water main from River Road, one house is 150 feet off River Road and the other is 525 ft. The plan was approved using a 2" poly water line and he is unable to get DPW to agree to approve the water line as depicted on the plan. Mr. Nation said that he had his own consultant do a fire flow analysis that supports use of the 2" poly water line, but Mr. McGhee had an analysis done by Environmental Partners Group, which noted future expansion, and called for an 8" water line. After Bob spoke to EPG, they agreed to a 6" water line. Michelle asked about the cost difference between the two lines. Chris said he could get numbers and noted that there would be maintenance costs as well with ductile.

John noted that Bob had not reviewed the plans with the 2" pipe, and it is his understanding that a hydrant with a larger line is necessary for flushing.

Ron stated that the engineers on both sides cannot reach an agreement on the size of the water line. John asked if the landlocked land off the paper road can ever be built. Ron responded that it is definitely not buildable.

Ray has spoken to Bob many times, and he is not going to change his opinion. Ron spoke about the possibility of drilling wells, but it is in the Planning Board regulations that if town water runs by, it must be used.

Michelle asked if it might be worth having a 3rd party engineer look at both plans, but it was decided to have Ron and Chris attend a future meeting with Bob McGhee to discuss this matter further and see why it is important to flush the lines.

Chris said that he will bring a cost breakdown on the two different water lines to that meeting. Ray stated that we have the original water plan available. Chris will connect with Ray after a few days, and see what to do next.

Project: Toils End Farm/Fox Run Subdivision-Discuss request for bond reduction

Applicant: Mark Mastroinani/Pulte Homes of N.E.

Comment: Mr. Mastroianni said that Pulte posted a bond in the amount of \$550,702.50 on May 22, 2015 for the drainage modification of the subdivision. He said that the improvements have been completed and is requesting that the bond be released. Ray and BETA did an onsite inspection last week and observed some changes that had been made to the headwall, which have been approved by Bob McGhee.

John stated that if the invert construction needs to be addressed throughout the subdivision, which is a large job that will be covered by the separate subdivision bond that the Town is holding by the DPW. Ray will speak with Bob McGhee for clarification.

Walter moved to reduce the current bond (Bond #1117650) for the Toils End Farm/Fox Run Subdivision drainage improvements from \$550,702.50 to \$2,000. John seconded the motion; the vote on the motion was unanimous

Public Hearing

Project: Fall Town Meeting Zoning Articles

Comments: Michelle called the hearing to order for the Fall Town Meeting Zoning Articles at 7:55 p.m. Jennifer read the public hearing notice into the record.

Warrant Article 6 – To see if the Town will vote to amend the Norfolk Zoning Map by adding parcel Map 14, Block 56, Lot 39 to the B-1 Inside Business Core District.

John and George Primpas, owners of Dunkin Donuts, said that they worked with Ray and submitted a warrant article to amend the Zoning Map to add the parcel next to Dunkin Donuts to the B1 Inner Zone, which is currently zoned B1 Outer. Mr. Primpas said with the only downside noted would be if residential zoning in this area was not desirable. Benefits included constructing a building that would be favorable to the town, and generate tax income. Retail with residential on top is another option.

John made a motion to recommend acceptance of this Article; Walter seconded the motion; the vote on the motion was unanimous.

Warrant Article 7– To see if the Town will vote to amend the Zoning By-laws, Section L., C-6 RESIDENTIAL / COMMERCIAL USE DISTRICT (ROUTE1A/DEDHAM STREET), by adding a new section L.8, The Hospital Redevelopment Overlay District (“HRO”), and by amending the Zoning Map to designate the boundary of the HRO district;

Audience member Jane Dewey, Everett Street, stated that she has many concerns, one is if something (i.e. setbacks) is not spelled out in the overlay, then does the underlying zoning apply; the Board informed her that the answer is yes.

It was agreed to postpone discussion of this Article to the next meeting.

Warrant Article 9 -To see if the Town will vote to amend the Norfolk Zoning Map by extending the C-3 Zoning District into a 6.1 acre parcel with 150' of frontage on Main Street (being a portion of Map 2, Block 6, Lot 3) from the R-2 Zoning District.

Ray said that the owner of the adjacent commercial property located at 364 Main Street (Camger Checical) is seeking a zoning change for a portion of the property to be used for future expansion. John said that it would be a benefit to the town as the current building right on top of water, and the plan is to take down the original plant and move it upland, away from the riverfront. Michelle asked if abutters have been notified, and was informed they have not. Greg stated that he would be concerned that they might just expand, and not shut down the part over the river. It was decided that Ray will find out how much of the existing building is coming down, and what restrictions can be put on this.

It was agreed to postpone discussion of this Article to the next meeting.

Warrant Article 10- To see if the Town will vote to adopt the revised GIS based Norfolk Zoning Map. Ray explained that no changes have been made to the zoning district lines, but small changes have been made to make the map easier to read.

Jennifer moved to recommend acceptance; John seconded the motion; the vote on the motion was unanimous.

Warrant Article 11- To see if the Town will vote to amend Section D.4 Aquifer and Water Supply and Interim Wellhead Protection Districts of the Norfolk Zoning Bylaws, by amending portions of the following subsections D.4.d.2, D.4.e.3.f, D.4.f.2, D.4.f.3, D.4.f.4, D.4.f.5 and D.4.f.6.

Ray explained that amendments to this bylaw will direct users to the most updated maps, remove unnecessary special permits, ensure that groundwater protection is part of all development proposals and removes language that creates a committee which has never met and unnecessary.

Walter moved to recommend acceptance of this article; Jennifer seconded the motion; the vote was unanimous.

Warrant Article 12 - To see if the Town will vote to amend Section F.4. Nonconforming Structures of the Norfolk Zoning Bylaws, by amending subsection F.4.b. by adding the words "OR" between the two paragraphs.

Ray explained that since each paragraph describes different situations where demolition or reconstruction can occur any of the situations may be relevant to the circumstances.

Walter moved to recommend acceptance of this Article, John seconded the motion; the vote was unanimous.

Warrant Article 13 – To see if the Town will vote to amend Section B. Definitions of the Norfolk Zoning Bylaws, by

adding a Stormwater Recharge Systems definition, an Earth Removal definition, amend Child Care Facility by removing the word "Facility" and replace with "Center", and combing all definitions from Sections D.4.c. and M.2.

Ray explained that this is a housekeeping amendment that will place all terms and definitions in one place within the Zoning Bylaw. It will also help with ensuring consistent use of terms within the bylaw.

Walter moved to recommend acceptance of this Article, John seconded the motion; the vote was unanimous.

Warrant Article 14 - To see if the Town will vote to amend D. Use Regulations of the Norfolk Zoning Bylaws by revising D.2 Schedule of Use Regulations.

Ray explained that the added language is found in Massachusetts State Law and provides better clarity.

Michelle suggested amending language to D.2.d.3 Agricultural Uses in a Residential Zone as follows: "...animal enclosures 'for such animals' shall be at least 100' from any neighboring residence."

Walter moved to recommend acceptance of this Article as amended; Jennifer seconded the motion; the vote was unanimous.

Warrant Article 15 – To see if the Town will vote to amend H. Option Zoning by revising H.2.f.3., Open Space Preservation.

Ray said that the removal of this section will allow homes to be sited using the 15' sideline setback without impacting location of future neighboring homes in the development. Currently two homes could not be sited 15' from the shared property line.

After some discussion about the proposed 15' criteria, Walter moved to recommend acceptance of the article as written; Jennifer seconded; Ray voiced concern that if this gets voted down as written, then the problem does not get solved; the vote was 2-3 against (Walter and Jennifer voted in favor, Greg, Michelle, and John voted against.).

After some discussion, **John moved to amend the article from a 15' sideline setback, to a 25' sideline setback; Michelle seconded the motion; the vote was unanimous.**

Warrant Article 16 - To see if the Town will vote to amend E. Intensity Regulations of the Norfolk Zoning Bylaws by revising E.2.h. Estate Lots.

Ray explained that currently Special Permits expire in 1 year from the date of approval. By creating new section E.2.h.5., a Special Permit for an Estate Lot shall expire 2 years from the date of approval and may be renewed by SPGA without a public hearing

Jennifer moved to recommend acceptance of this Article; Walter seconded; the vote on the motion was unanimous.

Warrant Article 17 – To see if the Town will vote to amend Section E.2 by changing the current title "Modifications" to "Additional Regulations".

Ray explained the term “modifications” does not adequately describe the information found in this subsection. E.2 Contains zoning requirements for Exempted Lots, Corner or Through Lots, Open Space opportunities, Visual Corner Clearances conversion of Retitle to a more descriptive of the information found in this subsection.

John moved to recommend acceptance of this Article; Jennifer seconded; the vote on the motion was unanimous.

Project: 32 Fredrickson Road – Estate Lot Special Permit Extension Request

Applicant: Robert and Rita Sheppard

Comments: John Weddleton recused himself from this discussion. The Board is in receipt of a request for a one year extension of the Estate lot Special Permit #2012-03 for 32 Fredrickson Road, which is due to expire on November 15, 2016.

Walter moved to accept the request for an extension of 12 months on the Special Permit #2012-03 for the Estate Lot at 32 Fredrickson Road from 11/15/16/ to 11/15/17; Jennifer seconded the motion; the vote of the motion was 4 in favor, 1 recusal.

Project: Approval of Meeting Minutes

Comments: Jennifer moved to approve the 9/13/16 meeting minutes, Walter seconded the motion. The motion carried unanimously.

Other Business:

Ray addressed the Ferne Ridge Estates Subdivision and raised the question of pulling the bond to complete the remaining work to be done since the developer is not cooperating. Michelle asked who would assume responsibility for completing the work. Ray replied that the town would have to hire and manage a contractor.

Ray informed the Board of a site visit on 10/19/16 at 11:00 am at 25 Rockwood for a potential 40B development.

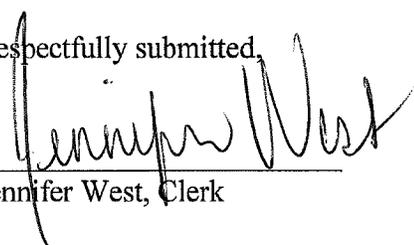
Next Meeting & Schedule

The Board scheduled a work session for 10/25/16 at 6:30 pm (this meeting was subsequently cancelled). The next regular meeting was scheduled for Thursday, November 10, 2016 at 7:00 pm.

Adjournment

Walter moved to adjourn the meeting at 9:55 pm. Jennifer seconded the motion. The motion carried unanimously.

Respectfully submitted,



Jennifer West, Clerk