

# PLANNING BOARD

1 Liberty Lane  
Norfolk, MA 02056

## MEETING MINUTES

**Date of Meeting:** Tuesday, June 13, 2017

**Place:** Town Hall Room 124

### PLANNING BOARD MEMBERS ATTENDING:

**Chairman:** John Weddleton

**Vice-chairman:** Walter Byron

**Clerk:** Kevin Kalkut

**Members:** Michelle Maheu, Gregg Damiano

**Associate Member:**

**Others:** Ray Goff/Town Planner, Betsy Fijol/Administrative Asst., Mike Zavalia/BETA Group

John called the meeting to order at 7:07 pm and informed the audience that the meeting is being audio and video taped.

### Public Hearings

**Project:** 194 Main Street - Site Plan Review for a mixed used building with associated parking and utilities, and Special Permits for pedestrian access, streetscape and build-to line, and a Stormwater Management Permit-Continued from 5/16/17

**Applicant:** Al Quaglieri/Rocco Realty II, LLC

**Comments:** John called the continued public hearing for 194 Main Street to order at 7:07 pm.

The Board is in receipt of a request for a withdrawal without prejudice of the site plan application for 194 Main Street

Walter moved to withdraw without prejudice the site plan application hearing for 194 Main Street. Gregg seconded the motion. The motion carried unanimously.

### New Business

**Stop & Shop Agreement-** Josh Alper from Sherin and Lodgen, attorney representing Stop & Shop, said that they are seeking approval of an agreement between the Stop & Shop Supermarket Company and the Town of Norfolk regarding remaining work to be done to complete Stop & Shop's portion of Liberty Lane and Meetinghouse Road and subsequent acceptance of the road. Bob McGhee, DPW Director, has provided a cost to complete in the amount of \$151,824, including a 20% contingency. Mr. Alper said that Stop & Shop has agreed to turn over those funds to the Town in order to complete that remaining work in exchange for the release of their bond in the amount of \$635,000.

David Deluca, Town Counsel, said that the proposal is reasonable and supports the request for the release of the bond.

Mr. Weddleton asked what Stop & Shop intends to do with the 5 acre parcel. Mr. Alper said that parcel is owned by Eastern Development.

Michelle asked if the snow plowing costs were included in the construction costs. Mr. Deluca said the snow plowing costs will be paid separately.

Michelle moved to release the bond for Stop & Shop in the amount of \$635,000 in exchange for the agreed upon collective payment of \$151,824 for the plowing costs construction costs remaining to finish the outstanding items from the site development plan. Kevin seconded the motion. The motion carried unanimously.

**Ferne Ridge Estates Outstanding Issues-** Mr. Weddleton said that the Board met with Lou Petrozzi, Wall Street Development Corp. on 9/13/16 to consider Mr. Petrozzi's request for a reduction of his bond from \$142,387 to \$105,899 (a reduction of \$36,938). Mr. Weddleton explained that at that meeting, the Board requested that the observation account be replenished with \$1,000. It has also come to the Board's attention that the \$2,000 per lot, for a total of \$26,000, has not been deposited into the Open Space Maintenance account as per the condition of the Open Space Special Permit and must be done prior to the reduction of the bond.

Mr. Weddleton said that it is his understanding that the snow plowing bill has been paid & Bob McGhee confirmed this.

Ray said that he worked with the developer and the neighbors to develop a tree planting plan that was acceptable to everyone, but the trees have not been planted. Mr. Weddleton asked Mr. Petrozzi what his schedule is for the tree planting. Mr. Petrozzi said he did not have a schedule.

Mr. Weddleton said that Mr. Petrozzi needs to find a place in the subdivision to plant the excess trees and the detention basin needs to be brought up to code with conifer plantings. An updated as-built plan should be provided showing the sidewalk location and elevations of the street.

Larry Petrone, 2 Spencer Lane, said that his primary concern is to get the final coat of pavement on the road. Mr. Weddleton said that the Board would like to see this as well and is in Mr. Petrozzi's hands.

Carissa Whitbread asked if they are getting shorted on trees, can they get larger caliper trees? John replied that the Planning Board requires a certain caliper tree as outlined in the regulations.

The Board will consider the request for a bond reduction if the observation account is replenished with \$1,000 and the Open Space Maintenance fee is paid. Upon presentation of the conditions for the board to release bond funds to Mr. Petrozzi, he stated that he would need to confer with his attorney.

**Toils End Farm/Fox Run Subdivision Discussion-** John Engdhal, Pulte Homes, said that deficiencies in drain line materials have been detected and they are researching options to remedy the problem. The Snap Tight System is one of the remedy options that Pulte was looking into. Pulte has enlisted the services of Analytical Engineering Inc. to conduct volume calculations on the piping.

Mr. Weddleton said Pulte should find out why the pipes are failing in order to find a correct remedy.

Mike Zavalia, BETA Group, said that he received the inspection reports and has not had the chance to review them, but said that they should also evaluate the material that is outside the pipe, both the support bedding and backfill material to see if that could be contributing to the pipe breakage. Mike also suggested doing a second round of video inspections to determine if any areas have worsened.

Mr. Engdahl said there may be potential litigation with the contractors and insurance company so things may not move as quickly as everyone would like.

Tom, representative for Fox Run Homeowners Association, requested that the sewer lines be inspected as well.

Mr. Weddleton assured the homeowners that the sewer lines will also be checked.

Pulte will coordinate an inspection schedule and drain line videotaping with BETA.

**Community Preservation Committee Representative**-Walter moved to appoint Gregg Damiano as the Planning Board's representative to the CPC. Michelle seconded the motion. The motion carried unanimously.

**Approval of Meeting Minutes**-Walter moved to accept the May 16, 2017 meeting minutes as amended. Michelle seconded the motion. The motion carried unanimously.

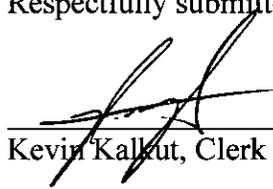
### **Next Meeting & Schedule**

The next regular meeting was scheduled for Wednesday, July 19, 2017.

### **Adjournment**

Walter moved to adjourn the meeting at 9:00 pm. John seconded the motion. The motion carried unanimously.

Respectfully submitted,

  
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Kevin Kalkut, Clerk