

PLANNING BOARD

1 Liberty Lane
Norfolk, MA 02056

MEETING MINUTES

Date of Meeting: Tuesday, April 9, 2019

Place: Town Hall Room 124

PLANNING BOARD MEMBERS ATTENDING:

Chairman: Walter Byron

Vice-chairman: John Weddleton

Clerk: Erin Hunt

Members: Gregg Damiano , Kevin Kalkut

Associate Member: Gary Searle

Others: Rich McCarthy/Town Planner, Betsy Fijol/Administrative Asst.,

Mr. Byron called the meeting to order at 7:00 pm and informed the audience that the meeting is being audio and video taped.

Public Hearings

Project: 113 North Street/"The Ox Pasture"-3 Lot Definitive Subdivision & Stormwater Management Permit-Initial Hearing

Applicant: Bryan Weiner and Ken McKenzie/Dunn McKenzie, Eric Carlson, Dana Willard, Ted Cannon/Attorney

Mr. Byron called the hearing to order at 7:05 pm for "The Ox Pasture" Subdivision at 113 North Street. Mr. Hunt read the notice of hearing into the public record.

Mr. McCarthy said that BETA did a peer review of the project and they have a meeting scheduled for tomorrow to review the outstanding issues.

Mr. Weiner presented the plan to subdivide the 10.6 acre parcel at 113 North Street into 3 lots, which consists of two existing homes and one proposed house lot. The proposed roadway/driveway is an 18' wide, 395' long private road with a grass swale for a country type drainage system that drains to a culvert and then to a natural low point on the property.

Mr. Weddleton suggested that they consult with the DPW regarding the 18' roadway. He also said that having no curbing on the side with the grass swale may undermine the pavement.

Donna Jones, North Street resident, asked if any of the rear property that abuts Stony Brook will be disturbed.

Jay Willard, son of one of the property owners, said the back property will not be touched and 2.5 acres to remain for recreation for the three property owners. Ms. Jones said Mass. Audubon appreciates that.

Mr. Hunt moved to continue the hearing to May 1, 2019 at 7:00 pm. Mr. Damiano seconded the motion. The motion carried unanimously.

Project: 7 Shire Drive Site Plan, Stormwater Mgt Permit, Earth Removal Permit & Special Permit-Initial Hearing - Initial Hearing

Mr. Byron called the hearing for the 7 Shire Drive Site Plan to order at 7:25 pm. Mr. Hunt read the notice of hearing into the record.

The Board is in receipt of a request for a continuance of the hearing.

Mr. Weddleton moved to continue the hearing to May 1, 2019 at 7:10 pm. Mr. Kalkut seconded the motion. The motion carried unanimously.

Project: Craft Beer Cellar/17 Pine Street Sign Special Permit-Initial Hearing

Applicant: Andy Lippitt

Mr. Byron called the hearing to order at 7:30 pm. Mr. Hunt read the notice of hearing into the public record.

Andy Lippett, owner of Craft Beer Cellar, explained that he is requesting a Special Permit to allow a 36 square foot building mounted storefront sign to advertise his business. He said his current storefront sign is about 125' from the nearest road and is very difficult to see. He said the 3'x12' proposed sign would be more visible than the existing 2'x10' sign. Mr. Lippitt said that he is a franchise and is required to use specific fonts.

Mr. Hunt asked why we aren't also look at the street signage. Mr. Lippett replied that is the building owner's responsibility.

Mr. Weddleton moved to close the public hearing for the Craft Beer Cellar at 17 Pine Street Sign Special Permit. Mr. Kalkut seconded the motion. The motion carried unanimously.

Mr. Weddleton moved to accept the signage for the Craft Beer Cellar at 17 Pine Street as presented. Mr. Damiano seconded the motion. The motion carried unanimously.

Project: 5 Philips Way Site Plan & Earth Removal Permit –cont'd from 3/12/19

Applicant: Jim Susi/United Consultants, John Pantonio/Applicant

Mr. Byron called the continued hearing for the 5 Philips Way Site Plan and Earth Removal Permit to order at 7:35 pm. Mr. Susi presented a partially revised site plan based upon the peer review comments. Mr. Susi explained that the number of parking spaces has been increased to the required 18 spaces and the plan now shows the required 400 square foot loading area. Mr. Susi said the dumpster area has been relocated to allow for an additional landscape island to help with the interior green space.

Mr. Byron inquired as to the snow storage location. Mr. Susi replied that that the snow storage can be located in the unused parking spaces because only about 8 of the required 18 spaces will be used.

The Board will continue this hearing to the next meeting once the revisions are finalized.

Mr. Hunt said the Design Review Board reviewed the project and commented that the building color and materials need to be added to the drawings.

Mr. Hunt moved to continue the hearing to May 1, 2019 at 7:20 pm. Mr. Damiano seconded the motion. The motion carried unanimously.

Project: 134 Main Street Site Plan & Special Permits-Cont'd from 3/12/19

Mr. Byron called the continued public hearing for 134 Main Street to order at 7:40 pm.

The Board is in receipt of a request for a continuance of the 134 Main Street hearing.

Mr. Hunt moved to continue the hearing for 134 Main Street to May 1, 2019 at 7:30 pm. Mr. Damiano seconded the motion. The motion carried unanimously.

Project: 273 Dedham Street Site Plan & Stormwater Management Permit – Cont'd from 3/12/19

Applicant: Lisa Whelan/Gelerman and Cabral, Jim Susi/United Consultants, Tim O'Toole & Curt Maloof/Owners

Comments: Mr. Byron called the continued public hearing to order at 7:50 pm for the 273 Dedham Street Site Plan and Stormwater Management Permit.

Mr. Susi explained that all of the revision have been completed based upon the prior peer review and comments from the last meeting.

Ms. Whelan explained that they have submitted a Special Permit application with the Zoning Board of Appeals to allow parking in the front of the building and that hearing is on May 1, 2019.

Mr. Susi said that he has prepared an ANR plan to combine lots 4 & 5 and that will be submitted next week. Mr. Susi presented the architectural plans and said they have met with the Design Review Board. Mr. Hunt said the DRB commented that colors and materials should be noted on the plans.

Mr. Hunt moved to continue the hearing for 273 Dedham Street to May 1, 2019 at 7:40 pm. Mr. Kalkut seconded the motion. The motion carried unanimously.

Project: Cranberry Heights Definitive Open Space Subdivision-Cont'd from 3/12/19

Applicant: John McTernan and Howard Bailey for Bella Rosa Stables, LLC, Steve O'Connell/Andrew Survey & Engineering

Comments: Walter called the continued public hearing to order at 8:07 pm for the Cranberry Heights Definitive Open Space Subdivision.

Mr. McTernan explained that they reached an agreement and the town is going to extend the 12" water main through the Lawrence Street bridge project. He said if water pressure allows, they would pick up the 12" water main from the Lawrence Street bridge project and bring it to the corner of Cranberry Meadow Road, run an 8" main down Cranberry Meadow, through the proposed development to Eagle Drive and out to Lawrence Street, then run a 12" main back down Lawrence Street to the bridge. Mr. McTernan said they agreed to reclaim the

portion of Lawrence Street from the bridge project to Cranberry Meadow and base coat it with a monolithic berm and do the same to Cranberry Meadow and Eagle Drive.

Mr. McTernan said they are also proposing to reduce the open space maintenance fund contribution from \$2,000 per lot to \$10,000 and have an HOA and contribute annually to the open space.

Mr. McTernan said he received a letter this morning from the Board of Health that would require the applicant to meet with the Board of Health before any site preparation work begins to discuss the need for pre-construction testing of wells currently servicing homes on lots that abut the proposed subdivision based upon the likelihood that blasting will be required to prepare the site for roadway and/or home construction. He said they have to abide by all state and local regulations pertaining to blasting and feels they are offering a solution to a difficult area with contamination from the Buckley Mann property by providing town water to an area served currently only by private wells.

Mr. Weddleton asked if they submitted a blasting plan. Mr. McTernan replied that they did not. Mr. Weddleton said he is concern about the neighboring wells because there is a contaminated site nearby and there is going to be blasting and the Board of Health's jurisdiction is groundwater. Mr. Weddleton suggested that they schedule a meeting with the Board of Health to go over the blasting. Mr. McTernan said that are not anticipating any blasting except perhaps in the area of the cul de sac of the proposed subdivision.

Mr. McTernan said they thought they were helping solve the problem across the street by providing town water to the neighbors and are not willing to go to the Board of Health. Mr. McTernan submitted a letter requesting that the Cranberry Heights Definitive Subdivision application be withdrawn with prejudice.

Mr. Byon read the letter requesting that the Cranberry Heights Subdivision be withdrawn with prejudice into the public record.

Donna Jones asked what "with prejudice" means. Mr. McCarthy said it means that the applicant cannot come back with the project within two years unless the Board agrees.

Mr. Hunt moved to withdraw the application for subdivision approval for Cranberry Heights with prejudice per the letter from John McTernan dated 4/9/19. Mr. Kalkut seconded the motion. The motion carried unanimously.

Project: 102 Cleveland Street/15 Fruit Street-Estate Lot Special Permit & ANR Plan-Cont'd from 3/12/19

Applicant: John Glossa/Glossa Engineering, Domenick Rossi/Applicant

Mr. Byron called the continued hearing for the 102 Cleveland Street/15 Fruit Street Estate Lot Special Permit to order at 8:25 pm. The Board is in receipt of a request for a continuance of the public hearing.

Mr. Hunt moved to continue the hearing for the 102 Cleveland Street/15 Fruit Street Estate Lot Special Permit to May 1, 2019 at 7:50 pm. Mr. Damiano seconded the motion. The motion carried unanimously.

Other Business

Bristol Pond Estates-Discuss Completion of Subdivision

Mr. McCarthy said that he has had some back and forth correspondence with one of the subdivision owners, Mike Razzano, who indicated that they are in the position to move forward to finish the subdivision once the last 2 lots are sold. There is a performance bond in place in the amount of \$237,000. The last cost to complete, prepared by PSC, was done in October 2012. Mr. McCarthy said that original subdivision approval included an extensive amount of plantings on private lots and the developer would need to request a subdivision modification in order to not do the plantings. Mr. McCarthy said he has heard from several of the residents with concerns about the subdivision completion.

Mr. Weddleton said that the Board should get an updated cost to complete and insist the developer attend the next Planning Board meeting.

Jeff Kane commented that the planting season is quickly coming to an end and the planting schedule should be aggressive in order to avoid missing out on another growing season. Mr. Kane said that to his knowledge, the stormceptor units and infiltration areas have never been maintained.

Charles Iacono, 18 Bristol Pond Drive, expressed concern about the completion of the common landscaping area at the subdivision entrance.

The Board will continue this discussion at the May 1, 2019 meeting.

Tailwind Circle/Norfolk Landing Subdivision-Review & Endorse As-built Plan for Street Acceptance and Request for Bond Reduction from \$109,125 to \$26,625

Mr. McCarthy explained that Tailwind Circle will be on the Town Meeting warrant for street acceptance subject to completion of the punch list items in the BETA report dated 3/29/19 and some outstanding items for the DPW. He said he has a site meeting scheduled.

Mr. Hunt moved to recommend acceptance of Tailwind Circle at the Annual Town Meeting, subject to completion of the punchlist items outlined in the BETA report 3/29/19 for the Tailwind Circle As-built review. Mr. Damiano seconded the motion. The motion carried unanimously.

Mr. Weddleton moved to reduce the bond for Tailwind Circle/Norfolk Landing Subdivision from \$109,125 to \$26,625. Mr. Kalkut seconded the motion. The motion carried unanimously.

Island Lighting & Power/14 Shire Drive-Discuss Interim As-built & Modification to obtain Permanent Certificate of Occupancy

Rick Goodreau, United Consultants, presented the as-built plan for Island Lighting & Power at 14 Shire Drive and explained that in April 2017, he was before the Board with an interim as-built and they were allowed to move into the building with a temporary occupancy. Since that time, all of the outstanding work has been completed and they are requesting permanent occupancy. Mr. Goodreau outlined the departures from the original approved site plan. He explained that the approved site plan included 2-roof structures that have not been constructed and do plan on constructing them in the future.

The Board agreed that a final as-built plan can be submitted for a final close out of the site when the other 2 structures are constructed.

Mr. Hunt moved to approve a minor modification to accept the departures as listed on the as-built plan and to recommend that a final Certificate of Occupancy be granted for the main building. Mr. Kalkut seconded the motion. The motion carried unanimously.

Norway Farms Subdivision-Discuss Utility Layout

Rob Cain presented a proposed detailed utility layout plan that Eversource has requested and said that he is proposing to plant ornamental grasses around the three sides of the transformers.

The Board explained that they did not need to approve this and it was good to go.

5 Shire Drive (Lot 22 Shire Industrial Park) Site Plan, Stormwater Mgt & Earth Removal Permits, Special Permit for Outdoor Storage-Review & Approve Decisions

Mr. Kalkut moved to approve the Site Plan/Special Permit Decision #2018-08 for 5 Shire Drive. Mr. Weddleton seconded the motion. The motion carried unanimously.

Mr. Kalkut moved to approve the Earth Removal Permit for 5 Shire Drive. Mr. Weddleton seconded the motion. The motion carried unanimously.

3 David Road Site Plan & Earth Removal Permit-Review & Approve Decisions

Mr. Hunt moved to approve the Site Plan Decision #2018-07 for 3 David Road. Mr. Weddleton seconded the motion. The motion carried unanimously.

Mr. Hunt moved to approve the Earth Removal Permit for 3 David Road. Mr. Weddleton seconded the motion. The motion carried unanimously.

Approval of Meeting Minutes

Mr. Hunt moved to approve the 2/12/19 & 3/12/19 meeting minutes. Mr. Kalkut seconded the motion. The motion carried unanimously.

Town Planner Updates

Mr. McCarthy said the Town Center Grant Community Meeting is being held on April 11, 2019 @ 7:00 pm at Freeman Kennedy School.

Mr. McCarthy said that the Complete Streets Prioritization Plan has been submitted to the state and are waiting to hear back.

Next Meeting & Schedule

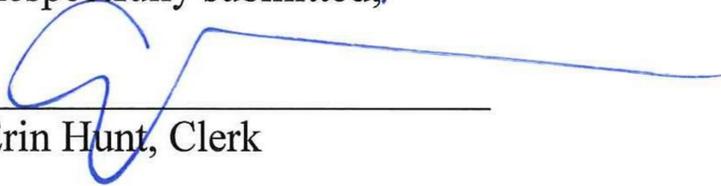
Mr. Hunt moved to schedule the next regular meeting for Wednesday, May 1, 2019 at 7:00 pm. Mr. Damiano seconded the motion. The motion carried unanimously.

The Board set a meeting schedule for 2019 and will typically meet on the second Tuesday of every month. The 2019 dates are as follows: May 1, June 11, July 9, Aug 13, Sept 10, Oct 8, Nov 12, Dec 10.

Adjournment

Mr. Weddelton moved to adjourn the meeting at 9:30 pm. Mr. Hunt seconded the motion. The motion carried unanimously.

Respectfully submitted,



Erin Hunt, Clerk