

PLANNING BOARD

1 Liberty Lane
Norfolk, MA 02056

MEETING MINUTES

Date of Meeting: Monday, October 28, 2019

Place: Town Hall Room 124

PLANNING BOARD MEMBERS ATTENDING:

Chairman: Walter Byron

Vice-chairman: John Weddleton (absent)

Clerk: Gary Searle

Members: Erin Hunt, Chad Peck

Associate Member: Peter Svalbe

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

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

Public Hearings

Public Hearing for Zoning Bylaw amendments for Fall Town Meeting – Site Plan Approval Modifications & Zone II for Holbrook Street Well

Mr. Byron called the public hearing for Zoning Bylaw amendments for Fall Town Meeting – Site Plan Approval Modifications & Zone II for Holbrook Street Well to order at 7:00 p.m. Mr. Searle read the Notice of Hearing into the public record.

Mr. Byron explained that Mr. Weddleton is not present this evening as he is a property owner that abuts the B-1 Zoning District and therefore recused himself from the hearing.

A considerable amount of input, both pro and con, was offered by members of the public as each of the proposed articles was discussed and debated prior to a vote to support the article at the November 7th Town Meeting was taken. As these proposed Zoning Articles are to appear on the Warrant for the upcoming November 7th Town Meeting, they are of great interest to the public and to the Select Board, two of whom were present, and the Town Administrator, who also was present.

The articles and recommendations are as follows:

1. To see if the Town of Norfolk will vote to amend Section F.7.b.1.a. of the zoning bylaws by changing the minimum number of parking spaces from 1.5 to 1 per unit; or take any other action relative thereto.

Mr. Peck moved to remove this article from the warrant. Mr. Searle seconded the motion. The motion carried unanimously.

Mr. McCarthy explained that the following articles 2-8 were recommendations from the study the Town undertook with the Metropolitan Area Planning Council (MAPC). The objective of the study was to evaluate the B-1 to see if there were barriers to create a vibrant mixed use Town Center. The overall goals being encourage property owners to invest and reinvest in Norfolk Town Center. The study evaluated a broad range of zoning requirements such as; setbacks, heights, parking requirements and other parameters.

2. To see if the Town of Norfolk will vote to amend Section I.4.a.1. of the zoning bylaws by deleting the following strikethrough language and inserting the new language in bold print.

I.4.a.1. Building Scale. ~~No Building FOOTPRINT, other than a GROCERY STORE, Municipal BUILDING, or VARIETY STORE, shall exceed 15,000 square feet. No GROCERY STORE or VARIETY STORE FOOTPRINT shall exceed 50,000~~ **20,000** square feet. No Municipal BUILDING FOOTPRINT shall exceed 30,000 square feet.

Mr. Hunt moved to support this article. Mr. Peck seconded the motion. The motion carried unanimously.

3. To see if the Town of Norfolk will vote to amend Section I.4.a.6. of the zoning bylaws by deleting the following strikethrough language and inserting the new language in bold print.

I.4.a.6. Building Height and Facade. Within the B-1 District BUILDING HEIGHT shall not be more than ~~forty (40) feet~~ **forty six (46) feet** in height to the **mean level of the highest gable or slope of a hip roof.** ~~peak of the roof unless otherwise provided for by the Planning Board through a site plan approval process. In such cases, BUILDING HEIGHT may be extended up to forty six (46) feet to the peak of the roof for the purpose of accommodating pitched roof lines, but in no case shall the height exceed three~~ **and a half (3 1/2)** stories as measured from the street facing finish grade of the building or structure, including the third **and half** story within the pitched roof. All buildings shall have a pitched roof, or the look of a pitched roof (with a minimum of a 5:12 pitch) and consistent with architecture prevalent within Town Center. In the event that a flat roof is desired, the building shall have the look of a pitched roof, from the front, sides, and the rear, depending upon what may be visible from the street.

Mr. Hunt moved to support this article. Mr. Peck seconded the motion. The motion carried, 3-1 (Mr. Byron was opposed).

4. To see if the Town of Norfolk will vote to amend Section I.4.a.11. of the zoning bylaws by deleting the following strikethrough language and inserting the new language in bold print.

I.4.a.11. Residential Density. ~~Residential DWELLING UNITS, except for ASSISTED LIVING FACILITIES, shall not have more than two bedrooms per unit. Residential densities, except for~~

~~ASSISTED LIVING FACILITIES~~, shall not exceed the ratio of sixteen **units per acre, unless otherwise provided by Special Permit by the Planning Board through a site plan approval process. ~~bedrooms for any single LOT or entire PMLD except by special permit.~~ Residential densities for ~~ASSISTED LIVING FACILITIES~~ shall not exceed the ratio of 16 bedrooms per acre for any single LOT except by ~~Special Permit by the Zoning Board of Appeals.~~**

Mr. Hunt moved to support this article. Mr. Peck seconded the motion. The motion carried unanimously.

5. To see if the Town of Norfolk will vote to amend Section I.4.b.1.A. of the zoning bylaws by deleting the following strikethrough language and inserting the new language in bold print.

I.4.b.1.A. No BUILDING, STRUCTURE, Use, PARKING AREA, driveway, vehicle circulation area, or other vehicle access way shall be located less than 50 feet from an adjacent parcel within a Residential Zoning District unless otherwise provided by Special Permit by ~~the Zoning Board of Appeals.~~ **Planning Board.**

Mr. Hunt moved to support this article. Mr. Searle seconded the motion. The motion carried unanimously.

6. To see if the Town of Norfolk will vote to amend Section I.6.a. of the zoning bylaws by deleting the following strikethrough language and inserting the new language in bold print.

I.6.a. Shared Parking. Where the APPLICANT demonstrates to the Planning Board through the Site Plan Approval process that **the combination of uses on the site are non-peak demand for parking spaces and not needing the number of required parking spaces, up to thirty percent (30%) of the minimum amount of the parking spaces may be waived.** ~~or parking spaces within the STREET within the B-1 District can be utilized by more than one use located within 500 feet of the entrance of the principal BUILDING, STRUCTURE, or use of the premises, such that vehicles occupying a particular number of spaces are unlikely to require the use of those spaces at the same time of day or the same day of the week, the immediate construction of up to 30% of a parking area may be postponed, provided: (i) adequate land area is reserved for additional parking should it be needed in the future, (ii) the area reserved for future parking is shown on the site plan, (iii) no BUILDING or STRUCTURE may be placed on any area reserved for future parking, (iv) surety or other means of performance assurance in a form and amount acceptable to the Planning Board is given to the Town to insure that such additional parking area (including drainage and landscaping) will be constructed if needed, and (v) as a condition of postponing such construction, the Planning Board shall review the adequacy of the parking area every three years after endorsement of the site plan, or more frequently upon request of the Zoning Enforcement Officer, and certify that the number of parking spaces provided continues to be sufficient having regard for the actual uses of the site. The Planning Board shall be the determining authority regarding the future need of such parking.~~

Mr. Hunt moved to support this article. Mr. Peck seconded the motion. The motion carried unanimously.

7. To see if the Town of Norfolk will vote to amend Section I.7. and I.7.a. of the zoning bylaws by deleting the following strikethrough language and inserting the new language in bold print.

In Section I.7:

I.7. Uses Permitted and Regulated in the B-1 District

No BUILDING, STRUCTURE or land in the B-1 District shall be used for any purpose or in any manner other than as set forth in this section. Any use not specifically listed in Section I.7.a. and I.7.b. is prohibited. **A B-1 Business Core project shall be mixed-use with a combination of any allowed and/or special permit uses that may contain Residential DWELLINGS UNITS, other than a SINGLE FAMILY DWELLING, and appurtenant residential uses, except on the ground floor of PRINCIPAL BUILDING(S). A minimum of one (1) PRINCIPAL BUILDING with a non-residential ground (street grade) floor shall be located within the BUILD-TO LINE. For a site plan with multiple buildings, additional PRINCIPAL BUILDING(S) shall be located within the BUILD-TO LINE to fill the primary street frontage(s). A site plan with a full frontage of PRINCIPAL BUILDING(S) is allowed SECONDARY BUILDING(S) to be located outside of the BUILD-TO LINE, but these are to be constructed after the PRINCIPAL BUILDINGS are completed.**

In Section I.7.a:

I.7.a. Allowed Uses

- ADULT DAY CARE ancillary to an ASSISTED LIVING FACILITY;
- Art Galleries and Studios;
- ASSISTED LIVING FACILITIES if on a LOT with an existing ground elevation at the proposed BUILDING at or above 255 feet elevation, mean sea level (1927) datum;
- Automatic teller machines;
- Bakeries;
- Banks;
- CHILD CARE FACILITY; (added 5/9/17)
- Coffee shops;
- Collection center for dry cleaning and laundry drop-off;
- CONVENIENCE STORES;
- CRAFT WORKSHOP;
- Cultural Center, symphony hall or other place for the Community's or the Public's enjoyment of indoor or outdoor musical, dramatic, or artistic performances; amphitheaters;
- Dance, exercise and aerobic studios, martial arts studio;
- Delicatessens;
- Electric Vehicle Recharger Facilities;
- FARMER'S MARKETS;
- Funeral home;

- GROCERY STORE;
- HARDGOOD sales stores;
- Historical or cultural society;
- JOB PRINTING;
- Laundromats;
- Licensed INN or HOTEL;
- LIMITED USED MOTOR VEHICLE SALES;
- Medical, Dental and Optical Clinics;
- Meeting Rooms or BUILDINGS Accessory to ASSISTED LIVING FACILITIES;
- Mixed use comprised of any of the Allowed uses;
- Municipal BUILDINGS;
- Offices and Office BUILDINGS;
- Open Space, village greens and squares;
- Parking lot as Principal Use as part of a Planned Multi-Lot development, except on corner LOTS;
- Post office;
- Private Schools (for profit);
- Public transit facilities including stations and platforms;
- Residential DWELLINGS UNITS, **other than a SINGLE FAMILY DWELLING. No residential dwelling units shall be allowed on the ground (street grade) floor of PRINCIPAL BUILDING(S) located within the BUILD-TO LINE. For a site plan with multiple buildings, additional PRINCIPAL BUILDING(S) shall be located within the BUILD-TO-LINE to fill the primary street frontage(s). SECONDARY BUILDING(S) not located within the BUILD-TO LINE may be one hundred percent (100%) residential including dwelling units on the ground floor. In the B-1 Business Core, at fifteen percent (15%) of ten (10) or more dwelling units shall be affordable to those earning less than eighty percent (80%) of the area median income (AMI), which supersedes the ten percent (10%) requirement of Section H.3.d.1.a, all other requirements of Section H.3. shall be followed as part of a commercial site plan where the square footage of residential dwelling units consists of 65% or less of the total combined square footage of the residential and commercial structures(s) and the footprint of residential structure(s) is equal to or less than the footprint of the commercial structure(s), provided that the commercial structure is constructed prior to residential occupancy.**
- Residential DWELLING UNITS located above the ground floor of BUILDINGS. provided that the ground floor is constructed for, and limited to, business or commercial uses prior to residential occupancy;
- RESTAURANTS;
- RETAIL SALES;
- RETAIL SERVICES;
- SOFTGOOD sales stores;
- TAKE OUT RESTAURANTS;
- Theaters; movie cinemas;
- VARIETY STORE;
- Video conferencing and/or conference facility.

Mr. Hunt moved to support this article. Mr. Peck seconded the motion. The motion carried unanimously.

8. To see if the Town will vote to amend Section B. DEFINITIONS of the zoning bylaws by adding definitions for BUILDING PRINCIPAL and BUILDING SECONDARY; or take any other action relative thereto.

Mr. Hunt moved to support this article. Mr. Searle seconded the motion. The motion carried unanimously.

9. To see if the Town will vote to amend multiple sections of Section F.11. SITE PLAN APPROVAL; or take any other action relative thereto.

Mr. McCarthy explained that over the past 10 years the Planning Board has approved 29 site plans around town giving the Board a good body of work in order to evaluate site plan approval process. The intent of the changes is to clarify language to make it clearer to the reader, remove subjective criteria, provide a tiered review based on the scope of work, and add a second professional to the review process.

Mr. Hunt moved to support this article. Mr. Peck seconded the motion. The motion carried unanimously.

10. To see if the Town of Norfolk will vote to amend Section F.7.e of the zoning bylaws by deleting the following strikethrough language and inserting the new language in bold print.

The proposed change swaps the Planning Board for the Zoning Board of Appeals in order to coordinate efforts when someone is seeking site plan approval through the Planning Board.

Mr. Hunt moved to support this article. Mr. Searle seconded the motion. The motion carried unanimously.

11. To see if the Town will vote to amend Section D.4.d.2. Water Supply Protection District of the Norfolk Zoning Bylaw, by amending the date of the Zoning Map and amend the boundaries of the Water Supply Protection District; or take any other action relative thereto.

Comments: Mr. McCarthy explained that the Town of Norfolk has been in an extensive permitting process to design and permit the Holbrook Street well. The well is for redundancy purposes. Once on line it will help rest other two town wells in accordance with the Town's gr. The Zone II is the area where groundwater collects which serves as the water source for the well. The mapped Zone II before Town Meeting has been reviewed by the DEP and awaiting Town approval.

Mr. McCarthy said that in order for the Town to get the Holbrook Street operational, the Zone II for that well needs to be added to the zoning map and adopted at town meeting. Mr. Byron asked what this means for the existing residences in that area. Mr. McCarthy explained that this relates to septic systems for new construction and a lot would require 10,000 square feet per bedroom. For example, a proposed 3 bedroom home would require a lot size of 30,000 square feet. An existing home would be grandfathered for the number of bedrooms that already exist and the 10,000 square feet per bedroom would only come into play if they were looking to increase the design flow of their septic system.

Mr. Peck suggested that a picture be provided at town meeting with the before and after zoning maps for a side by side comparison.

Chris Henry, 33 Boardman Street, asked if we know how many homes will be affected by this new Zone II and feels they should be notified prior to town meeting.

Mr. Hunt moved to support this article at town meeting. Mr. Peck seconded the motion. The motion carried unanimously.

12. To see if the Town will vote to amend Section C.2.a. of the Norfolk Zoning Bylaw, by amending the date of the Zoning Map and amend the boundaries of the Water Supply Protection District; or take any other action relative thereto.

Mr. McCarthy explained that the change will add the Holbrook Street Zone II to the existing zoning map. For land under the boundaries of the Zone II it will be regulated by Aquifer and Water Supply and Interim Wellhead Protection District section of the zoning bylaws. This change will make sure our bylaw reflects the most up to date changes to the Zoning Map.

Mr. Hunt moved to support this article at town meeting. Mr. Searle seconded the motion. The motion carried unanimously.

Mr. Hunt moved to recommend that all the B-1 zoning articles be bundled into one article at Town Meeting. Mr. Searle seconded the motion. The motion carried, 3-1 (Mr. Byron was opposed).

New/Old Business

Winding Hollow Subdivision/Nichols Way-Request for Bond Reduction from \$21,319 to \$2,681.25

Mr. McCarthy explained that BETA Group provided a cost to complete in the amount of \$2,681.25.

Mr. Hunt moved to reduce the current bond for Winding Hollow Subdivision/Nichols Way from \$21,319 to \$2,681.25. Mr. Searle seconded the motion. The motion carried unanimously.

Discuss & vote to move forward with potential Street Acceptance for Fall Town Meeting-Tailwind Circle, Westfield Drive, Saddle Ridge Way, Silver Fox Lane, Meetinghouse Road & Liberty Lane (portion)

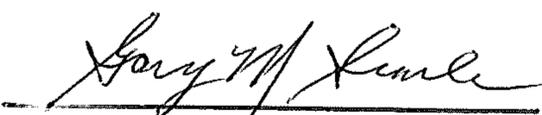
Mr. McCarthy explained that Westfield Drive is not ready to move forward with street acceptance at this time because there is one abutting property owner who is not ready to sign over the roadway deed until they receive permitting for the demolition and construction of a new house on River Road.

Mr. Hunt moved to recommend acceptance at Fall Town Meeting of the following streets: Tailwind Circle, Saddle Ridge Way, Silver Fox Lane, Meetinghouse Road & a portion of Liberty Lane. Mr. Searle seconded the motion. The motion carried unanimously.

Adjournment

Mr. Hunt moved to adjourn the meeting at 11:15 pm. Mr. Searle seconded the motion. The motion carried unanimously.

Respectfully submitted,



Gary Searle, Clerk