

PLANNING BOARD

1 Liberty Lane
Norfolk, MA 02056

MEETING MINUTES

Date of Meeting: Tuesday, March 10, 2020

Place: Town Hall Room 124

PLANNING BOARD MEMBERS ATTENDING:

Chairman: Walter Byron

Vice-chairman: John Weddleton

Clerk: Gary Searle

Members: Erin Hunt, Chad Peck

Associate Member: Peter Svalbe

Others: Rich McCarthy/Town Planner, Betsy Fijol/Executive Assistant, Phila Paradis/BETA Group

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.

Project: 6 Hill Street Site Plan, Special Permit for Outdoor Storage, Stormwater & Earth Removal Permits –
Cont'd from 1/14/20

Applicant: Nathaniel Hunter, Ted Cannon

Mr. Byron called the continued hearing to order for 6 Hill Street at 7:20 pm. Peter Svalbe recused himself from the hearing as a Board member.

Mr. Cannon explained that they do not have revised plans to present, but hope to have them ready for the next meeting. He said it is proposed to remove the salt storage from the site, which will cut down on the height of the storage structure and off hour truck traffic. With this substantial change in the site plan, Mr. Cannon asked if the Board would reconsider the requirement for an impact study. He also requested that the Board approve two very specific tenants to operate in the building and provided the information on those tenants.

Mr. Weddleton said that he respectfully disagrees with the Zoning Enforcement Officer's determination on the use of the building as Commercial Service, rather than Contractor's Headquarters. He expressed concern that the use of the building would have a detrimental effect on the residential neighborhood. Mr. Cannon argued the fact that the property is located within a commercial zoning district.

Mr. McCarthy said the Board should get further determination from the Zoning Enforcement Officer on the use of the building.

Elizabeth Whitney, 26 Valley Street, in 2013, a zoning bylaw was passed at town meeting to allow residential development by special permit in this area and is concerned with any commercial development. She said it is important to have a very in-depth impact study done for this site.

Peter Svalbe, 58 Everett Street, respectfully requested that there be an impact study done to include a study on noise and overnight maintenance, including the two new tenants. Mr. Svalbe also requested that the evergreen plantings along the rear property line be included on the site plan and documented and asked for an interpretation on the screening of the outdoor storage facility.

Mr. Byron said that there has been some inquiries and confusion on the 4 & 6 Hill Street lots and asked Mr. McCarthy to explain the situation and where we stand with the matter.

Mr. McCarthy explained that there has been confusion and issues with 4-6 Hill Street that go back to 1979. The owner at the time, Mary Gould applied for a variance to put a 50 foot addition onto the building. The addition was never constructed. Thus, she never exercised the variance which would have required the 1979 ANR plan be recorded at the Norfolk Registry of Deeds. Unfortunately, the Board of Assessors changed the tax maps based on a plan that was not recorded. The deeds and plans are confusing related to this property.

4 Hill Street lot was created by an ANR plan from May 12, 1954. A single family home was built on the lot in 1950 by Henry and Patricia Plummer. Mary Gould bought the house August 13, 1973. On November 11, 2016 Mary Gould sold 4 Hill Street to ILP Realty, LLC. Each time the house was sold it was deeded from the 1954 Plan. When Mary Gould sold 4 and 6 Hill Street to ILP Realty, LLC., it was from one deed with two plan references.

6 Hill Street was purchased by Mary Gould in March 27, 1972 from Samuel and Marjorie Knight. The description of the land she bought is Lot 1 and Lot 2 on the 1976 ANR plan excluding 4 Hill Street. In 1976 Mary Gould had ANR plan approved that created Lot 1 and Lot 2. In hindsight, Lot 2 should have excluded 4 Hill Street since it has been conveyed several times from the 1954 plan.

Mr. McCarthy went on to say that, in particular with the Assessor's Office, the cloudiness of 4 and 6 Hill Street can be cleared up by endorsement of a newly submitted ANR plan.

Mr. Cannon said that there is no hearing process for an ANR plan and objects to any debate on the subject.

Al Quaglieri commented that when this site plan was submitted, there was no ANR plan submitted. He said that the 1954 plan went away when the 1976 plan was recorded that shows the property as one lot. He went on to say that the site plan was based upon the lots shown on the 1954 plan and the applicant is trying to show that this is a pre-existing non-conforming use and their submittal would be expanding that use. He said that the 4 Hill Street lot should not have been included on the site plan.

Mr. Cannon reiterated that he objects to this debate.

Mr. Hunt moved to continue the hearing for the 6 Hill Street site plan to April 14, 2020 at 7:00 pm. Mr. Searle seconded the motion. The motion carried unanimously.

Project: 7 Philips Way/19 Shire Drive – Site Plan, Special Permit, Stormwater Mgt & Earth Removal Permits-Cont'd from 2/11/20

Mr. Byron called the continued public hearing to order at 7:35 pm for the 7 Philips Way (now known as 19 Shire Drive) site plan, stormwater management permit and earth removal permit.

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

Mr. Hunt moved to continue the hearing for the 7 Philips Way (now known as 19 Shire Drive) site plan, stormwater management permit and earth removal permit to April 14, 2020 at 7:15 pm. Mr. Searle seconded the motion. The motion carried unanimously.

Project: 360 Main Street/Camger Coatings Site Plan, Stormwater Management & Earth Removal Permits-Continued from 2/11/20 & Initial Special Permit Hearing for Parking in the Front Yard and Reduction in the required number of parking spaces.

Applicant: Dan Iannuzzi, Katie Enright/Howard Stein Hudson, Patrick Kennedy/SPEC Process Engineering & Construction, Inc.

Mr. Byron called the continued public hearing to order for 360 Main Street/Camger Coatings Site Plan, Stormwater Management & Earth Removal Permits and the initial Special Permit hearing at 7:45 pm.

Mr. Searle read the Notice of Hearing for the Special Permit for 360 Main Street for parking in the front yard and a reduction in the required number of parking spaces in + to the public record.

Ms. Enright presented the revised site plan based upon comments from the last meeting and peer review comments. She explained that they have added a Special Permits related to parking for the proposed project. Ms. Enright explained a Special Permit is requested to allow parking in the front yard to accommodate the loading dock in the front of the building. A Special Permit is also requested to not pave the full amount of spaces required by the zoning bylaws because the applicant does not believe they need that number of spaces. She said they have the ability to build those spaces on the lot but are requesting to not pave 16 of the 45 required spaces.

Ms. Enright said they have had conversations with the Fire Chief and he is comfortable with fire access to the project but are awaiting something in writing from him. The Design Review Board has reviewed the project and had some comments regarding the façade along the front of the roofline to add some vertical elements to bring the roofline up a little bit and to add some elements to bring the barn aspect to the project. She said they are in receipt of BETA's peer review memo and are in the process of addressing their comments for the next meeting. Ms. Enright explained that they will be scheduling confirmatory soil testing as some of the drainage structures have moved around a little bit and for the septic system at the front of the site.

Mr. Kennedy presented the architectural renderings for the proposed building, which mimics a barn type structure in keeping with the area. He said they had some concerns regarding the DRB's request to extend the façade up in the front and that it may not look architecturally appealing and asked if the Planning Board is willing to work with them on that.

Ms. Enright presented a new list of waivers for the project and reviewed those with the Board.

Mr. Searle moved to continue the hearing to 4/14/20 at 7:30 pm. Mr. Peck seconded the motion. The motion carried unanimously.

New/Old Business

Norway Farms Subdivision-Request for Bond Reduction

Mr. McCarthy explained that the developer, Rob Cain, has requested a reduction in the current subdivision bond for items that he has completed. The Board is in receipt of a cost to complete from the DPW in the amount of \$274,393.

Mr. Searle moved to reduce the existing bond for Norway Farms Estate from \$290,391 to \$274,393. Mr. Peck seconded the motion. The motion carried, unanimously.

Wrights Farm Road/The Preserve at Keeney Pond – Request for curbing modification

Mr. Weddleton recused himself from the discussion as a Planning Board member because he is the applicant and Mr. Peck recused himself because he is a property owner on the street.

Mr. Weddleton explained that he is requesting a minor modification of the approved subdivision plan to change the curbing on Wrights Farm Road from sloped granite to monolithic berm as that is the preferred curbing of the DPW.

Mr. McCarthy said that a notice of the discussion was sent to all the property owners on the street, but there were none present.

Mr. Hunt moved to accept this request as a minor subdivision modification. Mr. Searle seconded the motion. The motion carried, 3-0.

Mr. Hunt moved to allow the modification of the curbing on Wrights Farm Road from sloped granite to monolithic berm. Mr. Searle seconded the motion. The motion carried, 3-0.

Sidewalk Discussion with Barry Lariviere

Mr. McCarthy explained that the Board previously discussed the policy for developers to contribute funds into a sidewalk account in lieu of the construction of a second sidewalk within a subdivision in order for the town to use these funds to construct sidewalks elsewhere in the town.

Mr. Lariviere said that the current policy is \$10 per linear foot and feels this is a little low. He said that moving forward they would like to adjust that policy. He said to replace an existing sidewalk costs the town about \$55 per linear foot. Mr. Lariviere explained that Norfolk has about 40 miles of sidewalk in town and tree root intrusion is a big problem.

Mr. Lariviere had provided a draft sidewalk policy and the Board will tweak the draft and discuss at the next meeting.

Al Quaglieri commented that he did not agree with that \$55 figure. The Board will look at a price comparison before making a decision.

Nathaniel Hunter said he agrees that figure is high. The Board will continue this discussion at the next meeting.

75 Cleveland Street-Right of First Refusal

John and Nancy Nolan explained that they are the potential purchasers of the property at 75 Cleveland Street, which is a 20 acre parcel of land and they'd like to subdivide the property into two lots for them and their daughter. There is an existing house, but that would need to be razed in order to do what they'd like to do.

Mr. McCarthy said that the property is in Chapter 61 B for forestry and there has been an offer to purchase the property which gives the Town of Norfolk the right of first refusal for up to 120 days to see if the town wants to purchase the property. He said that the CPC has passed on the property due to the wetlands that restrict the use of the property, but it does abut property previously acquired by the CPC and open space land as part of the Fern Ridge subdivision.

Nancy Nolan said that she has been in contact with Betsy Pyne of the Historical Commission and they have decided that it is not feasible for them to do anything with the existing home on the property.

The Planning Board agreed to send a letter to the Select Board that it is the recommendation of the Planning Board that the town pass on acquiring this property.

Oak Hill Realty/Stony Ridge Estates (Beaverbrook Ln, Blueberry Ln, Stony Rd)

Mr. McCarthy explained that the bank released the remaining bond (\$2,761) to developer of unaccepted roads without authorization from Planning Board. He said the Board should vote to accept these funds back from developer to use towards street acceptance.

Mr. Hunt moved to accept \$2,761 back from the developer of Oak Hill Realty/Stoney Ridge Estates to use toward street acceptance. Mr. Peck seconded the motion. The motion carried unanimously.

Meeting Minutes

Mr. Searle moved to approve the 2/11/20 minutes as amended. Mr. Hunt seconded the motion. The motion carried, 4-0 (Mr. Weddleton was not present at that meeting so did not vote).

Town Planner Updates

Mr. McCarthy commented that there has been renewed interest by a developer, Lincoln Properties, in the Southwood Hospital property as a potential high bay industrial warehouse space and a scaled 40B project. He explained that zoning changes would be needed in that zoning district to allow warehouse as an allowed use and the Board will need to decide if they want to move forward with these potential zoning changes. Mr. Weddleton said he is reluctant to support any zoning changes for a developer that has no development proposal with the town.

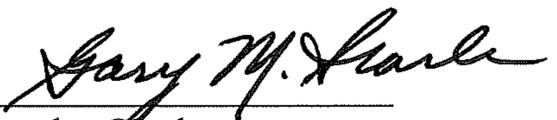
Meeting Schedule

The next regular meeting was scheduled for April 14, 2020.

Adjournment

Mr. Hunt moved to adjourn the meeting at 10:15 pm. Mr. Searle seconded the motion. The motion carried unanimously.

Respectfully submitted,



Gary Searle, Clerk