

**Town of Norfolk
Zoning Board of Appeals
One Liberty Lane
Norfolk, MA 02056**

July 19, 2017

Zoning Board Members	Others
Michael Kulesza –Chairman ----- Present	Amy Brady – Administrative Asst. - Present
Robert Luciano –Vice Chairman --- Present	Dan Hill – 40B Attorney
Christopher Wider – Clerk ----- Present	
Joseph Sebastiano –Full Member --- Absent	
Donald Hanssen – Full Member ---- Present	
Devin Howe - Associate Member --- Present	
Associate Member – Vacant	

The duly posted meeting of the Zoning Board of Appeals convened at 7:00 P.M. in Room 124 at the Norfolk Town Hall. Mr. Kulesza announced that this meeting was being audio and video recorded.

PUBLIC HEARINGS:

18 Union St – Special Permit - present were Tom DiPlacido, Four Oaks Corporation, applicant; Paul Frederick, Architect, HPA Design; Rick Goodreau, Civil Engineer, United Consultants, Inc.; Matt Mrva, Landscape Architect, Boehler Engineering

Plans presented were entitled “Site Development Plan, #18 Union Street, Norfolk, Massachusetts,” dated April 24, 2017; and “Landscape Plan, 18 Union Street Norfolk, Massachusetts,” dated April 24, 2017, prepared by United Consultants, Inc.; and architectural plans, prepared by HPA Design, Inc., dated 12/13/16, rev. 6/13/17.

Mr. Kulesza opened the public hearing at 7:00 P.M. Mr. Wider read the public notice into the record. Four Oaks Corporation is seeking a Special Permit to allow parking and vehicle circulation areas less than 50’ from an adjacent parcel that is in a residential zoning area. Mr. Kulesza recognized the applicant, Tom DiPlacido.

Mr. DiPlacido stated that Four Oaks Corporation had entered into an agreement with Norfolk Credit Union to construct a building for the credit union, on property they own, at 18 Union Street. The proposed parking area for the building would be less than 50’ from an adjacent property. In addition to the credit union, there would be other retail establishments, and 8 apartments total on the 2nd and 3rd floors.

Mr. Frederick discussed the thought process in deciding where the building would be placed on the lot, its orientation, and what it would look like. The first decision was that, in accordance with Norfolk Zoning Regulations, the building would not be set back behind a front parking lot, yet not so close to the street that it looked like a cityscape. Site lines were considered; the front yard was designed to mimic the property across the street; the building was based on existing and historical properties in Norfolk center; parking is proposed for the side and back of the building.

Mr. Goodreau reviewed the site designs for the project. Working with the topography of the lot, retaining walls are proposed along the south side of the parking area, which will be depressed. Mr. Howe asked how the wall on the west side will be constructed; Mr. Goodreau responded that a temporary grading easement will be requested, and Mr. Mrva noted that it may be a gravity wall system, which will avoid

tie-backs into the slope, and minimize the footprint. Some discussion ensued with regard to drainage. Mr. Wider asked how many parking spaces were planned; 28 conventional, 2 handicapped; the dumpster is in the southwest corner of the parking lot, below the 8'-10' high retaining walls.

Mr. Mrva discussed streetscapes, lighting, steps to a seating area, and other aesthetic aspects of the project. Redi-rock is being researched for the retaining walls. Mr. Wider asked what plantings were being proposed behind the retaining walls, on the abutter's side; evergreens (white pine & spruce) are proposed within the limit of work, augmenting the existing vegetation.

With no further questions from the board, Mr. Kulesza opened the meeting to questions from the public. Bruce Simpson, Rockwood Road, asked a question regarding drainage, stating his understanding that the town's system could not be tied into. Mark McGuckian, 20 Union Street, commented on the amount of traffic already in that area; his feelings on the looks of the building, which will be seen from, and perhaps overlook, his abutting property; and an abandoned well on his property, in the vicinity of the construction. Mr. Kulesza advised that many issues being raised were the purview of the Planning Board, which would be meeting on this project downstairs, once the ZBA portion was concluded. Chris Henry, 30 Boardman Street, asked if there would be any kind of fencing to protect the neighbor's children from falling from the retaining wall, and Mr. Goodreau answered that there would be. Martha Henry, 30 Boardman Street, asked why parking couldn't be in front of the building, and Mr. Goodreau responded that it possibly could be, with a different Special Permit from the ZBA to allow a parking lot in the front, although other bylaws, for instance build-to lines, would be involved as well. Mr. McGuckian asked how a decision by the ZBA could be repealed. After further questions, the public was again urged to attend the Planning Board meeting.

Mr. Wider made a motion to continue the public hearing to July 26, 2017, at 7:00 P.M.; Mr. Hanssen seconded the motion; the vote on the motion was 5-0.

2 Needham Street – Variance (cont'd) – present were Bob Wooding, applicant; Bob Bullock, Building Inspector and Zoning Officer.

Mr. Wider stated that the Special Permit previously issued for the dwelling will be amended to include the front porch, since that is no more non-conforming than the original structure. The purpose of tonight's hearing will be to consider a Variance for the back porch.

Mr. Wooding distributed a plan entitled "Foundation as-built plan, 2 Needham Street, Norfolk, Massachusetts," prepared by O'Driscoll Land Surveying Co., dated April 3, 2017, Revised June 7, 2017, and gave a brief description of the project as regards the back porch.

Mr. Bullock stated that the building code does require a second egress. A ramp is allowed to infringe on the setbacks if necessary, and after discussion with Town Counsel, it was determined that a minimal second egress would be allowed, in this case, since it is required and the ZBA had already determined where the dwelling would sit, based on plans presented at the original hearing, which did not include either porch. Mr. Hanssen asked what the minimum requirements were, and Mr. Bullock responded that it needs to be the width of the door, and can project out 3', and not exceed 30 square feet. After discussion regarding Norfolk Zoning Bylaw E.2.d., Mr. Bullock will confer with Town Counsel again to see if the bylaw or the building code would take precedence in this case.

Mr. Wider made a motion to continue the public hearing to July 26, 2017, at 7:15 P.M.; Mr. Hanssen seconded the motion; the vote on the motion was 5-0.

25 Rockwood Road, Village at Norfolk – Comprehensive Permit (cont'd) - present were Dan Hill, Law Offices of Daniel C. Hill; Bill McGrath, Engineer, BETA; Jason Plourde, Traffic engineer; BETA; Glen Fontecchio, Architect; Eoghan Kelley, Stonebridge Homes; Christopher Agostino, Attorney, Ruberto, Israel & Weiner; Jim Pavlik, Outback Engineering, Inc.

Documents presented and referred to were: Green International Affiliates, Inc. letter to the ZBA, "Sight Distance at Proposed Driveway," dated 7/7/17; BETA "Comprehensive Plan – Third Peer Review," dated 7/10/17; Preliminary Waiver List, dated July 17, 2017, prepared to accompany the Preliminary Site Plans for the Village at Norfolk, prepared by Outback Engineering, Inc.

Mr. Plourde began by stating that many outstanding traffic issues have been addressed. One question that remains is whether the Board feels that Saturday traffic is busier than weekday mornings. Mr. Plourde referred to Green International's letter of 7/7/17, stating that the stopping sight distance heading south does not seem to have been met, particularly with regard to a 3-1/2' tall structure in the path as shown on the profile. Mr. Plourde also stated that the sight triangles are shown to overlap an abutting property, which needs to be addressed. Mr. Plourde asked if the Board agrees with using a 1% growth rate as was used in the Green International report. Next, regarding the intersection at Route 115 and Boardman Street, Mr. Plourde stated that 3 of the 4 two-hour time periods recorded by Green Int'l do meet the threshold for a traffic signal, indicating that one is not needed at this time. Mr. Plourde questions why the applicant states it is not an option to modify the curb radii or find another solution, in order to reduce or eliminate trucks crossing the center line while pulling out of the development.

In response to questions from the Board, Mr. Plourde stated that the railway crossing has been taken into consideration; "Do not block driveway" signs could be installed; clarification of who is responsible for trimming brush in the sightline was discussed.

In response to the stopping sight distance issue mentioned above, Atty. Agostino stated that it will be shown to not be a problem when an intersection stopping distance profile is done. Atty. Agostino expressed frustration at not having had a list of open issues before the meeting, to which Mr. Plourde responded that he was frustrated with not having previous open issues responded to, and he did leave a detailed message for Green International. Driver speed feedback signs were discussed. Discussion regarding traffic continued, with input from the applicant's and the town's teams, as well as from the public. Mr. Kulesza stated that collection of additional traffic data would be a condition of the permit. Mr. Plourde requested that the ZBA ensure an easement is procured, should it be shown that the sight triangles do, indeed, infringe on the property of others. Atty. Agostino requested a bulletized list of open traffic issues to relay to Green International.

Mr. Kulesza addressed Mr. Fontecchio, requesting what information he required to do a review of the architecture, and then moved on to civil engineering.

Atty. Hill asked a question regarding comment #1 (roadway alignment & geometry) from the 7/10/17 review letter, and Mr. McGrath said he was comfortable waiting for final plan review on this item. Regarding item #6 (sidewalk), Atty. Hill asked that the applicant submit a copy of the sidewalk plan before the next meeting, with DPW comments. Item #9 (lighting, landscape review); it was agreed that the approach is acceptable, and this can be reviewed post-permit. Item #12, can be provided in the next set of plans. Item #16, water capacity, BETA agreed with the DPW consultant's opinion that tying into the housing loop at 33 Rockwood would be an improvement to the water system. Item #21, Exfiltration rates are in accordance with standard practice. Regarding item #22, emergency flow outlets, Mr. Hill asked what happens when/if the system becomes clogged; Mr. McGrath replied that it will flow through the catch basins in the street, and not onto adjacent properties. Mr. Wider mentioned a concrete basin to the left of the property that might fill up first, and which drains into Town Pond. Mr. Wider asked Mr. McGrath to look into this. Regarding Item #23, Mr. Hill asked if the listed materials could be submitted before the close of the hearing. Mr. Kelley responded that that information can be provided around the

time of the next meeting. Item #25, existing detention basin exfiltration rate is no longer relevant, as it is not being tied into. Lastly, regarding Item #17, Mr. Hill asked why additional cover on only one chamber bed was being increased, and it was pointed out that the others had been previously addressed. Mr. Pavlik stated that the additional cover will be included on the plans to be submitted just prior to the next meeting.

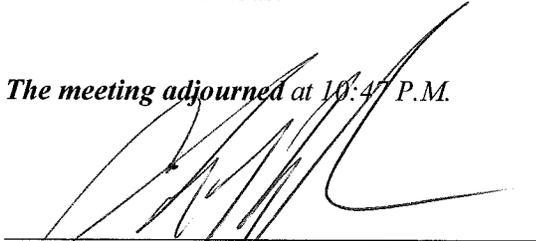
Atty. Hill suggested requesting a waiver list review from BETA, the town's consultant.

Mr. Kulesza opened the meeting for comment. Chris Henry, 30 Boardman Street, asked if using the town's drainage basin for emergency overflow would diminish its capacity for handling future growth, and Mr. McGrath answered that it would not. Mr. Hanssen asked if the applicant had researched using the "access road" during construction, and was informed they had not, because they are proposing to build a self-contained project that does not require other access rights; construction truck issues would be dealt with in preconstruction meetings, with conditions such as only turning right, or left, for example. Mr. and Mrs. Henry discussed their objections to the access road. Mr. Plourde suggested including a flagger during construction to help with traffic safety. Timothy Drolette, 27 Rockwood Rd, asked how many more meetings there would be, which led to a discussion of the 180 day deadline. The applicant stated that they will sign a 30-day extension. The next meeting is scheduled for August 16.

Mr. Wider made a motion to continue the public hearing to August 16, 2017, at 7:15 P.M.; Mr. Hanssen seconded the motion; the vote on the motion was 5-0.

Mr. Wider made a motion to adjourn the meeting; Mr. Hanssen seconded the motion; the vote on the motion was unanimous.

The meeting adjourned at 10:47 P.M.



Mr. Christopher Wider, Clerk

In accordance with the requirements of G.L. 30 § 22, approval of these minutes by the Board constitutes its certification of the date, time and place of the meeting, the members present and absent, the matters discussed, and the action taken by the Board with regard to those matters (if any). Any other information contained in these minutes is included for context only. Notes memorializing deliberation or discussion of any matter are in the summary form and may include inaccuracies or omissions. Where proof of the content of a statement is required, a tape recording or transcript should be consulted, if available.