

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

August 22, 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 --- Present	
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 auditorium of the King Philip Middle School. Mr. Kulesza announced that this meeting was being audio and video recorded.

PUBLIC HEARINGS:

17 Lawrence St – The Preserve at Abbyville and Abbyville Commons – continuation - Present were Bill McGrath, Engineer, BETA Group; Jason Plourde, Traffic Engineer, BETA Group; Dan Hill, Daniel C. Hill Law Offices; Kaitlyn Baptista, Daniel C. Hill Law Offices; Thomas DiPlacido, applicant; Rick Goodreau, Engineer, United Consultants, Inc. (UCI); John Smolak, Smolak & Vaughan, LLP; William Scully, Traffic Engineer, Green International; Matt Mrva, Boehler Engineers; Stephen Smith, GeoHydroCycle, Inc.; Carlos Quintal, CAQ Engineering Associates, Inc.

GeoHydroCycle, Inc. letter to Thomas DiPlacido, Jr., “Abbyville Hydrogeologic Evaluation,” dated 8/2/17; CAQ Engineering Associates letter to Thomas DiPlacido, Jr., “Abbyville Wastewater Treatment Plant,” dated 8/2/17; United Consultants, Inc. Plan (UCI), “Revised Lot & Housing Layout,” dated July 31, 2017, Rev 8/18/17; UCI letter to the ZBA, “The Preserve at Abbyville and Abbyville Commons State and Town of Norfolk Stormwater Standards,” dated 8/15/17; UCI plan, “Site Grading Plan,” dated July 31, 2017; Powerpoint presentation entitled “Abbyville Commons and the Preserve Traffic Study,” dated August 22, 2017, prepared by Green International Associates, Inc.

Mr. Kulesza began by announcing that a lot of material would be presented, and requested patience from the audience. Mr. Kulesza recognized Atty. Smolak, who introduced the applicant’s team, and walked through the order of presentations.

Mr. Scully presented the Traffic Study Powerpoint slides. Mr. Scully stated that the peer review response letters were not completed, but would be in a few days, and in the meantime, he would touch on a few key points. Mr. Scully noted three areas of study, which were the intersections of Main and Park, Park and Lawrence, and Park and Maple, as well as a western point on Lawrence Street. Mr. Scully reviewed existing conditions, including delays at the intersection of Main and Park, and the condition of the bridge, and he reviewed methodology. Separate traffic studies projecting 196 units and 216 units were performed, which showed about a 10% difference in traffic. Peak hour trip patterns were analyzed, showing 10% leaving the development, heading west toward Franklin, and 90% heading east toward Park Street; from Park Street, a little over half will head toward Main Street in Norfolk, and a little under half

will head toward Wrentham. As a result of testing internal site roadways, including with fire apparatus, some suggestions on road geometry have been made to the applicant. Mr. Scully discussed traffic study conclusions, proposed off-site traffic mitigation, and construction traffic (including potential temporary measures for bridge safety). Mr. Scully reviewed the MassWorks Grant process.

Mr. Plourde stated that he is satisfied with the data and methodologies used, and more comment will be provided when the written responses are received from Green International. Mr. Kulesza asked Mr. Plourde for comment on speeds on Park Street. Mr. Plourde responded that was a concern, as well as speeds on Lawrence Street, and he stated that solutions to biker/pedestrian safety, such as the sidewalk that would be included in the MassWorks grant for the bridge, would be beneficial. Mr. Plourde questioned if there is enough right of way to clear roadways in some areas (i.e. Main St. headed eastbound, as it approaches Park, Lawrence St. upon exiting the Abbyville driveway. Atty. Hill asked whether Mr. Plourde felt that Saturday traffic might be an issue, and Mr. Plourde stated that data for Saturday traffic would need to be provided. Atty. Hill asked if projected traffic from another project being proposed on Lawrence Street should be included, and Mr. Plourde responded that it depends on which project came in first. Atty. Hill addressed the increased intersection delays cited at Main & Park, and sightlines on Lawrence Street, and Mr. Plourde said these are areas that need attention and have been comment on.

Mr. Kulesza recognized Tom DiPlacido. Mr. DiPlacido addressed progress on the MassWorks grant, which was submitted on August 4, 2017, with a potential for \$1.8 million award. Awards will be announced at the end of October. Plans for the development are going forward, and the applicant has been in talks with the Town Administrator and the DPW Director regarding plans if the grant is not approved. In order to gain approval, it is necessary to achieve a density of 4 units per acre; the applicant proposed to achieve this by removing ten (10) 4-bedroom units, replacing them with twenty (10) 2-bedroom and ten (10) 3-bedroom units. Mr. DiPlacido noted that this actually decreased the projected number of school children, and increased the tax revenue. A wastewater treatment plant will be required for the new design, instead of septic systems.

Mr. Kulesza recognized Jack Hathaway, Town Administrator, for comment on the grant. Mr. Hathaway referred to a report done in 2016 which found the bridge to be in poor condition, in need of rehabilitation or replacement. The amount of asphalt added over the years decreases load bearing ability, and increases moisture retained, causing decay. Small bridge grants, including one for \$500K, have been applied for and denied in the past, but are being applied for again. The Massworks grant requires a project associated with it that has a density of 4units/acre. The applicant has provided all engineering submitted with the grant, and will provide up to \$325K if costs exceed the \$1.8 million.

Carols Quintal, CAQ Engineering, is submitting the plans for the wastewater treatment plant. He explained that a geohydrolic study must be completed and approved by DEP before he submits his plans. Mr. Quintal gave an overview of wastewater treatment plants, and the oversight around them. More specifically, Mr. Quintal indicated where the nearest abutters would be to the discharge, which is 425'; town regulations require 150'; Mr. Quintal continued with more specifics on the treatment plant. Next, Mr. Smith explained that he had completed the geohydrolic study which was submitted to DEP, to allow Mr. Quintal to proceed with the engineering. Mr. Smith explained the scope and analyses used to create the report which was sent to DEP for approval. Groundwater levels, flow, basin drainage, and effects on abutters were some of the aspects of the report.

Atty. Hill asked Mr. Quintal if there is a specific type of plant he will be proposing for the project. Mr. Quintal responded that it is premature to decide on one, but one that is being looked at is the same as the one at Fox Run; another one to look at is in use at Pond Home in Wrentham, and another at Village at

River's Edge. Atty. Hill asked about soil condition and cuts and fills, and how those factors would come into play.

Mr. Kulesza stated that the board is very concerned with the amount of cuts and fills, and would like to engage a separate firm to look at that, and determine what is the least amount of cuts that can be done.

Mr. McGrath addressed the cuts and fills currently proposed and suggested that the applicant develop a construction management plan, consolidating all information, such as amount of material being removed, whether there is ledge, number of truck trips, truck routes, time of day, number of days per week, noise, etc.

Atty. Smolak expressed concern with bringing in a new consultant at this point, and Atty. Hill responded that this is an enormous project that will greatly change the topography, and there are firms that look specifically at this type of project; it is the feeling of the board that this project warrants that level of review. Some discussion ensued with regard to the analysis being done by the State for the wastewater treatment plant, and how much is overlap. The responsibility for paying for this will be discussed with the Town Administrator and Board of Selectmen.

Next, Mr. Goodreau addressed civil engineering. Mr. Goodreau indicated where the additional units have been added, and then referred to the letter he prepared regarding Mass DEP stormwater requirements, as well as Town of Norfolk regulations, and how the project will comply with those standards. It was decided that this topic would be discussed in more detail at the next meeting. Mr. Goodreau next presented the color-coded road layout, that shows grading elevations.

Mr. Mrva showed and discussed a 3-D presentation which has been put together.

Mr. Kulesza opened the meeting up to public comment. Margaret Kahaly, Cranberry Meadow Road, asked for clarification regarding widening of the road, and Mr. Scully responded that his comments regarding widening referred to the area of road between Park St. and the bridge (east of the bridge), not between the bridge and the driveway to the project ("the causeway").

Mike Giudice, Eagle Drive, expressed his belief that milling and overlay of the causeway would not be sufficient and quoted from the applicant's traffic study that states "repave Lawrence Street to be a consistent roadway width after installing the proposed watermain." Mr. Scully addressed the need to keep the roadway width as consistent as feasible, and potential plans for the bridge. Atty. Hill asked for a conceptual plan to be filed with the board for the next meeting. Mr. Giudice reiterated concerns with not widening the causeway, which will accommodate construction traffic, as well as newly generated commuter traffic.

Peggy Bedard, Lawrence Street, expressed concerns related to the traffic numbers cited for peak hour traffic, and whether the analysis presented takes existing traffic into consideration; Mr. Scully responded to these concerns. Residents from Mill Street in Franklin expressed their concerns regarding traffic on that street, particularly if the bridge is closed. John Godin, Lawrence Street expressed concern about the noise levels. Atty. Hill stated that boards can't really condition noise, but there are state ordinances that must be adhered to. Brian Kahaly, Cranberry Meadow Road, asked if the town would need to go to the town of Franklin regarding the use of Mill Street should the bridge be closed; Atty. Hill responded that it would be up to the Board of Selectmen.

Atty. Smolak suggested meeting more than monthly, in order to expedite the hearings. Mr. Kulesza said that may be a possibility.

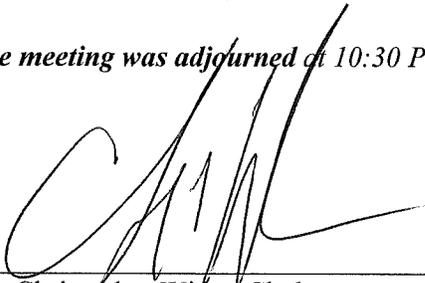
Mr. Howe asked if the truck trips for each phase would be added together during the overlap periods; Mr. DiPlacido responded that it would not, as the truck trips were calculated based on a fixed amount of material.

The board turned to discussing the additional review for cuts and fills. In response to a question from Mr. Wider, Mr. Kulesza said that if the board wanted to move in the direction of the town paying for some or all of the review, the ZBA would contact the Board of Selectmen. The board agreed that an additional peer review would be pursued.

Mr. Wider made a motion to continue the hearings until September 13, 2017, at 7:00 P.M.; Mr. Sebastiano seconded the motion; the vote on the motion was unanimous.

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

The meeting was adjourned at 10:30 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.