

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

November 21, 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 ---- Absent	
Devin Howe - Associate Member --- Present	

The duly posted meeting of the Zoning Board of Appeals convened at 7:13 P.M. in auditorium of the King Philip Middle School. Mr. Kulesza announced that this meeting was being audio and video recorded, and detailed where the video could be watched. Mr. Kulesza also announced that there was a stenographer present.

PUBLIC HEARINGS:

17 Lawrence St – The Preserve at Abbyville and Abbyville Commons – (hearings continued from 11/15/17) - Present were Bill McGrath, Engineer, BETA Group; Dan Hill, Daniel C. Hill Law Offices; Jason Plourde, BETA Group Traffic Engineer; Sean Reardon, TetraTech; Thomas DiPlacido, applicant; Rick Goodreau, Engineer, United Consultants, Inc. (UCI); John Smolak, Smolak & Vaughan, LLP; Matt Mrva, Bohler Engineering; William Scully, Green International Traffic Engineer.

Plans and other documents discussed were: Letter from Atty. Smolak to ZBA, “Summary of Work Since Last Hearing,” dated 11/21/17; Hill Law memo dated 10/12/17, summary of action items from 10/11/27; Letter from Tetra Tech to Dan Hill, “40B – Peer Review, Abbyville Commons/Preserve at Abbyville,” dated 9/26/17; Letter from Tetra Tech to ZBA, “40B – Peer Review, Abbyville Commons/Preserve at Abbyville,” dated 10/26/17; Letter from UCI to ZBA, responses to 10/5/17 BETA Review, dated 10/17/17; Horsley-Witten Group “Proposal for On-Call Hydrogeologic Peer Review – Abbyville Commons [and The Preserve at Abbyville],” dated 10/6/17, executed by Jack Hathaway on 10/16/17; Tetra Tech “Comprehensive Permit (40B) Peer Review Proposal,” dated 9/13/17, executed by Jack Hathaway on 10/26/17; Plan prepared by UCI, “Roundabout Details,” dated October 17, 2017; Plan prepared by UCI, “Grading and Utility Index Plan,” pp 8, 9, 10 & 11, dated March 15, 2017, rev through 10/17/17; Plan prepared by UCI, “Site Layout and Grading Plan,” dated 11/20/17; Green International Affiliates, Inc. (GIA), “Responses to ‘Comments from Traffic Peer Review – Second Comment Letter dated October 10, 2017’,” dated 11/6/17; BETA “Traffic Peer Review – Third Comment Letter,” dated 11/15/17; Email from Bill McGrath, BETA Goup, to ZBA, regarding revisions to the stormwater management design and roundabout design, dated 11/20/17; Tetra Tech, “40B – Peer Review (Status Update),” dated 11/20/17; plan entitled “Landscape Concept Plan,” dated 11/21/17, prepared by MJ Mrva and Bohler Engineering.

Mr. Kulesza recognized Atty. Smolak, who passed out copies of his letter of 11/21/17, “Summary of Work Since Last Hearing.” Atty. Smolak first noted that the Commonwealth of Massachusetts awarded the Town of Norfolk a \$1.8 million MassWorks Infrastructure Grant dedicated to the reconstruction of the Lawrence Street bridge. Next, Atty. Smolak made note of the BETA 3rd Traffic Peer Review Letter, dated 11/15/17, as well as an email dated 11/20/18, from Bill McGrath to the ZBA. Atty. Smolak also stated that a letter has been included authorizing an extension of 30 days for the hearings, extending from 12/4/17 to 1/4/18.

Next, Mr. DiPlacido spoke, elaborating on the \$1.8 million grant received by the Town of Norfolk, stating that it would include road improvements, drainage improvements, increased water main size from Park Street to the beginning of the project, a boardwalk or elevated walkway, and bridge reconstruction. In addition to the \$1.8 million, the applicants have committed \$395,000 in engineering, water improvements, and a water main to the Franklin town line, for use as a backup supply to the Town of Norfolk. Borings on Lawrence Street and abutment testings on the bridge have been completed, and are currently being analyzed. Mr. DiPlacido stated that they could have 50% design plans available the first or second week in December. Next Mr. DiPlacido addressed earth removal revisions, stating the original estimate of 1.3 million cubic yard of net export had increased to 1.48 million cy based on input from DPW, Fire, and other town departments. After re-examining the plans and speaking with Tetra Tech, the plans being presented tonight show a net export of approximately 990,000 cy. Mr. DiPlacido said the next step will be to develop a construction management plan (CMP), which will address construction traffic, staging, dust, disposal, stormwater, noise, emergency contact information.

Mr. DiPlacido said that recent workshop talks had included topics such as elimination of duplex units, cuts & fills, road reconfigurations, elimination of one-way streets and dead ends, parking considerations on narrow roads, driveways too short, houses too close together, orientations, setbacks. The plan being presented tonight shows no houses, but concentrates on roadways, gradings, and preliminary buffers between houses; the architectural elements will be fit in after the site plans are reviewed. The plan is to keep around 200 units, but with less density and more buffers between the houses. Mr. DiPlacido turned it over to Mr. Goodreau to go over recent changes.

Mr. Goodreau said that the first group of changes was with respect to the roadway geometry system; the outer roadway system has remained the same, but the three proposed cul-de-sacs have been eliminated and additional through-road connections made, bringing the total number of interior roads from 6 to 3. The outside roads are 26' of pavement, curb to curb, with the exception of Buckley Boulevard, which is a divided roadway with two 13' travelways, separated by an 8' island. The 3 interior roads have been widened to 24'. The roadway systems are capable of handling sidewalks, which are proposed. The roadway widths are similar to others around Norfolk, and would lend themselves to on-street parking. Three parking areas have been added, bringing the total to 31 spaces with 4 parking areas.

With regard to ledge and rock concerns, Mr. Goodreau stated that he had made site visits with Mr. DiPlacido, and revised the site gradings in those areas. Elevation is approximately 202' at Lawrence Street and Buckley Boulevard, approximately 235' at Lawrence St and Elliot Boulevard and approximately 168' in the existing gravel area in the north end of the site, resulting in a current elevation change, from Lawrence Street to the gravel area, of about 67'. The elevation in the leaching area for the package sewage treatment plant is 197.5' for a low, or about 37' below the roadway, which is a distance of 300' away. Approximately 22' of fill is proposed in this area, bringing it to about 220'. Mr. Goodreau stated that they had looked at the Tetra Tech proposal for raising the site about 5', resulting in about 500,000 cy reduction in export.

Mr. Kulesza stated that he would like to have Tetra Tech speak next, and reminded the audience that Tetra Tech was engaged by the town, above and beyond a typical 40B reviewer, due to the level of cuts and fills proposed for this site.

Mr. Reardon stated that the first step for Tetra Tech was to validate the numbers being presented, with regard to the volume coming from the site, noting that the developer's estimates were about 1.3 million cubic yards ("mcy"), and Tetra Tech's were about 1.5 mcy. Mr. Reardon referred to a meeting where the goal was to limit the amount of material leaving the site, as that was the principal impact the neighborhood would see, noting that eliminating 100 cy would eliminate hundreds of truck trips. Mr. Reardon stated that he was impressed that virtually every suggestion made by the Zoning Board, Tetra Tech, and other town officials were seriously considered by the developer. Mr. Reardon proceeded to show color-coded cut & fill plans, beginning with the original submittal, which showed much more "red," or cuts. The next plan, raising the site up 5', showed a more even distribution of red (cuts) and blue (fill).

The goal of these maps is to balance the areas of the sites that are cut and filled, not necessarily to balance the volumes. Raising the site an additional 5' (total 10') produces a similar outcome, but with blues starting to dominate the reds. Mr. Reardon stated that, although you end up with a more balanced site, you end up having to open the entire site to have areas to move the material; additionally, some locations would require 30-40' of fill, which can create future settlement problems. Mr. Reardon said that all of the issues need to be considered, not just the amount of fill being removed, and that he was happy to see that about 30-33% of the volume originally proposed to be removed is now staying on site, reducing about 15,000 truck trips.

Mr. Kulesza opened the meeting to questions from the audience. Peggy Bedard, 28 Lawrence Street, asked if there would be blasting on the site; Mr. Reardon responded that he thought the latest grading plan eliminated the few potential sites that there were. Ms. Bedard asked how many truck trips would now be required, and Mr. Reardon said that he estimated 50-60,000.

Mike Guidice, Eagle Drive, stated that he was underwhelmed at the reduction in volume of material being removed, and asked about the volume of daily truck trips; Mr. Reardon responded that he thought it would be about 400-600 truck trips per day. After some comment from Mr. Guidice and the audience on these figures, Mr. DiPlacido said that he thought they were very unrealistic. To illustrate, Mr. DiPlacido pointed out the 480 truck trips a day would equal 240 truckloads per day; at 25-26 cy per load, that would be moving 6,000+ yards per day, which would level the whole site within 165 days. Mr. DiPlacido said there was not enough material in there to move 4-500 truckloads per day over the course of 5-6 years. With phasing, material would be moved, then there would be a break in moving material, but 4-500 truckloads per day is "out of the question."

Attorney Hill noted that the number of truck trips would be visited more in-depth at a future meeting, after the applicant submits a Construction Management Plan (CMP), and asked Mr. Reardon to elaborate more on the scenario of raising the site by 10', instead 5'. Mr. Reardon responded that raising it by 10' would require opening up the entire site at the outset (in order to have access to moving material from one area to another properly, including compacting, etc.) which results in a longer construction schedule, and generation of more dust and noise; although it's less export, it's more work on the site. Mr. Reardon elaborated that other concerns center on building upon recently moved and compacted material, so it's always wise to minimize the extent and depth of excavations. Atty. Hill asked for Mr. Reardon's opinion as to why there was a discrepancy between the applicants estimate of 1.3 mcy removal, and Tetra Tech's 1.48 mcy; Mr. Reardon responded that it was two-fold; first, that the 1.3 was based on an early iteration of the plan that Tetra Tech had never seen, and second that UCI's estimating tools weren't as precise as Tetra Tech's, but he felt they still accurately reflected the magnitude of the project. UCI is now using the same tools as Tetra Tech.

Mr. Howe stated that it was his understanding that it is more expensive to move material off site than to balance the site; Mr. Reardon said that although he would many times agree with that, this particular site was more of a variant, being a previously-mined site with big changes in grade; also, this site is dealing with raw materials that there is a market for, so there is revenue generated from the removal.

Mr. Wider asked if Mr. Reardon had evaluated the timeframe estimated for this project, and Mr. Reardon responded that he had not, because so much depended on the market. With a great market, it could be done quickly; with a poor market, this project could take 7-8 years; he did not believe that the distribution would be even over a number of years, although it could be conditioned as such. Mr. Wider also asked if Mr. Reardon had evaluated the impact of the dust concerns, and Mr. Reardon answered that he had not, but it is an absolute that the more area you open up, the more dust that will be generated.

Atty. Hill asked if there were a way to quantify which was worse: the number of truck trips involved in raising the site 5', or the dust and other impacts from raising it 10'; Mr. Reardon said he thinks it defies a linear analysis. His understanding is that the roadways will become roads, and the large swaths of blue indicate that infrastructure such as water and other utilities will be built within large fill sections, so there

is a need to be concerned about compaction issues. Mr. Reardon said that if pressed to eliminate more removal, the applicant would likely be able to do so, but he questioned if that would be wise, given the drawbacks. He stated that even without any earth removal, 200 units would cause an impact, and the important thing is to minimize those impacts.

Mr. DiPlacido added that in addition to the concerns Mr. Reardon cited regarding opening up the whole site, there were other concerns such as managing stormwater runoff over the 55-58 acres of the site. The applicant's primary concerns within the CMP will be opening up as little as possible in each area to minimize all of these concerns.

Kathleen Sebring, Park Street, requested that sidewalks be put in on Park Street, in consideration of all of the expected truck traffic. Joe Moray, Berkshire Street, stated that he thought the town should start with an expectation of a balanced cut & fill, and require the developer come back with an answer to that. Paul Bell Isle questioned what will happen with traffic after the 200 units are built. Mr. Kulesza responded that traffic will be addressed separately, later in the evening.

Lawrence Wilson, Lawrence Street, asked if there will be driveways to each house, or if the cars will be parked on the street, or aggregating in a few parking lots, mentioning extenuating issues, such as snow plowing; Mr. DiPlacido responded that all of the units will have driveways suitable to two cars, and the roads have been widened to accommodate on-road parking, and additional parking areas have been added.

Ms. Bedard commented that the addition of 31 parking spaces is not a lot, and further addressed concerns about settlement. Ms. Bedard asked why the size of the proposed community couldn't be reduced to a point that eliminated those concerns.

Sandra Myatt, Eric Road, stated that perhaps the site is not appropriate for this number of homes, and referred to the Zone II aquifer, and asked if we had the hydrology report; Mr. DiPlacido stated that additional borings and testing had recently been done, and the scope of the proposal submitted to, and accepted by, DEP for a geohydraulic study had just been submitted to the Board. Ms. Myatt asked if there would be information on the impact on the aquifer of removing 1 mcy of material. Mr. DiPlacido stated that the geohydraulic study would be completed by mid-December. Atty. Smolak clarified that the study would have to comply with DEP stormwater standards, and by definition, would comply with state water quality standards, including Zone IIs.

Ms. Myatt expressed concern with the trucks' CO2 emissions. Mr. Guidice requested that the Board request a study of the number of construction trucks involved with the site, excluding the earth removal trucks. Nanci Murphy, stated that she is concerned with her two young boys with regard to water quality and truck traffic; Ms. Murphy also stated that she is concerned with the scheduling of meetings around the holidays.

Mr. Kulesza addressed scheduling concerns, and stated it was time to move on to the next issue, which was traffic. Chris Wagner, Park Street, asked why the higher parts of the property were not being avoided; Atty. Hill responded that the question will be considered, noting that the Board is asking the correct questions, and has hired the right experts, but the Board needs to get through a very heavy agenda, including the width and reconstruction of Lawrence Street, traffic issues, and landscaping.

Mr. Kulesza recognized Matt Mrva, Landscape Architect, Bohler Engineering, who addressed the re-routing and re-grading of roadways, and how that creates buffer areas behind units so that units are not looking directly at each other, and privacy is created. The path system was also redesigned, keeping most pathways inside of the project and next to the roads, minimizing additional cuts needed. Dan O'Connell, Park Street, asked if Mr. Mrva would benefit financially if the project does not shrink in size. Andrea Neviakas, Mill River Road, asked what type of soil will be left for growing things after the excavations are completed; Mr. Mrva responded that topsoil would be removed and stockpiled for reuse, and not taken off-site, and suitable topsoil would be imported, citing 6-8" in lawn areas in 18" in planting areas. Mr.

Howe inquired about vegetation to block headlight glare from the southwesterly driveway, and Mr. Mrva said he would look into it. Ms. Myatt stated that Zone II aquifers required 12" of topsoil in all areas; Mr. Mrva said he would look into that also. Mr. Howe asked if topsoil would be imported for the entire site, and Mr. DiPlacido responded that about 40 of the 58 acres have not been disturbed, and contain about 6-8" of topsoil; areas previously disturbed also have stockpiles of topsoil that had been stockpiled at the time of disturbance; all of that topsoil will remain onsite, and he does not expect to have to import any. Ilene Segal, Warren Drive, asked where all the water would come from to water all of the new lawns and plantings. Mr. DiPlacido responded that town water is being proposed, and town bylaws do not allow irrigation on town water; the lots are smaller, and will not require as much water as larger lots; in addition, there are "no water" areas proposed.

Mr. Kulesza recognized Jason Plourde, Traffic Engineer for BETA Group. Mr. Plourde stated that three outstanding concerns remained as of the last hearing; the first being Saturday at mid-day as a critical time period. It turned out that weekday morning and evening were more critical than Saturday mid-day. The second area of concern was the intersection at Main Street and Park Street; Mr. Plourde stated that vegetation needs to be cleared in the area looking left from Park Street; also a traffic signal study was done. Mr. Plourde stated that a threshold needs to be met for 8 hours a day on both the main line and the minor street; this intersection met the threshold for 7 hours; between 2 & 3:00 P.M., it is 1 vehicle short of the threshold on the minor road. All of the variable taken into consideration, including seasonal & growth factors and new development trip generation information, could change; therefore, a monitoring study has been recommended to determine if, in the future, a traffic signal would be warranted. The third area of concern was sightlines for eastbound traffic on Lawrence Street turning left into the proposed eastern-most driveway; working with the applicant's traffic engineers, Green International, a plan was agreed upon to trim treelines and vegetation along the southern side of Lawrence Street. Mr. Plourde stated that all other concerns to this point have been addressed. Atty. Hill asked Mr. Plourde to confirm that the vegetation was in the right-of-way, and not on someone's personal property and also asked who would be responsible for maintaining the sightline; Mr. Plourde responded that there could be an agreement reached with the developer to maintain it, or it could be the town's responsibility. In response to Mr. Sebastiano's question about truck turning times, Mr. Plourde responded that those types of issues would be addressed in the CMP.

Mr. Kulesza opened the hearing from public comment at this point. Ms. Bedard stated that there was a sightline issue traveling from Park towards Mill, which had not been addressed. Mr. Plourde responded that the developer's responsibility lay in taking care of sight distances turning into and out of their entrances and exits, other existing sightline issues are the town's responsibility. Mr. Plourde stated that he also looks at intersections where the development will have an impact, and assesses how the developer can help to mitigate those impacts. Mr. Plourde also stated that a study might be considered at a future date in the project, to monitor how the traffic impacts are progressing. Ms. Bedard asked if no parking signs should be considered on Park Street, whether there would be a separate bus stop zone, if a geohydraulic study was being done in addition to Mr. DiPlacido's study.

Mr. Guidice asked if the proposed development in Wrentham called Park Place, consisting of 92 units, was taken into consideration in the traffic study. Mr. Plourde stated the developments that had been taken into account, and Park Place was one of them. Mr. Scully also stated that they were. Mr. Scully further stated that they had been working with the Police Chief regarding sight distance issues for several months. Mr. Belle Isle asked about the impact of travel speeds given the expected increase in traffic; Mr. Plourde said that future speed studies couldn't be done, but explained the methodology in the projections. Next, Dexter Anderson asked about the impact of the number of construction trucks going through the center of Norfolk, and turning onto and off of Park Street. Chris Wagner asked, since it was suggested by BETA that construction not start until after the reconstruction of the bridge and causeway, what the weight limit would be on the trucks crossing it; citing the DOT standard of 80,000 lbs. gross weight, Mr. Wagner noted that 25 cy of gravel alone would weigh around 70,000 lbs. Mr. DiPlacido replied that 103,700 lbs. is the maximum a tractor trailer can carry in Massachusetts, and typically it is 27-28 cy of sandy or gravelly fill that is carried in the 18 wheelers. Ms. Bedard asked how long it would take for a

truck to stop, and Mr. Reardon responded that there are too many variables to come up with that statistic in general; perhaps for particular spot locations it could be done. Ms. Bedard stated that she wouldn't know how long to wait to pull out of her driveway, if she didn't know how long it would take for a truck to stop; Ms. Bedard also stated she was also worried about children who would might run out into the street. Mr. McGrath said that a rough estimate could be made using certain conditions, and suggested basing it on a fully loaded truck on a wet road, using the approximate grade of the road. Mr. Sebastiano stated that speed limits for trucking and other traffic management processes will be considered in the CMP.

Meg Singer, Timberline Drive, expressed concerns with scheduling meetings near holidays, and expressed concern with the Park Street and Route 140 intersection in Wrentham. Larry Wilson, Lawrence Street, expressed concern about pollution, such as diesel particulates. Mr. DiPlacido noted that all trucks from 2007 have to meet EPA standards, and would welcome a condition that all trucks involved would not be older than that. Mr. Wilson said that even if the individual trucks run clean, the consolidation of many could negate that, and asked if it would be monitored. Mr. Reardon responded that it would be atypical to try to monitor emissions coming from mobile trucks, but idling limitations are typical. Mr. Wilson asked if a stationary position could be established where trucks pass to monitor the air; Mr. Reardon said the point was valid.

Karen McCabe, Lawrence Street, questioned whether a 30 day extension was long enough, and questioned the timeliness of receiving material and posting it on the website. Ms. McCabe also asked if the traffic engineers had considered vehicles exiting Buckley Boulevard, looking left; Mr. Plourde answered that, yes, they had commented on that, and the developer would be clearing a lot of vegetation in that area. Ms. McCabe next addressed the two projects, Preserve at Abbyville and Abbyville Commons, being severable, expressing concern that if the economy "tanks," the residents may be left with a "gravel pit, and which property is responsible for what; Atty. Smolak said that the Zoning Board would condition which property was responsible. Ms. McCabe also asked about the quantity and quality of surrounding well water. Atty. Hill responded that if a well is impacted by a project, the well-owner has a private cause of action against that developer if it can be demonstrated that their project impacted the well. Ms. McCabe asked if the Board could require the developer to post a bond to cover potential impacts to the neighborhood wells. Atty. Hill replied that that is done in many cases, but also noted that in the case the developer is proposing using town water, and building a wastewater treatment plant, both of which tend to dramatically reduce impact on area wells. Atty. Hill stated that the Board has to weigh the risk factors against the cost of imposing a bond requirement, due to the 40B law which states that a Board cannot impose conditions on a project that would render the project uneconomic. Ms. McCabe next asked if the revenue from the dirt being exported was included in the profit totals on the financial documents submitted; Mr. DiPlacido answered that it is included, there is a line item in the pro forma, and it has been discussed with Mass Housing. Ms. McCabe asked if it was included at the "going rate" or if it was "discounted" due to family ties; Mr. DiPlacido explained that there were audits by Mass Housing that need to be complied with, and there are no special rates; Atty. Hill confirmed that revenues would be based on market rates.

Dave Holmes, Mill Street, Franklin, asked if any traffic studies had been done for Franklin, considering traffic travelling down Mill Street to the shopping centers in Franklin. Mr. Plourde explained that the Institute of Traffic Engineering (ITE) considers and impact to be an increase 100 vehicles hour or more, approaching an intersection; the projected increase in traffic heading west on Lawrence/Mill Street did not meet that standard.

Ms. Bedard restated Mr. Wilson's request for a pollution monitoring station; restated her question regarding the geohydraulic study; asked if a bond could be posted for potential damage to area septic systems from truck traffic; and stated her opinion that the area of foliage discussed looking left from Buckley Boulevard could not be mitigated by eliminating foliage, but would require redesign. Mr. Kulesza stated that the geohydraulic study is on the agenda, and other questions would be discussed, but answers were not currently available.

Matthew McNulty, Brett's Farm Road, mentioned three blind spots on Lawrence Street where there is no shoulder, and asked if the grant for the road would include widening all of Lawrence Street, or only near the proposed development. Mr. Kulesza said that would be discussed shortly. Mr. McNulty asked if the hours of trucking for bridge and causeway reconstruction could be restricted to hours while children are in school. Mr. McNulty asked if any projects of similar scope have been approved in neighboring towns. Mr. DiPlacido stated that the Village at River's Edge (VRE) had a 500-600,000 cy import, including 250-300,000 cy yards imported in a 3-month period, and many of those trucks travelled on Park Street, hauling from a Wrentham gravel area. Eaglebrook Village in Franklin has had several hundred thousand yards imported and exported over 3 or 4 years. Mr. McNulty asked if the actual debate about approving or disapproving the project would be open to the public. Atty. Hill answered that the hearing normally stays open through a draft decision stage; once the hearings are closed, no more testimony can be taken, but the Board's deliberation hearings are open to the public.

Mr. Guidice noted that Eaglebrook Village and VRE are on larger roads and only involved about half the material; Ms. Bedard reinforced that saying they are "routes" not a 20' wide road. Mr. DiPlacido clarified that it was several hundred thousand cubic yards, actually more like 600-700K for VRE, including 300K in a 3 month period; and most of the trucks used a similar route down Park Street that the Abbyville projects would use, and all trucks for VRE went through Norfolk center; only a few hundred feet of Lawrence Street, from Park to the first entrance, will be travelled upon, impacting only one house. Mr. Wagner stated that as a Park Street resident, he was affected by the truck traffic at the time.

Atty. Hill told Mr. DiPlacido that he would like to know the status of the Lawrence Street bridge and causeway design, in light of the fact that all truck traffic will be going that way, referring to the DPW Director's comments in September. Mr. DiPlacido stated that the area is to be covered under the grant that the town is applying for; DiPlacido is doing some of the engineering, and has completed borings on Lawrence Street and bridge abutments, and they look to have 50% design by mid-December; they are striving for a 24' width. Regarding the remainder of Lawrence Street, there have been discussions with the DPW, Town Administrator, Planning Board and other officials, about making improvements, including sidewalks and installing a water main to the Franklin town line. The road will be either overlaid or rebuilt in different areas, depending on what's required. This is part of a separate development agreement that Town Counsel is working on between the town, DiPlacido and the Cranberry Meadow developer.

Mr. Kulesza asked about the geohydraulic study. Mr. DiPlacido explained that with the wastewater treatment plant, a groundwater discharge permit must be applied for, which involves studying the groundwater, groundwater movement, mounding, how the discharge will affect groundwater; many borings and excavations are done to supply the data; borings have been done down to 60-70' to bedrock. All of this data is put together and sent to DEP where it undergoes a "rigorous" review, and it is also sent to the town of Norfolk. As added protection to local groundwater, DEP requires a cash bond for the life of the treatment plant; it is monitored daily by a wastewater treatment plant operator, on-call 24/7, who sends results from testing to the state on daily, weekly and monthly schedules.

Mr. Guidice stated that his understanding was that the town was hiring Horsely-Witten to do a separate geohydro study for the town, to evaluate the potential impact of removing all that material on neighboring drinking water wells. Mr. DiPlacido said that the removal of the material and review of wastewater and stormwater will all be part of the geohydro study they are doing. Mr. Guidice stated his belief was that the town was having a separate study completed; Mr. Smolak said that a separate study is being done by Mass DEP, as part of the state permitting process, where the town will have opportunity for public comment. Mr. Guidice stated again that he thought the town was commissioning their own report, and Mr. Kulesza replied that a bid was being put together. Mr. Guidice next asked if the proposed drinking water and fire protection system had been reviewed by the town's consultant; it had been in July, but did not appear to be posted on the website; the administrative assistant will post it. Mr. Kulesza corrected his earlier comment, and said that the Horsley-Witten proposal had been approved.

Mr. McGrath asked, in order that the Board can make a better-informed decision regarding construction truck traffic, if the applicant would estimate the timeframe for each of the major elements (earth removal, road construction, foundations, houses, etc.) of each of the phases in advance of, or as part of, the CMP.

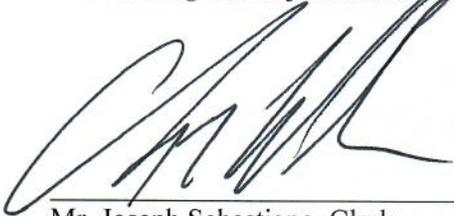
Atty. Hill summed up action items, including a comprehensive CMP, including a construction traffic plan, to be peer reviewed by BETA and Tetra Tech; revised drainage design to be peer reviewed by BETA; and the bridge/causeway design plan. Atty. Hill suggested requiring this information by December 1, in order to give the board enough time to review, given the January 4 deadline. Mr. Wider elaborated that January 4 is unrealistic, given the amount of work to be done, with holidays, etc. Mr. DiPlacido stated that a 30-day extension was authorized, because that is what the board generally requires, but he proposed extending to January 30; that offer was accepted. In response to Atty. Hill's question as to when information can be available, Mr. DiPlacido asked for a break to consult with the engineers, and a 10 minute recess was granted. Upon consultations, it was determined that revised drainage plans and ac CMP will be submitted by December 8, and the town's consultant will review in time for discussion at the December 20, 2017 meeting. Sometime around mid-December, the applicant will provide preliminary Lawrence Street design drawings for board to review at same time as the DPW; that discussion will be delayed until a meeting on January 3, 2018, in order to give BETA and Tetra Tech time to review.

Mr. Guidice asked at what point in the hearing process the board considers waivers; Atty. Hill responded that would be toward the end of the hearings, maybe January 3, but probably later.

Mr. Wider made a motion to continue the hearings to December 20, 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. Luciano seconded the motion; the vote on the motion was unanimous.

The meeting was adjourned at 10:48 P.M



Mr. Joseph Sebastiano, 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.



**TOWN OF NORFOLK
ZONING BOARD OF APPEALS**

ONE LIBERTY LANE
NORFOLK, MASSACHUSETTS 02056

TEL: (508) 541-8455
FAX: (508) 541-3377

www.virtualnorfolk.org

CERTIFICATION PURSUANT TO G.L., Ch.39, §.23D
(ACCEPTED UNDER ARTICLE 12
OF THE SPECIAL TOWN MEETING
OF OCTOBER 24, 2006)

DATE: 2/28/18

APPLICANT'S NAME: ① Abbyville Development LLC + ② Abbyville Residential, LLC

PROJECT NAME/LOCATION OF PROPERTY: 17 Lawrence St

① PRESERVE@ABBYVILLE + ~~ABBYVILLE~~

CASE NO: ① 2017-03 + ② 2017-04 ② ABBYVILLE COMMONS

ASSESSORS' REFERENCE: Map 6 Block 2 Lot 9, 10, 14, 3-1, 3-2, 14

I, Don Hansen hereby certify that I have examined

all evidence received at the one (1) session of the public hearing in the above matter held

11/24/17 including (check all that apply):

- An audio/video recording
- Minutes
- Other supporting plans & documents

Donald M. Hansen
Signature Board Member