

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

October 30, 2018

Zoning Board Members	
Chris Wider – Chairman ----- Present	Bob Luciano - Associate Member ----- Present
Michael Kulesza – Vice Chairman --- Present	Medora Champagne – Assoc. Member --- Present
Joseph Sebastiano – Clerk ----- Present	Amy Brady – Administrative Asst. - ----- Present
Don Hanssen – Full Member ----- Present	Dan Hill, 40B Consultant Attorney-----Present
Devin Howe – Full Member ----- Present	

The duly posted meeting of the Zoning Board of Appeals convened at 7:00 P.M. in Room G-07 of the Norfolk Town Hall. Mr. Wider announced that the meeting was being audio and video recorded.

PUBLIC HEARINGS:

The Enclave – (cont'd from 10/17/18)

Plans presented and referred to were entitled “Preliminary Plan for Comprehensive Permit, ‘The Enclave at Norfolk,’” prepared by Bohler Engineering, dated 6/13/17, rev through 9/11/18, 6 pp.

Present were Thomas DiPlacido, DiPlacido Development Corp., Project Manager; Matt Mrva, Bohler Engineering.

Mr. Hanssen announced that because he had expressed a strong interest in the project being age-restricted during the last meeting, he would be recusing himself from this hearing.

Mr. Wider recognized Mr. DiPlacido, who gave a brief history of the various layouts to date, and said tonight’s plans were a hybrid of the single-family and age-restricted developments. He noted that people had liked the curve of the road and the buffer to neighbors in the single-family development, so they did try to keep those aspects. Of the two plans presented, one had 44 units, and one had 40; both plans are proposed to have a public roadway. All units are independent with 0 lot line, and their own septic system; however, homeowners’ association (HOA) is also proposed for lawn maintenance, etc. The open space would be deeded to the town as conservation land, so along with the public roadway, it will be open to the public. The extra 4 units on one plan would generate an additional \$32.5K in tax revenue.

Mr. Mrva addressed the 44 unit plan: it has 22 buildings, 8 of which are 1-story ranches along the proposed roadway, and 14 are 2-story homes along the southern edge of the proposed roadway. There is a minimum of 15’ of separation between buildings, with the same perimeter setbacks as the single-family plan presented last time. The boulevard entrance has been eliminated; the cul-de-sac has been enlarged and is 1,300’ in length. Perc rates obtained for the 3- and 4-bedroom single-family homes indicate that individual septic systems for each 2-bedroom unit is attainable. The 40-unit plan maintains the perimeter setbacks, cul-de-sac length, and non-boulevard entrance of the 44-unit plan; it provides 25’ separation between buildings, and some opportunity for more green pocket parks or vegetated areas; there are ten 1-story and ten 2-story buildings on this plan.

Mr. Luciano asked if the square footage of the buildings was the same on each plan; Mr. Mrva said the floor plans are a little different, with garages more incorporated; the single-story units maybe have a bigger footprint. In response to a question from Atty. Hill, Mr. Mrva said the developer is open to either plan, they just wanted to let the board know of potential economic benefits to the town with the 44-unit proposal, such as the tax revenue. Atty. Hill asked about the distance between the building farthest to the east and the existing home east of that; Mr. Mrva said it is 203’ which is more than on the single-family plan; from the edge of that building to the

property line is now over 50' as opposed to 25'. Atty. Hill said perhaps the buildings could be shifted further west, and Mr. Mrva agreed that could be done, although some of the placement will be septic and lot line driven.

Mr. Kulesza said that he was in favor of the 40-unit design and explained why; Mr. Sebastiano seconded those comments; Mr. Howe also echoed those comments and said he was pleased that all of the public comments had been considered, and he liked the spacing between the units; Mr. Luciano liked the decreased density of the 40-unit plan; Ms. Champagne liked both, with the 40-unit being her preference; she noted the extra space might make the units more saleable; she likes the pocket parks and green spaces, walking trails. Mr. Wider agreed with everybody's comments, and agrees with Atty. Hill on moving the eastern buildings a little westward.

Mr. Wider stated that a site walk should be set up to look at where to put a trail out to Juniper; part of the intent of Mass Housing is to create walkability to schools, rails, etc. Atty. Hill asked if the trail would require a boardwalk, or some kind of wetland crossing; Mr. DiPlacido responded that he did not know, but he has an open hearing with the Conservation Commission. Mr. Howe asked if the walking trail would require an easement, to get to it from the road; Atty. Hill noted that there would be some sort of access to the detention basin in the back of the property that could perhaps be used for that purpose; the trail itself would be deeded to the town as part of the conservation space. Atty. Hill noted that because there is a Natural Heritage overlay, the logistics between state and town, with a carve-out for the path would need to be addressed. Mr. DiPlacido said that they are trying to work with the walking trails that are referred to as having been there for years, not necessarily building a boardwalk. Mr. Howe also asked about liability to the HOA if someone were hurt on the path; it was suggested that the easement to the walkway could also be deeded to the town, freeing the HOA from liability.

Mr. Wider opened the hearing to public comment; there was no comment. Discussion ensued regarding next steps; Mr. DiPlacido asked if the meeting could be continued to the next regularly scheduled ZBA meeting, which is November 14, at which time an updated schedule can be provided.

Mr. Sebastiano made a motion to continue the public hearing for The Enclave to November 14, 2018, at 7:15 P.M., in the King Philip Middle School auditorium; Mr. Howe seconded the motion; the vote on the motion was unanimous.

Mr. DiPlacido asked if a site walk could be set up. A resident was recruited to walk them through the area. Mr. DiPlacido said they would need about a week to stake out the roadway; Saturday, November 10, 2018, at 9:00 was chosen. Members of the public who would like to go on the site walk were asked to contact Amy Brady with their email addresses, in case cancellation was necessary due to weather, etc.

DISCUSSION:

Continue discussion: Request for Modification to Comprehensive Permit for 25 Rockwood Road – Mr. Wider stated that there is no further discussion at this time; the request needs to come from the developer, Village at Norfolk, LLC; Atty. Hill will be working with the DPW and the developer to obtain a sight easement on Rockwood Road

APPROVE MINUTES:

June 20, 2018 - *Mr. Sebastiano made a motion to approve the minutes of June 20, 2018; Mr. Luciano seconded the motion; the vote on the motion was unanimous.*

September 5, 2018 - *Mr. Sebastiano made a motion to approve the minutes of September 5, 2018; Mr. Howe seconded the motion; the vote on the motion was unanimous.*

September 19, 2018 – Mr. Wider noted a correction to be made regarding the time to file an appeal: should be 30 days from the filing, as opposed to 30 days from town clerk stamp; also noted some extraneous language in the same paragraph that can be stricken - *Mr. Sebastiano made a motion to approve the minutes of September 19, 2018 as amended; Mr. Luciano seconded the motion; the vote on the motion was unanimous.*

October 3, 2018 - Mr. Sebastiano made a motion to approve the minutes of October 3, 2018; Mr. Luciano seconded the motion; the vote on the motion was unanimous.

Ms. Champagne made a motion to adjourn the meeting; Mr. Sebastiano seconded the motion; the vote on the motion was unanimous.

The meeting was adjourned at 7:50 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.