

Zoning Board of Appeals
 One Liberty Lane
 Norfolk, MA 02056
 April 3, 2019
 7:00 P.M.

Christopher Wider – Chair ----- Present	Medora Champagne – Associate Member-- Absent
Michael Kulesza – Vice Chair ----- Present	Robert Luciano – Associate Member ----- Present
Joseph Sebastiano – Clerk----- Absent	Amy Brady – Administrative Assistant----- Present
Donald Hanssen – Member ----- Present	
Devin Howe – Member ----- Present	

The duly posted meeting of the Norfolk Zoning Board of Appeals convened at 7:10 P.M. Room 124 of the Norfolk Town Hall. Mr. Wider announced that the meeting was being video- and audiotaped

PUBLIC HEARINGS:

The Preserve at Abbyville (cont'd from 1/6/19)
Abbyville Commons (cont'd from 1/6/19)

Mr. Wider announced that a request for continuation had been received, and recognized John Smolak, attorney for the applicants. Atty. Smolak said a continuation to May 22, 2019, was being requested in order to work out some details in design layout and architectural matters.

Mr. Sebastiano made a motion to continue the hearings for The Preserve at Abbyville, and Abbyville Commons to May 22, 2019, at 7:00 P.M. at Town Hall, in Room 124; Mr. Hanssen seconded the motion;

Ms. Brady confirmed that all members could be present on May 22, 2019, since the meeting was originally scheduled for May 15, 2019, which is the second night of Annual Town Meeting. Mr. Wider requested that the applicant have information pertaining to site control at the May 22, 2019, meeting

With no further discussion, *the vote on the motion was unanimous.*

Village Green, The Enclave (cont'd from 3/20/19)

Mr. Wider called the continued public hearing to order. Mr. Hanssen recused himself from the hearing.

Present were Atty. Dan Hill; Susan Jacobson, Affordable Housing Director; Sean Reardon, Tetra Tech; Tom DiPlacido, Project Manager; Attorney John Smolak; Randy Miron, Bohler Engineering

Plans and documents presented and referred to were The Enclave Waiver List (Rev.4.3.19) updated by Atty. Dan Hill; Existing and Proposed Drainage Plans, labeled ED-1 and PD-1, prepared by Bohler Engineering, dated 6/13/17; draft Decision Conditions prepared by Atty. Hill; redlined by Atty. Smolak, dated 4/3/19.

Referring to Section H, Subsection H3 of the waivers regarding inclusionary housing, Mr. Wider recognized Ms. Jacobson. Ms. Jacobson said she wanted to be sure that no affordable housing units are side by side, and that they be distributed throughout the property; Atty. Hill said that Mass Housing needs to approve the plan. Ms. Jacobson asked if the Zoning Board could propose something, because Mass Housing did approve a plan for Boyde's Crossing that resulted in 3 side-by-side affordable units, and she was looking for assurance that that wouldn't happen again. Atty. Hill asked that the applicant provide the ZBA with the plan, along with the Regulatory Agreement, so that they can review it and raise potential issues with Mass Housing.

Returning to the beginning of the Planning Board & Subdivision waivers, Atty. Hill said that he would review changes since the last time the waivers were addressed. The following is a summary of topics addressed, but is not intended to be all inclusive. It was agreed the tree warden, not the engineer would be the one to review trees being taken down; Atty. Hill asked that the tree warden be provided with the site triangle as well. Stormwater Management regulation waivers breakdown was received and reviewed by Tetra Tech; Mr. Reardon and Mr. Miron discussed the various subsections of Section 4.0, Subsection 4.19. With regard to items such as manhole covers and pavement cross sections, it was agreed to stay with town standards, since the goal is to have the street accepted by the town; details will be spelled out on plans and in the Conditions. Drainage waivers are acceptable, but final plans will be reviewed by Tetra Tech. Moving on to Board of Health waivers, it was clarified that the BOH does not do stormwater reviews, and the only fees are for septic (at \$525 per unit.)

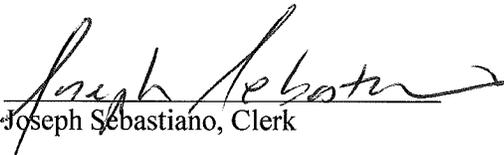
Mr. Miron said that they will look at the driveway, mentioned by Mr. Howe, that slopes down on to Village Green to be sure no flow gets by. Referring to the Existing and Proposed drainage plans, Mr. Miron indicated a highlighted area which had been discussed by Mr. Howe and confirmed that it will be included in the drainage calculations.

The Board moved to reviewing the Conditions of the Decision. Crosswalks will not be raised, and will be paint on asphalt. Necessity of Construction Management Plan was discussed; Mr. DiPlacido said that basics such as hours of operation and truck routes could be addressed in the Permit itself; it was agreed that a CMP should be produced. Mr. DiPlacido asked if there could be a provision to work on a Sunday, if necessary, and related a situation where a road with raised structures needed a topcoat, which couldn't be done due to rain, and it was ultimately paved on a Sunday; Atty. Hill said language could be added that a request could be made to the Town Administrator, or something to that effect. It was agreed that construction could begin before the granting of Conservation and NHESP approval for the boardwalk. Construction Reviewer need not be chosen by low bid; a 25% downpayment of the estimate is acceptable. Construction can begin on Saturdays at 7:00 A.M. for inside work only. Outside work must adhere to town bylaw and conditions of the Decision (7:00 A.M. – 5:00 P.M. Monday – Friday, and 8:00 A.M. on Saturdays.) Language regarding vibrations will be modified to account for standard construction applications. If the road is accepted as a public way, the town will assume responsibility for the trail to Juniper Lane; the town shall also plow the main road, and the HOA will be responsible for common areas, such as the mailbox area, etc. Sidewalk design will be subject to DPW Director review. Abutter Brad Walker expressed concern about the slope of his driveway; Mr. Wider said it would be addressed appropriately. Mr. Reardon questioned whether Village Green would involve mill and overlay, or reclamation; Mr. Wider will confirm with the DPW Director; this part of the project shall be completed before the 24th occupancy certificate is issued. Landscaping Exhibit A showing landscaping across the street from the property will be incorporated into the final plan. Abutter Brad Walker asked for assurance that future residents will not be allowed to cut down trees between the houses and Village Green; Atty. Hill said it is a condition of the permit, and there could be a requirement to include it in the deeds.

Mr. Kulesza made a motion to continue the hearing for Village Green, The Enclave, to April 24, 2019, at 7:00 P.M. at the Norfolk Town Hall, Room 124; Mr. Sebastiano seconded the motion; the vote on the motion was unanimous.

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

The meeting was adjourned at 10:10 P.M.


Joseph Sebastiano, Clerk