

Zoning Board of Appeals
 One Liberty Lane
 Norfolk, MA 02056
 April 24, 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 7:15 P.M. Room 124 of the Norfolk Town Hall. Mr. Wider announced that the meeting was being video- and audiotaped

NEW BUSINESS:

Meeting House Village, LLC, Meetinghouse Road- Discussion/vote setting surety for remaining work

Rich McCarthy, Town Planner referred to a punch list prepared by BETA Engineering for the remaining items to be completed at Meeting House Village, dated 4/23/19, and stated that it has been forward to John Marini, the developer. The final work was to be completed before the last 4 occupancy units were issued, but one of those 4 was mistakenly issued in January for a market-rate unit. Two of the remaining units are affordable rate units, and have closings scheduled for next week. Mr. Marini has indicated that he will get a paving contractor and a construction crew out there to finish up next week. Mr. McCarthy asked that the Board, through a 13th modification to the Comprehensive Permit, allow for the occupancy of the 2 affordable rate units, but withhold occupancy of the remaining market-rate unit, until all items are completed. The occupancy will be withheld in lieu of a cash bond. Susan Jacobson, Affordable Housing Director, expressed her concerns if the town were to withhold occupancy on the affordable rate units. Mr. Hanssen asked if the value of the market rate unit (\$460,000.00) is sufficient, and Mr. Wider said it is.

Mr. Kulesza made a motion to grant Modification #13 to the Comprehensive Permit for Meeting House Village, LLC, to allow the release of the two affordable units, with one market rate unit being held until all work is completed, per the BETA letter dated 4/34/2019; Mr. Sebastiano seconded the motion; the vote on the motion was as follows:

- Robert Luciano* – yes to grant
- Devin Howe* – yes to grant
- Michael Kulesza* – yes to grant
- Joseph Sebastiano* – yes to grant
- Donald Hanssen* – yes to grant
- Christopher Wider* – yes to grant

PUBLIC HEARINGS:

Village Green, The Enclave (cont'd from 4/3/19)

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

Present were Atty. Dan Hill; Bob McGhee, Norfolk DPW Director; Tom DiPlacido, Project Manager; Attorney John Smolak

Plans and documents presented and referred to were The Enclave Draft Decision (Rev.4.23.19) updated by Atty. Dan Hill

Atty. Hill began with items pertinent to the DPW, such as the Construction Management Plan (CMP), roadway and sidewalk paving and other benchmarks for issuance of occupancy permits, permitting and bonding requirements. The status 486 s.f. of land abutting 16 Village Green was discussed, and it was decided that an agreement should be drawn up between the developer and the resident, with the Decision for The Enclave only acknowledging that it “may” happen. After a 3 minute recess, the Board reconvened and began review of the Decision in its entirety, beginning with the Findings of Fact and touching on Conditions that had been changed since the last meeting. Condition E5 specified that if Road A (the interior roadway) is formally accepted by the Town as a public way, then the HOA shall be relieved of the responsibility to maintain the trail to Juniper Road; Mr. Howe asked the status of this trail and boardwalk with the Conservation Commission (NCC.) Mr. DiPlacido said the meeting with NCC showing the plan with the reduced area of disturbance and material that lets the light shine through was well-received; assuming they approve it, the last step will be NHESP, and he felt confident they would approve it as well. Language was added to I-7 regarding the ratio of building affordable and market rate units, as well as accessibility in affordable units, and the ability of the developer to rent the affordable units to income-eligible renters, should buyers not be available. Language was added to J.1.a. regarding scheduling completion of the boardwalk. With no further discussion forthcoming,

Mr. Kulesza made a motion to close the hearing for Village Green, The Enclave; Mr. Sebastiano seconded the motion; the vote on the motion was unanimous.

The Board reconvened after a 5 minutes recess.

Mr. Kulesza made a motion to grant the Comprehensive Permit for The Enclave, a 40B development project, located on Village Green; Mr. Sebastiano seconded the motion; the vote on the motion was as follows:

<i>Robert Luciano</i>	– yes to grant
<i>Devin Howe</i>	– yes to grant
<i>Michael Kulesza</i>	– yes to grant
<i>Joseph Sebastiano</i>	– yes to grant
<i>Christopher Wider</i>	– yes to grant

MINUTES:

February 27, 2019 – Mr. Sebastiano noted that a sentence documenting that Mr. Hanssen recused himself from The Enclave hearing needed to be added.

Mr. Sebastiano made a motion to accept the minutes of February 27, 2019, as amended; Mr. Howe seconded the motion; the vote on the motion was unanimous.

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

The meeting was adjourned at 10:05 P.M.


Joseph Sebastiano, Clerk