

Zoning Board of Appeals  
 One Liberty Lane  
 Norfolk, MA 02056  
 October 16, 2019  
 7:00 P.M.

Christopher Wider – Chair ----- Present	Josephine Cordahi – Associate Member --- Present
Michael Kulesza – Vice Chair ----- Present	Timothy Martin – 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 7:01 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 10/2/19)  
Abbyville Commons (cont'd from 10/2/19)

Mr. Wider announced the continuation of these hearings. The continuation is requested due to an eligible voter quorum issue.

*Mr. Kulesza made a motion to continue the hearing to October 30, 2019, at 7:00 P.M.; Mr. Hanssen seconded the motion; the vote on the motion was unanimous.*

194 Main St, Comprehensive Permit, “The Residences at Norfolk Station” (cont'd from 9/18/19)

Mr. Wider announced that he would recuse himself from this hearing due to a financial relationship with the applicant. Mike Kulesza will be chairing this hearing.

Plans presented and referred to were entitled “Comprehensive Permit Plan, The Residences at Norfolk Station, 194 Main Street, Norfolk, MA,” prepared by Zenith Consulting Engineers, LLC (ZCE) dated August 29, 2018; “Residences at Norfolk Station rendering, undated, prepared by Rescom Architectural, Inc.; Comprehensive Permit Peer Review letter dated October 16, 2019, from BETA to the ZBA. Present were Bill McGrath, BETA Group; Todd Undzis, BETA Group; Al Quaglieri, applicant; Michael O’Shaughnessy, attorney; Jamie Bissonnette, Zenith Consulting Engineers (ZCE); Bob Forbes, ZCE

Mr. Bissonnette stated that they had received review comments from BETA today, and had submitted architectural plans today. He would like to work with BETA over the next couple of weeks to work out review comments. In answer to a question from the last meeting regarding parking ratios, the project went from 1.52 spaces per unit for an age-restricted project to 1.83 spaces per unit for non-age-restricted.

Atty. O’Shaughnessy said the architectural plans submitted today showed a reduction from 72 units to 60 units. There are now six (6) 3-bedroom units, eighteen (18) 2-bedroom units, and thirty-six (36) 1-bedroom units. The building footprint does not change, and the look is similar, the only changes being with regard to windows, dormers, etc.

Mr. Undzis said that overall, comments are relatively minor, and can be worked out between the engineers. Mr. McGrath reviewed the letter in a point-by-point fashion. Comments include, but are not limited to: please confirm no wetlands within 100’ of any proposed work; be sure all grading can be accomplished without encroaching on adjacent parcels; amount of fill required should be specified especially as it relates to truck traffic; ensure the foundation is not impacted by any water before it infiltrates; parking spaces seem adequately sized; dimensions for spaces and aisles should be added; access for firetrucks is a concern;

demonstrate trucks can get wherever they need to; perhaps ADA compliant walking paths/sidewalks for access to amenities; septic information should be shown on grading and drainage plan to ensure no conflicts. Mr. Undzis noted some but not all utilities are shown; fire chief had requested fire hydrant that is not shown near maintenance building; show electrical feeds to site lighting; pedestrian walkway on north side of building may not be adequately lit.

Atty. Hill noted that there is no detail on the septic plans, and asked to ensure setback from building; asked if test pit data is available; Mr. McGrath said groundwater is more than 4' below stormwater ponds; as to leaching areas located under parking area, Mr. Bissonnette said this has been permitted in Norfolk before with proper venting. Mr. Bissonnette said they had met with Chief Bushnell, and the chief does want a hydrant and telecommunication boxes; they did not do a turning radius, because the chief said he would never pull the fire truck through the building, he would back up and turn around; Atty. Hill questioned if the fire code limits the length of a fire lane; suggests a turning diagram be prepared; chief has retired, plans will be sent to acting chief for review; trash disposal and dumpster location was discussed. Applicant has requested to dispense with full-blown traffic study, since it's a downtown area that has been studied in the past; Richard McCarthy, Town Planner, said there is data available, but it should be pulled together and analyzed with focus on this project specifically.

Mr. Hanssen expressed concern with the traffic growth in the downtown area, especially as it regards the grade-level railroad crossing on Rockwood Road, and said he would want whatever data is required to ensure that this project will not severely impact the downtown traffic. Atty. Hill suggested a traffic engineer who has already looked at this project should be brought back on board to do trip generation, intersection level of service analyses (including at round-about in town center), drawing of sight triangles. Mr. McGrath concurred, and suggested also using available intersection capacity reports to be sure level of service does not deteriorate with the additional trip generation and distribution numbers.

The applicant should submit a point-by-point response to BETA's comment letter, and a traffic memo. Mr. Howe referred to the easement noted by BETA in their letter, between the building and Main Street; applicant should ensure that the building does not impede any future work in the easement. Having a sidewalk from the street to the parking area was questioned; Mr. Bissonnette said there is a walkway to the front of the building, and then the garage can be accessed through the building; the assumption is that only residents and their guests will be accessing the parking area. Square footage of each roof drain, going in each direction, should be documented. Septic venting should be closely considered. The architect will be made aware of a question regarding multiple or large parcel deliveries. People-loading areas, such as for ridesharing and taxis was discussed, as well as space for moving trucks, delivery trucks. These areas should be kept to the rear or side of the building. Mr. Hanssen suggested they might want to add a child play area. Mr. McCarthy stated that easement on the property is a Town of Norfolk easement for Main Street drainage. Having trash "chutes" to an area within the garage area was discussed; pros and cons of trash disposal in close proximity was discussed.

Marth Henry, 30 Boardman Street, asked why the project was switched from age-restricted to non-age-restricted; she also questioned how the tax system works for rentals in terms of these residents' contributions, and about a bus stop location. Mr. McCarthy described recent discussions with New England School Development Council, who is working with Norfolk Public Schools on updating projections; rentals may, but aren't as likely to produce as many school-age children as single family homes, particularly in a suburban area. He added that part of the reasoning for the switch was to create housing choices for people across a spectrum of ages who will support local businesses. Ms. Henry expressed frustration with the change in decision potentially increasing tax burden. Mr. Hanssen said benefits of having it non-age-restricted include decreasing the density, while still providing rental units for seniors who would like it, and also opening it up to younger commuters who work in Boston and need an affordable place to live. Chris Henry, 30 Boardman Street, noted that one aim of the current, proposed B-1 zoning changes is to increase density in the town center, not decrease it. Mr. Henry questioned if the number of bedrooms increased, even if the number of units decreased; it is believed that bedroom count went from 108 to 90. Mr. Henry asked if a waiver was being requested for the setback from neighbors, and questioned the thought of placing the dumpster away from the building, but closer to a neighbor. Ron Ober, Main Street, asked what the duration of the project

will be; Atty. O'Shaughnessy responded 18-24 months. He asked for an estimate of trucks carrying fill to and from the site; Atty. O'Shaughnessy said he thinks it is a balanced site, but will follow up.

Ms. Cordahi asked what the rents will be, stating that will affect how many people come with children. In her experience, 3-bedrooms generally bring children, but 2-bedrooms are evenly split. Ms. Cordahi expressed support for rental units for the elderly in town.

Atty. Hill reviewed his list of action items, and timetables were discussed.

- A comprehensive response to BETAs comments will be received in 2 weeks
- Septic design and detail will be submitted
- Questions regarding loading areas will be addressed
- A roof plan will be submitted
- A traffic memo will be produced (but probably not by the next meeting)
- Report on fire lane issues
- Landscape plan will come later

Mr. Henry asked where the roof drains will discharge, if they will go to interceptors; runoff will go directly into basins; Mr. Forbes said that roof runoff is mostly considered "clean" by DEP, except in some specific cases.

***Mr. Howe made a motion to continue the public hearing to 11/6/19, at 7:00 P.M.; Mr. Howe seconded the motion; the vote on the motion was unanimous.***

#### 6 Hill Street, Appeal (cont'd from 9/18/19)

Mr. Wider resumed as Chair, and announced that the applicant for the 6 Hill Street Appeal had requested a Withdrawal Without Prejudice.

***Mr. Hanssen made a motion to withdraw without prejudice the application for Appeal at 6 Hill Street; Mr. Kulesza seconded the motion; the vote on the motion was unanimous.***

#### **NEW BUSINESS:**

#### Minor Modification, 39 Mirror Lake Avenue

***Mr. Kulesza made a motion to amend the Special Permit issued for 39 Mirror Lake Ave; Mr. Howe seconded the motion; the vote on the motion was unanimous.***

#### Town Planner Discussion of B-1 District Zoning

Richard McCarthy, Town Planner, briefly reviewed the recent history of the B-1 District Zoning Committee. Draft language was developed, in concert with the Planning Board, after the September 23, 2019, meeting at the Freeman-Kennedy School. Planning Board will be holding a meeting on October 28. Allowing mixed use buildings in the center of town is being proposed, along with some zoning changes. Mr. Wider asked about traffic studies; Mr. Kulesza suggested adding storm- and wastewater treatments for commercial properties, rather than introducing more residential; Mr. Howe said that the current zoning restrictions do not attract commercial properties; Mr. McCarthy said the cost and analysis need to go through the design and permitting for wastewater is very expensive; a grant was applied for but not received. Calculating the number of potential units needs to take into account land required for septic, stormwater, parking, etc. Traffic would be looked at on a case-by-case basis; the goal is to make the town center financially attractive to business developers by allowing some residential aspects to the property; Ms. Cordahi asked if a goal is to make this attractive to business developers, in part to dissuade 40B development; Mr. McCarthy said yes, that's part of it. Mr. McCarthy said the MBTA is looking to modify the signaling to make traffic flow more smoothly; with close access to the train, it is expected that some of the increase in traffic will be pedestrian. Mr. Kulesza mentioned the Walpole buildings near the train tracks; Mr. McCarthy said they are on a

wastewater system which allows more buildout, and it is 5 stories in height with no commercial on the first floor, only parking. Mr. Kulesza suggested the zoning changes would make it easier for 40B development; Mr. Howe noted that builders will still be restrained in the number of units they can build, by stormwater requirements; Mr. Hanssen referred to the current 40B proposal in town center which needed to reduce its number of units to comply with non-age-restricted Title 5 requirements. Mr. Howe said access to a wastewater treatment plant would allow 40B developers to put in many more units than what these changes would allow. Mr. McCarthy said he will put together an FAQ sheet for the meeting on October 28. Ms. Cordahi said her experience with mixed-use developments shows them to be more compact, rather than more expansive buildings; she added that although it may not combat 40Bs, it will open up the playing field for the town to do so.

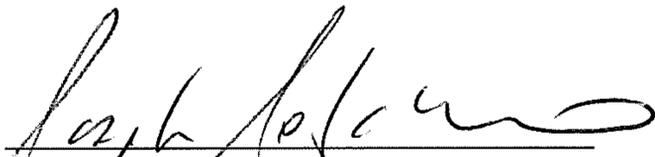
The board moved to discussion of the F.11 process. One material change from the current version requires a site plan for the property; some language was changed. Other proposed changes to zoning include changing the “parking in front yard” Special Permit hearing from the ZBA to the Planning Board; a new Zone II is being created for the Holbrook Street well; changing the zoning map reference date where necessary. Mr. Hanssen noted that Bylaw F.7.b.1.a., parking requirement of 1.5 per unit for dwelling unit other than single family home, is not being changed (although the requirement is proposed to be lowered to 1.0 for mixed use facilities in the B-1 district.) Mr. Martin questioned the use of the term “less important;” Mr. McCarthy said it would be up to the Planning Board to determine, and it would be based more on prominence than anything else.

Discussion of ZBA Application Fee Structure with Town Planner – this will be revisited at a future meeting.

Unanticipated New Business as Required – Minor Modification #2 to 39 Mirror Lake Ave. Special Permit

*Mr. Kulesza made a motion to approve the modification; Mr. Howe seconded the motion; the vote on the motion was unanimous.*

*Mr. Howe made a motion to adjourn the meeting at 9:55 P.M.; Mr. Kulesza seconded the motion; the vote on the motion was unanimous.*

  
Joseph Sebastiano, Clerk



**TOWN OF NORFOLK  
ZONING BOARD OF APPEALS**

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

DATE: 10/30/19

APPLICANT'S NAME: Norfolk Station, LLC

PROJECT NAME/LOCATION OF PROPERTY: \_\_\_\_\_

194 Main St. Residences @ Norfolk Station

CASE NO: \_\_\_\_\_

ASSESSORS' REFERENCE: Map \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_

I, Joseph Sebastiano hereby certify that I have examined  
all evidence received at the one (1) session of the public hearing in the above matter held

10/14/19 including (check all that apply):

An audio/video recording YouTube

\_\_\_\_\_ Minutes

\_\_\_\_\_ Other supporting plans & documents

[Signature]  
Signature Board Member