

Zoning Board of Appeals
 One Liberty Lane
 Norfolk, MA 02056
 July 1, 2020
 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----- Present	Amy Brady – Administrative Assistant----- Present
Donald Hanssen – Member ----- Present	Daniel Hill – Hill Law -----Present
Devin Howe – Member----- Absent	

The duly posted meeting of the Norfolk Zoning Board of Appeals convened at 7:07 P.M. Mr. Wider announce that in accordance with the Governor’s Order Suspending Certain Provisions of the Open Meeting Law, M.G. L. c. 30A, § 20, relating to the 2020 novel Coronavirus outbreak emergency, the July 1 , 2020, public meeting of the Norfolk Zoning Board of Appeals would be physically closed to the public to avoid group congregation, and further that:

Alternative public access to this meeting shall be made utilizing the Zoom virtual meeting software <https://zoom.us> for remote access. This software will allow users to view the meeting and send a comment or question to the Chair via the “Raise your Hand” function. The Meeting will be recorded for future rebroadcast by Norfolk Community Television.

PUBLIC HEARINGS:

112 Myrtle Street - Variance (cont’d from 6/24/20)

Mr. Wider announced that the applicant had asked for a continuance. Mr. Kulesza was not yet present at the meeting; Mr. Wider appointed Mr. Martin to vote on this hearing.

Mr. Sebastiano made a motion to continue the hearing to August 5, 2020, at 7:05 P.M.; Mr. Hanssen seconded the motion; the vote on the motion was unanimous.

19 Shire Drive (formerly 7 Philips Way), Special Permits (cont’d from 6/3/20)

Present was Jim Susi, United Consultants, Inc. (UCI). Plans presented and referred to were entitled “Layout Plan, 19 Shire Drive,” prepared by UCI, dated September 5, 2019, rev’d through May 5, 2020.

Mr. Susi referred to an email from the Town Planner, indicating that the Planning Board had agreed that the property was properly categorized as a Contractor’s Headquarters. Based on that, Mr. Susi submitted a revised application; he is looking for a Special Permit from the ZBA to store more than 3 commercial vehicles in the rear of the property, which is in the C-1, off-highway zoning district. Nine specific vehicles are indicated on the plans; Mr. Hanssen suggested saying “10 or less” in the decision. Mr. Wider said this would be deliberated at the next meeting.

Mr. Sebastiano made a motion to close the hearing for 19 Shire Drive; Mr. Hanssen seconded the motion; the vote on the motion was unanimous.

144 Seekonk Street – Lakeland Hills, Comprehensive Permit (cont’d from 6/24/20)

Present were Sean Reardon, Tetra Tech; Ted O’Harte, applicant; Christopher Agostino, attorney for applicant.

Since the last hearing, the attorneys had gone through the waivers, and narrowed the list for discussion tonight. Atty. Hill said that the waiver from the Wetlands Act will be granted with exceptions including the ability of the Conservation Commission to hire a peer reviewer and the documents review. Locations and responsibility for streetlights/lampposts were discussed; Mr. Reardon said all crosswalks should be lit, Mr. Sebastiano said curves as well; DPW will be consulted; this can be finalized post-permit at final plan review. Dimensional requirement waivers have been reviewed and approved of by Mr. Reardon; Mr. Reardon asked for clarification as to whether the 38' height requirement included dormers, and he said attention needs to be paid as to whether it is measured from average grade or not. The approved conceptual plan is the one dated 3/30/20. The standard dimensional requirements for the sign can be waived, but a proposed sign must be submitted for board and peer review.

Discussion ensued with regard to Section 4.13. regarding the water system, fire hydrants, valves, etc.; the waiver will be withdrawn. The various subsections of Section 4.14 will be subject to in-depth post-permit review; the right of way (ROW) is known, the width of roadway is known, maximum grade is known; these can be waived to the agreed upon, known dimensions. Atty. Agostino said that turning radii will be calculated for Norfolk's largest emergency vehicles. Mr. Reardon is not in favor of waiving any design standard in advance of having a final plan. A sidewalk is not required on Seekonk Street, but money will be put aside for the town sidewalk fund. Section 5.1.3, Reference Standards withdrawn. There will be no waving or reduction of water connection fees.

Appendix A, regarding street acceptance, was tabled for later. Regarding Appendix B, Forms, K, L, and M will be used as a checklist for reference, but various signatures not required, since one peer review engineer will be overseeing the entire project. Appendices C & D ok to waive. BOH Title 5 fees will not be waived. Clarifications were made with regard to the review done by Tetra Tech vs. the reviews done by the BOH agent. Differing waivers will be further discussed for the single family vs. shared septic systems. Well regulations will be further discussed; homeowners may wish to install irrigation wells.

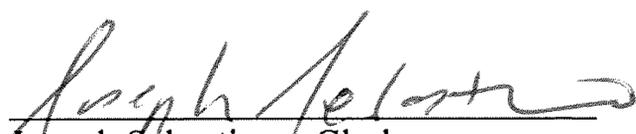
Condition C.14. was added detailing street acceptance procedures; Mr. Reardon suggested that responsibility for maintenance of the stormwater infrastructure components should be clarified. Responsibility for all common areas needs to be discussed. Condition E.12., Protection of Neighborhood Water Supply Wells in the event of blasting, was discussed. Language was added regarding the length of time to address any negative impacts to neighboring wells. The Well Monitoring Plan and Protocol shall include wells within 800' of any blasting charge locations. If an abutter opts out of pre-testing, they will not be eligible for any future remediation. Condition G.9. was tailored to comments from the Fire Chief.

Silvana Dellacamera, 134 Seekonk Street, expressed concern with the diminished radius around abutting wells; Mr. Reardon said he feels that the 800' radius is very safe; this is extra control above and beyond what is required. There is a provision for a resident to request a second test be done 12 months after the first test. Debra Gursha, 143 Seekonk Street, also expressed concern about wells.

Karen Clark, 130 Seekonk Street, concurred with neighbors about concern with the reduction in the radius. Ms. Clark expressed about condition A.2. regarding no vehicular access to other properties. Ms. Clark asked that there be a "No Build/No Disturb" access behind the properties at 130 and 134 Seekonk Street, such as the Condition A.5.; Atty. Agostino said the address protected in A.5. was due to the proximity of the house, a vernal pool, and that fact that it is downgradient of the proposed development; there are no such issues behind 130 & 134. It is the general intention to not cut down trees in that area. Condition B.17. regarding rental units was clarified.

Mr. Hanssen made a motion to continue the hearing to July 29, 2020, at 7:00 P.M.; Mr. Sebastiano seconded the motion; the vote on the motion was unanimous.

Mr. Sebastiano made a motion to adjourn the meeting; Mr. Hanssen seconded the motion; the vote on the motion was unanimous. The meeting adjourned at 10:10 P.M.


Joseph Sebastiano, Clerk



**TOWN OF NORFOLK
ZONING BOARD OF APPEALS**

ONE LIBERTY LANE
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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: 7/22/2020

APPLICANT'S NAME: AA+JB Realty LLC

PROJECT NAME/LOCATION OF PROPERTY: 19 Shire Drive

CASE NO: 2019-14

ASSESSORS' REFERENCE: Map 18 Block 69 Lot 41+12

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

7/1/2020 including (check all that apply):

An audio/video recording

Minutes

Other supporting plans & documents

D Howe

Signature Board Member



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(ACCEPTED UNDER ARTICLE 12
OF THE SPECIAL TOWN MEETING
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DATE: 7/22/2020

APPLICANT'S NAME: Lakeland Hills, LLC

PROJECT NAME/LOCATION OF PROPERTY: 144 Seekonk St

CASE NO: 2017-11

ASSESSORS' REFERENCE: Map 23 Block 76 Lot 71

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

7/1/2020 including (check all that apply):

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Signature Board Member