

Town of Norfolk
Zoning Board of Appeals
One Liberty Lane
Norfolk, MA 02056
 August 29, 2016

| Zoning Board Members | Others |
|--|---|
| Michael Kulesza –Chairman ----- present | Amy Brady--Administrative Assistant --Present |
| Robert Luciano –Vice Chairman---present | |
| Mr. Wider – Clerk -----present | |
| Joseph Sebastiano –Full Member - present | |
| Donald Hanssen – Full Member – present | |
| -Associate Member - | |

The duly posted meeting of the Zoning Board of Appeals convened at 7:30 P.M. in Room 124 at the Norfolk Town Hall. Mr. Kulesza announced that this meeting was being audio and video recorded.

PUBLIC HEARINGS:

84 Cleveland Street, Lakeland Farms, Comprehensive Permit – Present were Stephen O’Connell, ASE; Ted O’Harte, applicant; Bill McGrath, BETA; Glen Fontecchio, Architect. Mr. Kulesza began by stating that tonight’s continuation of this meeting will regard landscape, architecture & a re-review of the traffic study.

Mr. O’Connell gave an overview of his response to the landscape portion of the Peer Review submitted by Mr. McGrath. Mr. McGrath gave an overview of this landscape review, which was completed by BETA Group, entitled “Comprehensive Plan – Landscape Architecture and Architectural Review,” dated August 26, 2016. In response to a question from Mr. Sebastiano, the applicant responded that the Board would have opportunity to review a draft of a Homeowners Association (HOA) Agreement, in order to understand the landscape maintenance plan. Mr. Kulesza asked if the reviewer had looked at the caliper of the large trees, and Mr. McGrath responded that they were 2” to 2-1/2” and acknowledged that 3” is typically the recommended ideal for health and growth of the tree; discussion between the Board, Mr. O’Connell, and Ms. Barrett ensued resulting in agreement that increasing the diameter of the large trees would not be a “deal breaker” if it were a condition of the decision. Mr. Kulesza opened the landscaping portion of the meeting to questions from the public.

Ms. Kubit, 88 Cleveland Street, questioned why trees between her property and the applicant’s need to be removed; Ms. Kubit also questioned waterflow in the northeast corner, with regard to plants possibly constricting waterflow; and the proposed installation of a fence along the western edge of the property. Mr. O’Connell responded that with regard to the fence, there will be a fence erected on the eastern edge of the property; with regard to trees, most that have to be removed fall within the proposed roadway, and in fact a number of trees in the center of the property were removed years ago with the farming operation of the property; with regard to waterflow in the northeastern corner of the property, Mr. O’Connell responded that trees will not restrict waterflow in that area, and referred to other sheets in the plan of record that show a 12” culvert pipe that allows water to be conveyed under the roadway into the stormwater basin on the other side of the roadway, where some tall pines will need to be removed; Mr. O’Connell stated his belief that those trees do not currently provide visual privacy, and noted where there will be a large tree planting and a decorative-type landscaping feature with shrubs and flowers at the entrance. Ms. Kubit closed by indicating an area where she feels some mitigation would reduce the degree of change in scenery from her property. Mr. O’Harte stated that he would not be opposed to putting in some arborvitae in the area in questions. Mr. Wider asked what material and height the fence would be, and Mr. O’Connell responded that it would be 4’ and solid wood or vinyl. Mr. Wider asked if

the applicant would be opposed to making it 6', and Mr. O'Connell stated that they would be open to either arborvitae or a 6' fence.

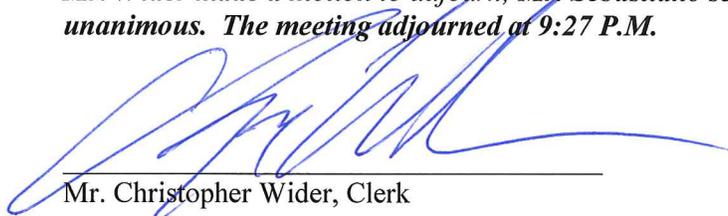
Mr. Kulesza next steered the discussion to the architectural portion of the review cited above. Mr. Fontecchio introduced himself, and began running through the major points of his review. Mr. Fontecchio noted that the actual plans for the homes do not reflect the generic photo chosen for the cover of the permit application. Mr. Fontecchio stated that the backs of the buildings face the roadway, contrary to most accepted guidelines, and in many cases, you cannot easily access the front door, except through the garage. Visitors may have to walk down the roadway (no sidewalks, no street lighting), then go up some stairs and circle back to the front of the house. Because of grading, some of the front doors are a full story elevated; there are not very detailed drawings showing what porches would look like, but there appears to be a lot of steps. He also noted that a full story of concrete is exposed on some of the buildings. Ms. Barrett asked what Mr. Fontecchio received to review, and he said he received the site plan, and the original booklet, with preliminary elevations. Ms. Barrett asked the architect what additional materials would help the Board, and him, to do a more extensive evaluation; Mr. Fontecchio responded that having larger scale architectural elevations and plans, along with a site plan that reflected how one would navigate grades. Mr. Goff inquired what would be an acceptable level of detail in these preliminary plans, to which Mr. Fontecchio responded that typically, 1/8":1' scale drawings are provided with the elevations and plans, overall building heights, grading, how entrances work, are any units handicapped accessible, and a general pallet of materials. Mr. O'Harte stated that their intention is that no two building will be exactly alike, a wide variety of materials will be used; Ms. Barrett asked if the applicant can provide specifications for the different buildings. Mr. Fontecchio stated again that driving around and seeing all garages from the roadway, and houses very close together, seems inappropriate for this community; Mr. Goff asked if adding entryway-type doors to the garage side of the house could help; Mr. Fontecchio replied that that would be functionally better, because it would limit people walking in the street; it would be the architect's challenge to see if they could make it look appealing. Mr. Fontecchio referred to the lack of lighting, and said that some level of lighting needs to be maintained, both for safety, and to make it look like a "welcoming environment." Mr. O'Connell said there are three locations where they would consider lighting, but were primarily relying on unit lighting. Mr. Fontecchio noted that properly designed street lighting should not adversely affect neighbors, perhaps might be better than building mounted lighting. Mr. Fontecchio stated that the main doors on the sides of some of the units at garage level do not adequately meet the need for an entrance door, as they still enter directly into the garage, and being on the side, do nothing to alleviate the look from the street, whereas creating an entry porch could give it a more residential feel. He also related information on other developments similar to the main loop of buildings here, where the road going around the buildings is treated as a service road, and a road going straight down the center of the development is created for guest arrive and parallel parking. Ms. Barrett stated that the objective for Zoning Boards with regard to 40B developments, is to ensure a development that blends into the community, and does not conspicuously stand out as "The 40B Development." The subject of trash disposal was addressed, and Mr. O'Connell replied that the HOA would contract with a carrier in town, and each unit would have its own rolling totes for recyclables and trash; no mass dumpsters or compactors. Mr. O'Connell let the Board know that some architectural features will be added. Mr. O'Connell stated that very little of the items comment upon will be visible from Cleveland Street, only once someone chooses to turn into the development. With no further questions from the Board, Mr. Kulesza opened up the discussion to the audience.

Dave Poggi, 89 Cleveland Street, expressed frustration at number of separate, small issues that have been raised, and seemingly nothing done about them. Gene Bailey, 87 Cleveland Street, questioned how a layman can be expected to piece it all together, and Ms. Barrett replied that the Board will have to decide soon what the "dealbreakers" are, and create a strategy to get to something that is acceptable, affordable, and buildable, that is clear enough for the Board to write a decision that is, in turn, clear enough for the Building Inspector/Zoning Officer to enforce. Ms. Barrett expanded upon the legal aspect of it, if the Board identifies certain critical items and the applicant agrees, then the Board will grant the permit; if the applicant does not agree, and claims those requirements would make the project unfinance-able, then the Board can request a Financial Pro Forma Peer Review, in which the applicant provides a development pro forma for the number of units (i.e.) that the board requested, then an independent consultant will review

the pro forma and provide the Board with testimony as to whether the revision to the project will in fact make the project un-economic. Ms. Barrett further explained that when a 40B application is submitted, the applicant is not required to submit the same level of detail as regular subdivisions, and the ZBA is left drafting a decision based on incomplete information, and must try to write conditions into the decision that will make it clear for the Building Officer what needs to be done. In response to further questioning from Mr. Bailey, Ms. Barrett stated that the architectural plans currently being presented provide insufficient information for this process; typically there would be better elevation drawings, floor plans, better scaling, plans prepared and stamped by an architect, narrative should match plans. Mr. O'Connell stated that he feels these plans are very detailed, with perhaps an exception in the architectural area, as compared to other 40B submissions; there are complete stormwater plans, pipe sizes, inverts, road profiles, retaining walls, gradings, etc. Mr. O'Connell further stated that they received a letter from the Conservation Agent last week, acknowledging many revisions that these plans show; a couple of "loose ends" but nothing that will substantially change the project from a layout or density standpoint; traffic – received a letter stating that all traffic concerns have been addressed; fire – received a letter from the fire chief stating he has reviewed and approved the project; provided revised engineering plans from BETA's review, and also the Conservation Commission's review. Mr. O'Connell stated that the most detailed revisions going forward will likely be the architecture. Ms. Barrett asked when they expect an Order of Conditions from the Conservation Commission, and Mr. O'Connell informed her that the next ConComm meeting is September 14. In response to a question from Mr. Luciano, Ms. Barrett stressed the importance of relying on the professional consultants' input when reaching a decision. BETA and their architect will contact the ZBA and the applicant to let them know what is required to do a more detailed architectural review. Next, a "workshop" meeting was scheduled with the applicant's team, the town's engineer and consultants, the Town Planner, and a 40B consultant (Paul Haverty) for September 15, 2016, at 1:00 P.M. Regarding traffic, Mr. McGrath stated that the one remaining issue was several intersections where sight distance is less than ideal, mostly because of existing vegetation.

Mr. Wider made a motion to continue the public hearing until September 21, 2016, at 7:45 P.M. to discuss the engineering, landscaping, and architectural reviews; Mr. Sebastiano seconded the motion; the vote on the motion was unanimous.

Mr. Wider made a motion to adjourn; Mr. Sebastiano seconded the motion; the vote on the motion was unanimous. The meeting adjourned at 9:27 P.M.



Mr. Christopher Wider, 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.