

**Town of Norfolk
Zoning Board of Appeals
One Liberty Lane
Norfolk, MA 02056**

September 21, 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 7:12 P.M. in Room 124 at the Norfolk Town Hall. Mr. Kulesza announced that this meeting was being audio and video recorded.

MINUTES:

Mr. Wider made a motion to approve the minutes of August 18, 2016; Mr. Sebastiano seconded the motion; the vote on the motion was unanimous.

PUBLIC HEARINGS:

2 Needham Street, Special Permit – Present were Robert Wooding, applicant; Nancy Wooding. Mr. Wider read the Public Notice into the record at 7:13 P.M.

Plans prepared by O’Driscoll Land Surveying, entitled “Certified Plot Plan, 2 Needham Street, Norfolk, Massachusetts,” dated July 11, 2015. Mr. Wooding stated that since filing, he has been rethinking the plan as presented, and would like to revisit the plan so as to better utilize the property. Mr. Wooding will submit a request to withdraw this filing without prejudice. Ms. Brady will arrange a meeting with Mr. Wooding, Ray Goff, Town Planner and Bob Bullock, Zoning Officer to discuss a different plan.

Mr. Wider made a motion to close the Public Hearing at 7:20 P.M.; Mr. Sebastiano seconded the motion; the vote on the motion was unanimous.

84 Cleveland Street, Lakeland Farms, Comprehensive Permit (Continued from 8/29/16) – Present were Stephen O’Connell, ASE; Ted O’Harte, applicant; Rob Knapik, attorney; Bill McGrath, BETA Group; Glen Fontecchio, Architect; Paul Haverty, Blatman, Bobrowski, Mead & Talerman; Ray Goff, Town Planner.

Mr. Kulesza gave an overview regarding the public hearing process, and the September 15th workshop that was held. Mr. Kulesza stated that the focus will now focus more on site design than engineering. The Board is not happy with the current design, particularly with regard to sidewalks, and building design.

Mr. Kulesza invited Mr. Fontecchio to present. Mr. Fontecchio began by first showing how when visitors park, they have to walk down the road to get up to the green, and then back down the street to the unit. The next issue stated was the row of front-loading 2-car garages, necessitating many wide curb-cuts, with short spans of sidewalk in between.

Mr. Luciano referred to the letter of safety concerns received from Police Chief Stone earlier in the day (September 21, 2016). Mr. McGrath addressed the sightline concerns, stating that according to their traffic study, the sightline distance is technically sufficient, assuming that existing vegetation is cleared. Mr. Haverty explained that if the vegetation is on the applicant's property, it's OK, but if it's on someone else's property, it could be a problem. Mr. O'Connell confirmed that the vegetation is on the applicant's property.

After much discussion regarding design and safety issues, Mr. Goff suggested a date of September 28, 2016, for a follow-up workshop, including engineers and architects. Details will be confirmed tomorrow.

Mr. Kulesza opened the meeting to the public. Residents voiced concerns such as the proposed new gas utility evacuation zone, the number of car trips per day, water & sewer (septic) concerns, bus shelter, and vegetation/sightline issues. Mr. McGrath requested that the plan show the sight distance triangle indicating 315' for the next meeting. Mr. Haverty reminded all parties that the list of waivers needs to be reviewed and updated.

Mr. Wider made a motion to continue the Public Hearing until October 12, 2016, at 8:00 P.M.; Mr. Sebastiano seconded the motion; the vote on the motion was unanimous.

31 Mirror Lake Avenue, Special Permit – Present were Larry Foran, applicant; David McCombs, DBM Engineering; Cary Orlandi, Millbrook Homes; Nick Romanu, DBM Engineering. Mr. Wider read the Public Notice into the record at 9:15 P.M.

Mr. Foran began with an overview of the current property, and his proposed project. Members of the Board asked some questions with regard to setbacks and whether there were any environmental concerns that would need to be addressed. Mr. Foran responded that he has an Order of Conditions with the Conservation Commission. Mr. Foran stated that the building is being brought back off the lake, and there will be less lake frontage. Mr. McCombs stated that the foundation will now be out of the flood plain, and the original building footprint is 994.5 s.f., plus 338 s.f. of deck and 32.5 s.f. of concrete deck (total 1,365 s.f.); the new building will be 1,053.2 s.f. plus 150 s.f. of deck (total 1,203.2 s.f.). Wooden deck will sit on a post foundation with sonotubes. After a few more questions, Mr. Kulesza opened the meeting to the public. With no questions forthcoming, Mr. Kulesza announced that the case would be deliberated this evening.

Mr. Wider made a motion to close the Public Hearing at 9:28 P.M.; Mr. Hanssen seconded the motion; the vote on the motion was unanimous.

DELIBERATIONS:

31 Mirror Lake Avenue – Special Permit: The Board immediately convened into the deliberations for the Special Permit request for 31 Mirror Lake Avenue. The Board reviewed the criteria for the granting of Special Permits pursuant to section F.4.b. of the Norfolk Zoning Bylaws, and Mr. Kulesza read Appendix B into the record. The Board next discussed Findings of Facts (see Detailed Record).

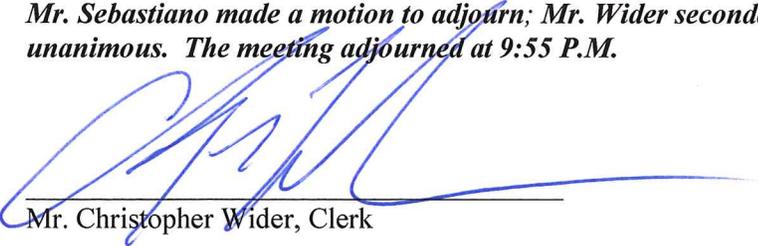
Mr. Wider made a motion to grant a Special Permit for 31 Mirror Lake Ave., in accordance with Section 9 of MGL 40A, and Section F.4.b. of the Norfolk Zoning Bylaws to allow for the

demolition and reconstruction of an existing, non-conforming single family residence, which does violate the setback, coverage and height requirements of E.1.b., but does not violate those requirements to a greater extent than the original structure. The structure is located at 31 Mirror Lake Ave., Map 12, Block 64, Lot 14, in the R-3 zoning district. Mr. Hanssen seconded the motion. The vote on the motion was as follows:

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

The vote on the motion to grant the special permit was 5 – 0. The deliberations and vote closed at 9:50 P.M.

Mr. Sebastiano made a motion to adjourn; Mr. Wider seconded the motion; the vote on the motion was unanimous. The meeting adjourned at 9:55 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.