

Norton Planning Board Minutes of Meeting  
For  
January 7, 2014

**Call to Order**

The January 7, 2014, meeting of the Norton Planning Board, held in the first floor Selectmen's Conference Room, was called to order at 7:15 P.M., by Mrs. Haracz, Chairman. Members Present: Mrs. Joanne Haracz, Chairman; Mr. David Miller, Vice-Chair; Mr. Edward Beatty; Mr. Patrick Daly; and Mr. Joseph Fernandes. Absent: Mr. George Burgess. Also present was Mr. Charles Gabriel, Town Planner.

**Report of the Planning Board**

The driving academy/garage on Olympia Street status was referenced. Mr. Gabriel said Building Inspector is looking into this.

**Approval of Minutes**

November 19, 2013 – These Minutes will be reviewed at the end of this meeting.

**Approval Not Required Plans Pending:**

<u>Applicant Name</u>	<u>Date Filed with Town Clerk</u>
Polillio Sand & Gravel	December 9, 2013

Mr. Gabriel said he believed Mr. Yarworth of Yarworth Engineering was on vacation. This was previously one lot. In 2007 plan was approved. Appears eliminating Parcel A and creating two lots. The plan was reviewed – "Plan of Land on Bay Road in Norton, MA by Yarworth Engineering, Norton, MA".

It was noted this has frontage and more than 80,000 square feet on each lot.

**MOTION was made by Mr. Beatty to approve Plan for Polilio Sand and Gravel, dated December 6, 2013. Second by Mr. Nichols. Vote: Unanimous. MOTION CARRIES.**

Mrs. Haracz said, with Board's permission, she would like to move agenda items around. Board unanimously agreed.

David Eastridge to reduce surety for Red Mill Village

Mr. Eastridge referenced surety reduction from \$250,000 to \$150,000 which he had discussed previously. Discussion on topcoating. Prefer surety in cash instead of a Letter of Credit. "Site Plan Key" drawing was displayed to Board.

Mrs. Haracz said Amory Engineers had no comments per Mr. Gabriel.

Mr. Eastridge said eight lots are untouched.

Mr. Gabriel said there should not be any more requests for future reductions.

**MOTION was made by Mr. Fernandes to reduce surety from \$250,000 to \$150,000 in cash changed from Letter of Credit. Second by Mr. Nichols. Vote: Unanimous. MOTION CARRIES.**

Mr. Eastridge asked if he could get a letter for bank.

7:30 P.M. Public Hearing: Dr. Anfaque Akhter for a Special Permit to tear down an existing building located at 85 East Main Street (American Legion building) and constructed a professional office building. The project requires a Special Permit because it is located within the Water Resource Protection District and a Special Permit because it proposes more than 25 parking spaces. Site Plan Approval is also required.

Mr. Todd Pilling of Pilling Engineering was present accompanied by the physician who this proposed project is being built for, Steve Hutchinson, and the architect is on his way to this meeting. This is American Legion building and plan to tear down and have a 5400 square foot office building for use of doctors; mostly for himself and to rent to other professionals.

"Proposed Site Plan – 85 Legion, LLC, 85 East Main Street, Norton, MA by Pilling Engineering Group, Inc., Civil Engineers & Land Surveyors, Brockton, MA" rendering was displayed. This is a quiet business and this physician has been working in Town for a while. They will be connecting driveway and easement for cars to use American Legion parking lot.

Mrs. Haracz said this is in village commercial district; parking in front is not preferred.

Mr. Pilling responded it is something they can consider changing.

Mr. Jerome Dickson, Architect, said this is a fairly straightforward office building with one front and one back entrance with a hip roof. "Front Elevation" drawing shown to Board.

This building will be a good companion to neighboring dwellings.

Mr. Gabriel said he can send it out to Town consultant engineer if Planning Board would like him to do so.

Mrs. Haracz noted it is in a WRPD so warrants a review by engineers.

Mrs. Haracz said Planning Board prefers not to overpave an area.

It was noted landscape plan is not specific yet.

Mr. Gabriel referenced a requirement in zoning bylaw, a tree must be planted every 30'; a bit short on landscaping.

Mr. Pilling responded they can take a look at that.

Mrs. Haracz referenced lighting.

Mr. Dickson said they will have low voltage lights; recessed lights; and two pole light to illuminate parking lot. Sixteen foot height on light poles.

Mrs. Haracz said lighting must be Dark Sky Compliant, and Planning Board would like a spec on this.

Mr. Gabriel referenced Section 7.5(c) on at least three sides of perimeter regarding tree planting/spacing.

Mr. Gabriel referenced Section 6.5, last sentence in paragraph: "where commercial meets residential...thick planting walls or berms 4' or higher" and suggested they may want to take a look at this.

Mr. Fred Williams, Adjutant of American Legion, spoke of a row of plantings where residential meets village commercial, and added parking lot is well lit all night long and never has been a problem regarding lighting.

Mr. Pilling noted having a buffer against current trees would not make sense.

Mrs. Haracz suggested building to be close to road with parking to rear of building. Examples in Town are High Tech Automotive and the dental office to create a streetscape along East Main Street.

Mr. Pilling said they are trying to put infiltration in rear and septic in front due to rules and regs. It is an "A" soil. The infiltration needs to be 100' away from septic. It could put them 40-50' off from street.

“Commercial Building” drawing of proposed building on easel was shown and explained.

Mrs. Haracz suggested they not use the Bradford Pear in landscaping as it is not very long-lived.

Mrs. Haracz said Town’s consultant engineer will review drainage, and would like to see building move closer to front and landscaping details and lighting specs/detailed needed.

Mr. Gabriel said it needs to meet current zoning. Plan should come in according to meeting zoning. Planning Board should enforce current zoning and if it cannot be done then needs to be explained why. Then they could go with a variance if necessary and ZBA can handle that.

Interpretation discussion of required buffer.

Mr. Miller recommended to hold off on getting review by town consultant engineer until revisions are completed.

It was noted review will be done on drainage only.

Mr. Miller agreed with moving building forward and having a row of parking near street (one or two rows); pull it forward a bit.

It is a state layout but not state controlled.

Mrs. Haracz said intent of building fits with what Planning Board is looking for in village commercial (i.e., brick facade, etc.).

Mrs. Haracz said Mr. Gabriel can hire an engineer; they have a list of engineers. They can receive an estimate from their engineer of cost, etc. Next Planning Board meeting is scheduled for January 21<sup>st</sup>; however Mr. Pilling needed more time, therefore, they can put this on February 4 agenda.

Mr. Pilling said he would like temperature of Board. Parking was discussed.

Mr. Nichols said he would like one row in front of parking.

Mr. Pilling said he will try to put parking in back/rear.

Some items to consider:

1. Berm which is high enough for headlights pulling in; and walkway between two buildings.

Mrs. Haracz said Board would probably look favorable upon this if there were a walkway.

**MOTION was made by Mr. Daly to continue this Hearing to February 4, 2014 at 7:30 p.m.  
Second by Mr. Nichols. Vote: Unanimous. MOTION CARRIES.**

**Approval Not Required Plans Pending: (continued from earlier in meeting)**

<u>Applicant Name</u>	<u>Date Filed with Town Clerk</u>
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Jeffrey Burton	December 24, 2013
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Mr. Jeff Burton of 142 South Worcester Street, referenced ANR plan spoke of reconfiguring their lots. He provided history, including the purchase of 7 and 10 Maple Street. When road abandonment went away it landlocked their building.

Plan: drawn by "RIM Engineering, 150 North Main Street, Mansfield, MA, dated Dec. 19, 2013, for Jeff Burton, 7 Maple Street, Norton, MA Plan of Land"

Board discussed it met the ANR requirements.

**MOTION was made by Mr. Beatty to accept Plan of land of Jeff Burton, 7 Maple Street, drawn by RIM Engineering, dated Dec. 19, 2013. Second by Mr. Nichols. Vote: Unanimous. MOTION CARRIES.**

**Approval of Minutes**

**MOTION was made by Mr. Miller to approve the November 19, 2013 Planning Board Minutes of Meeting as written. Second by Mr. Beatty. Vote: all In Favor with Mr. Daly voting "present".  
MOTION CARRIES.**

**Report of the Town Planner**

Solar bylaw:

Mr. Gabriel said he spoke to Town Manager briefly as he was confused in which direction to go (small scale solar things on a house vs. larger scale solar would have model bylaws designed to facilitate) and not sure to facilitate is what direction Board of Selectmen want Planning Board to go. They will, per Mr. Gabriel's request, get him more specifics on this, and once he gets more direction, he will advise the Planning Board.

Mr. Fernandes said he will get bylaw from the town of Plainville.

**Planning Board Business and Policies:**

Next scheduled meetings to be held: Jan. 21; Feb 4; Feb 18; March 4; and March 18, 2014.

Mrs. Haracz said depending on agenda items for the next meeting of January 21<sup>st</sup>, it may be canceled.

**Bills and Warrants**

Mr. Beatty said the Board already ratified payroll for 11/19/13 included in bills and warrants of 11/19/13 payroll.

**MOTION was made by Mr. Beatty to approve Bills and Warrants as amended in the amount of \$6,761.68. Second by Mr. Daly. Vote: Unanimous. MOTION CARRIES.**

**Adjournment**

**MOTION was made by Mr. Daly to Adjourn at 8:34 P.M. Second by Mr. Nichols. Vote: Unanimous. MOTION CARRIES.**

Respectfully Submitted by:

Janet A. Sweeney  
Board of Selectmen – Recording Secretary

**Minutes Approved by Committee on:** \_\_\_\_\_  
(Date)

**Signature:** \_\_\_\_\_

**Chairman:** \_\_\_\_\_

Documents Reviewed/Distributed at Planning Board Meeting of January 7, 2014

. “Proposed Site Plan – 85 Legion, LLC, 85 East Main Street, Norton, MA, by Pilling Engineering Group, Inc., Civil Engineers and Land Surveyors, Brockton, MA” accompanied by Plans of “Commercial Building” and “Front Elevation”

. “Site Plan Key” re: Red Mill Village

. Draft November 19, 2013 Planning Board Minutes of Meeting

. Plan of Land on Bay Road, Norton, MA, by Yarworth Engineering, Norton, MA, dated December, 2013

. Plan of Land of Jeff Burton, 7 Maple Street, Norton, MA, drawn by RIM Engineering, Inc., Mansfield, MA, dated December 19, 2013