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**Town of Norton Planning Board  
Meeting Minutes  
November 10, 2015**

**Call to Order/General Business**

The November 10, 2015, meeting of the Norton Planning Board, was held in the first floor Selectmen's Conference Room, of the Norton Town Hall and was called to order at 7:15 P.M., by Joanne Haracz, Chairman. Members Present: Joanne Haracz, Chairman; Mr. David Miller, Vice-Chair; Mr. Edward Beatty, Mr. George Burgess; Mr. Joseph Fernandes; and Ms. Cheryll-Ann Senior. Mr. Pat Daly arrived at 7:20 P.M. Also present: Beth A. Wierling, Director of Planning & Economic Development and Janet Sweeney, Recording Secretary.

**A. Request to Increase Surety: Red Mill Village**

David Eastridge of Thorndike Development was present to request an increase in surety for Red Mill Village. Mr. Eastridge noted that Thorndike Development is in the process of closing out the project with Red Mill Trustees and the homeowners and in order to satisfy the requests of the Trustees, Thorndike Development has agreed to increase surety with the Town of Norton by an additional \$40,000 bringing the total surety held with the Town to \$190,000.

Mr. Thorndike indicated surety would be in the form of cash, noting remaining work is limited to paving, including top coat, raising gates, as well as cleaning catch basins. Mr. Thorndike indicated there was a need for pavement repair and some plow damage to curbing.

**MOTION made by Mr. Fernandes to accept \$40,000 of additional surety for Red Mill Village. Second by Mr. Miller. Vote: (7-0-0) Unanimous. MOTION CARRIES.**

**B. Report of the Planning Board**

Mr. Burgess reported the crosswalks at Wheaton College are still very dangerous indicating prior to the meeting he noticed two volunteers with a lighted stick near crosswalks directing walkers but it was still difficult to see these volunteers.

Mrs. Haracz indicated she thought there were some grant and opportunities with SRPEDD for assisting with safety issues at the area near Wheaton College, which has been an ongoing issue. Planning Board members requested Ms. Wierling research what funding opportunities might be available to assist with safety improvements in this area.

**C. Planning Board Business and Policies:**

**January and February 2016 Meeting Dates:**

Chairman Haracz indicated the need to establish meeting dates for upcoming months and suggested a few dates for potential meetings in January, but wasn't sure when school vacation was in February. After discussion, it was decided that meeting dates for the month of January would be January 12, 2016 and January 26, 2016 due to conflicts with other dates in January, noting Mr. Fernandes and Mr. Burgess could not attend January 5, 2016 and Mr. Daly could not attend January 12, 2016.

Members agreed to wait until the next meeting to determine additional meeting dates.

**SRPEDD: Vote to recommend appointment of Beth A. Wierling to the SRPEDD Commission as the Planning Board delegate/rep for the Town of Norton.**

Ms. Wierling indicated she was notified by SRPEDD that there was a need for an additional representative to the SRPEDD Commission for the Town of Norton and it has been recommended she be appointed as the delegate.

**MOTION made by Mr. Beatty to recommend appointment of Beth A. Wierling to the SRPEDD Commission as the Planning Board delegate/rep for the Town of Norton. Second by Mr. Burgess. Vote: (7-0-0) Unanimous. MOTION CARRIES.**

**Discussion:** Development of RFP for Procurement of Engineering Services

Chairman Haracz stated the Town Manager, Mr. Yunits, would like to hire one consulting firm for the Town that could complete peer reviews for the Planning Board, Conservation Commission and ZBA as needed. Planning members discussed what the needs of the Planning Board would be when seeking a consulting engineer, noting, experience with stormwater management, traffic and pedestrian issues, landscape architecture, and other services would be beneficial. Ms. Wierling indicated she would relay the Planning Board requests to Mr. Yunits.

Chairman Haracz asked the Board to consider review of remaining General Business Items until the conclusion of the scheduled Public Hearings. Members agreed unanimously to review "Approval of Minutes" and "Bills and Warrants" to end of the meeting.

**7:30 P.M.      PUBLIC HEARING – continued from 10/13/15**

**REMAND:**    *Wheaton College and Norton Solar I, LLC v. Norton Planning Board*  
650 Kw Solar farms – located off Clapp Street  
Special Permit & Site Plan

**Special Permit:** Article XXI: Large-scale, Ground mounted, solar, Photovoltaic Installations

***Documents presented to Planning Board:***

- 1. Correspondence dated November 5, 2015 from Attorney David C. Manoogian to Town of Norton Planning Board, request for continuance from November 10, 2015 to November 24, 2015;*
- 2. Correspondence dated November 3, 2015, from Scott T. Ridder, ASLA, LEED AP, Senior Landscape Architect, BETA Group to Beth A. Wierling, Director of Planning and Economic Development, Landscape Screening and Safety Review.*



Chairman Haracz noted there was a request for a continuance received from Attorney Manoogian until November 24, 2015. Ms. Haracz indicated there was a need for additional time to review landscaping and other issues. Ms. Wierling indicated that Town Counsel, Attorney Quirk was not available for the November 24, 2015 meeting and recommended the Planning Board consider continuing the hearing until she is able to attend. Members agreed and indicated they would all be available on December 1, 2015.

**MOTION made by Mr. Beatty to continue this Public Hearing to December 1, at 7:30 P.M. Second by Mr. Burgess. Vote: (7-0-0) Unanimous. MOTION CARRIES.**

**7:35 P.M.     PUBLIC HEARING – continued from 10/27/15**  
60 West Main Street  
Garrett's Shoppes on Main  
Applicant: GAC Development LLC  
(2) Special Permits & Site Plan

**Site Plan:** Section 15.3.3: All "Drive-through facilities", as defined in Article II – Definitions, shall require Site Plan approval. **Special Permits:** (1) Section 4.8: Construction of a commercial building in excess of 10,000 s.f. (13,562 s.f. proposed) and (2) Section 4.4 Commercial Uses: Drive-Through Facility in Village Commercial Zoning District.

***Documents presented to Planning Board:***

1. *Site Development Plans – Proposed Retail Building "Garrett's Shoppes on Main", 60 West Main Street prepared by Jacobs Driscoll Engineering dated June 15, 2015 and revised through November 11, 2015;*
2. *Abutter Comments from Sue Liebherr submitted via email to Beth Wierling on November 10, 2015;*
3. *Memorandum dated November 9, 2015, from Jennifer Carlino, Conservation Agent, to Beth Wierling, Director of Planning and Economic Development*
4. *Memorandum dated November 9, 2015 from Joseph Baeta, Superintendent of Norton Public Schools, addressed to Beth Wierling, Director of Planning and Economic Development, re: Garrett's Shoppes on Main*
5. *Correspondence dated November 9, 2015, from Gregory Driscoll, Jr., P.E., Partner/Principal Engineer, Jacobs Driscoll Engineering, to Ms. Beth Wierling, Director of Planning and Economic Development, Proposed Retail Development waiver requests and plan revisions*
6. *Correspondence dated November 9, 2015, from Greg E. Lucas, PE, PTOE, Project Manager and Philip F. Paradis, Jr., PE, Senior Project Manager BETA Group, to Ms. Beth A. Wierling, Director of Planning & Economic Development, re: Traffic Peer Review*
7. *Email dated November 9, 2015, from Deputy Chief David Myles, Norton Fire/Rescue Department, addressed to Beth Wierling, Director of Planning and Development, regarding Garrett's Shoppes on Main (loading area)*
8. *Memorandum dated November 5, 2015, from Beth Wierling, Director of Planning and Economic Development, addressed to Planning Board, regarding Site Plan & Special Permits: Garrett's Shoppes on Main, 60 West Main Street (File #: SP-457, Site 15-16);*

9. *Correspondence dated November 4, 2015, from Gregory Driscoll, Jr., P.E., Partner/Principal Engineer, Jacobs Driscoll Engineering, to Ms. Beth Wierling, Director of Planning and Economic Development, re: Site Plan Review - Response to Comments*
10. *Correspondence dated July 24, 2015 to Norton Planning Board re: Site Plan Peer Review from Patrick G. Brennan, P.E. Amory Engineers, P.C.*
11. *Norton Planning Board Public Hearing Notice received by Town Clerk on July 7, 2015*
12. *"Site Plan Review and Special Permit Applications for Garrett's Shoppes on Main Proposed Retail Building, 60 West Main Street, Map 22, Lot 157, Bristol County, Norton, MA 02766 (Applicant: GAC Development, LLC, 229 Main Street, Norton, MA 02766) Submitted to Town of Norton Planning Board, Dated June 15, 2015*

Gregory Driscoll, Jr., P.E., Partner/Principal Engineer, Jacobs Driscoll Engineering and David Cohen, DMR Construction, Inc. were present to represent the applicant, GAC Development, LLC.

Mrs. Haracz opened the continued public hearing and introduced Mr. Greg Lucas, PE, PTOE, of BETA Group, Inc. Norwood, Massachusetts, who will be conducting the Planning Board's peer review of traffic and circulation for the project.

Mr. Lucas reviewed his comment letter, dated November 9, 2015 indicating there are some concerns regarding traffic on Route 123 and 140 which queues past site, indicating a crossing guard at the Yelle school could have impact on traffic which was not accounted for in the traffic study. Mr. Lucas also indicated Beta's review of the site resulted in some questions regarding the site layout, noting concerns with the drive-thru indicating as currently designed, the site could function as long as loading does not occur at same time as high traffic and queuing. Mr. Lucas suggested additional analysis of traffic on the roadway and site layout. Planning Board members agreed, additional traffic counts should be completed to include areas that are lacking as recommended by BETA Group, Inc.

"Site Location Map by "JDE-Jacobs-Driscoll Engineers" was displayed to Board. Mr. Cohen responded to Mr. Lucas' comment noting that the traffic issues on Route 123 and Route 140 already exist, indicating, there is currently a bottleneck in this location. Ms. Haracz indicated that it was the role of the Planning Board not to worsen the conditions on the roadway by increasing traffic to an already congested area and indicated that is why further study is requested. Ms. Haracz then asked for an explanation regarding pedestrian safety in proximity to site.

Mr. Lucas explained there is a sidewalk in front of the site that connects to the proposed development providing access which should help with pedestrian safety.

Members of the Planning Board discussed the current proposal for circulation. Mr. Driscoll explained the circulation on site, indicating the applicant thought keeping it a two-way would be better. Mr. Lucas suggested possibly adding some "Do Not Enter" signs to help with the flow and safety of the site.

Chairman Haracz asked if there was anyone in the audience who wished to comment on the proposal, specifically traffic and site circulation.

Abutter Ms. Sue Liebherr of 16 Seminary Way, had concerns that one-way circulation at the site as discussed by the Board and applicant as an option at the site and the drive-thru will impact deliveries.



Mr. Cohen responded he would be able to dictate how deliveries will be scheduled, noting they would likely occur during times of low-traffic volume.

Ms. Libherr also asked when traffic data was collected. It was noted most data was collected in September, specifically, September 17, 2015 and September 19, 2015.

Mrs. Haracz referenced a letter by the Superintendent of Schools, Dr. Baeta, dated November 9, 2015. Dr. Baeta, indicated in his letter he would like the developer to review the driveway at the Henri A. Yelle Elementary School which is located within proximity to the proposed development. The proposed development will have an impact on the school, specifically for pedestrians and students walking, biking and being pick-up/ dropped off at school on a regular basis.

Correspondence from Deputy Chief Myles was referenced regarding the potential for blocking access around the building and the need to accommodate ladder trucks. Mr. Driscoll said a simulation was conducted regarding this and he also spoke to Deputy Chief Myles. Ms. Wierling indicated she spoke to Deputy Chief Myles as well and Mr. Driscoll will work with the Deputy to resolve safety issues. Ms. Wierling also noted a concern with the proximity of cars in drive-thru lane which are only 12' from parked cars, as well as sidewalk issues and proposed doorways in the rear of the building which are only accessible through the delivery area and drive-thru queuing lane. Ms. Wierling discussed her concerns with deliveries and the anticipated size of trucks, noting the concerns of the Fire Department.

Ms. Wierling asked the applicant to address renderings and provide a better set of labeled drawings specifically indicating where the drive-thru was located and reviewed Section 15.6.3 Design: Design in the Village Commercial District, Buildings, noting the Town's Zoning Bylaw has design standards for developments proposed in a Village Commercial Zoning District.

Board members, the consulting engineer and the applicant discussed traffic concerns in a more detailed discussion. Ms. Haracz indicated queues currently back up to this site, which could potentially hurt this site for future business. Ms. Haracz said the applicant should look at intersection and signal timing, but the real issue is the intersection needs to be analyzed.

Ms. Haracz referenced several outstanding invoices with the Town of Norton Planning Board asking the applicant to pay these bills prior to the next hearing.

Mr. Cohen indicated he would resolve the outstanding invoices after the meeting.

Ms. Haracz requested the Public Hearing be continued to the next Planning Board meeting on November 24, 2015.

Ms. Sheri Cohen of 48 Harvey Street, said she has been following this project, and the Town of Norton needs to address the growth of the Town. Ms. Cohen indicated Mr. Cohen is a resident of the Town and has children in the Norton school system and would build an excellent project. Ms. Cohen indicated the traffic issues should be addressed by the Town, not resolved by one applicant trying to get a project approved. Ms. Cohen stated the Town is in need of new business and Mr. Cohen is working with the Planning Board to make the site work; she hoped the Board would consider voting in favor of this project.

Resident of 13 Seminary Way said she agreed with a lot of what Ms. Cohen said and believed the Town could use retail space but not another coffer shop.

Sue Liebherr said she is in favor of something at this site, but not a drive-thru, indicating she is in favor of something that will bring money to Town but not at the expense of families and property values.

A resident read comments from Sara Horton, of 17 Todd Drive, who could not attend the meeting. Ms. Horton is a 16-year resident of the Town and her father was CFO of Hallsmith-Sysco and has known the Cohen family for years. She is hoping the shops that are interested in the site will be the type of shops that Wheaton College desires.

Mr. Cohen responded this will be a financial institution or a coffee shop with a non-microphone ordering station (no intercoms), however, he had no specifics on tenants.

Resident of 14 Seminary Way stated she wanted it developed, however, she has concerns with the fact that the project is located within the Village Commercial Zoning District and the maximizing of the property, along with the potential intercom and need for waivers for parking. The resident indicated the abutters and neighbors want him to be successful, but it needs to fit properly with the size of the lot.

Mrs. Haracz stated there still appeared to be issues with traffic and circulation. Other outstanding issues include parking. Ms. Haracz indicated parking and the waiver should be discussed at the next meeting. Additional traffic counts in front of the school would be collected and a revised traffic study would be submitted to the Board prior to the next meeting.

Mr. Cohen indicated he plans to build a wall and provide landscaping on the property and believes this will provide sufficient screening so abutters along Seminary Way may not even see the drive-thru.

Mrs. Haracz referenced drainage and noted Amory Engineers had outstanding issues based on the revised plans and asked the applicant to contact Amory Engineers to resolve any outstanding issues; Mr. Driscoll responded he will contact Amory.

Ms. Wierling referenced a revised stormwater document which was submitted to the Planning Board, however has not been reviewed by Amory. Ms. Wierling suggested Mr. Cohen provide the document to Amory who has produced a scope of services for review, noting the cost would be \$260 which would need to be paid by the applicant prior to review by Amory.

Mrs. Haracz indicated the Planning Board also needs time to review revised materials. Ms. Wierling recommended a continuance until December 1, 2015 to allow for sufficient time to collect and revise traffic data and revise site plans.

**MOTION made by Mr. Beatty to continue GAC Development to December 1, 2015 at 7:35 P.M. Second by Ms. Senior. Vote: (7-0-0) Unanimous. MOTION CARRIES.**

#### **D. Approval of Minutes**

There were no Minutes reviewed/approved.

#### **E. Bills and Warrants: \$4,198.04**

**MOTION made by Mr. Fernandes to approve Planning Board Bills and Warrants in the amount of \$4,198.04. Second by Mr. Beatty. Vote: (7-0-0) Unanimous. MOTION CARRIES.**



**ADJOURNMENT**

**MOTION made by Mr. Beatty to Adjourn at 8:55 P.M. Second by Mr. Fernandes.  
Vote: (7-0-0) Unanimous. MOTION CARRIES.**

Minutes Approved by Planning Board on: 2/2/14  
(Date)

Chairman: Joanne Haracz Signature: Joanne Haracz