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Town of Norton Planning Board Meeting Minutes December 15, 2015

Call to Order/General Business

The December 15, 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. Pat Daly; and Ms. Cheryll-Ann Senior. Mr. Joseph Fernandes arrived at 7:20 P.M. Also present: Beth A. Wierling, Director of Planning & Economic Development and Janet Sweeney, Recording Secretary.

A. Endorsement: ANR – 12 Hill Street

Documents Presented to Planning Board:

1. *Form A – Application for Endorsement of Plan Believed Not To Require Approval (12 Hill Street)*
2. *Memorandum dated December 8, 2015, to Planning Board from Beth A. Wierling, Director of Planning & Economic Development, Re: ANR – Form A: 12 Hill Street.*

Ms. Wierling, Director of Planning & Economic Development, completed a review of the above-referenced project and indicated the property is an existing 59.32-acre property located within Industrial Zoning District. Ms. Wierling noted the applicant is proposing to create three (3) buildable lots: Lot 1 (724,681 s.f., 16.636-acres, Lot 2 (1,073,476 s.f., 24.643-acres) and Lot 3 (785,633 s.f., 18.035-acres).

Ms. Wierling indicated all lots shown on the plan meet the requirements for endorsement as an ANR plan: front on a public way, have minimum frontage and have sufficient access and recommended Planning Board endorse the ANR as submitted.

MOTION was made by Mr. Burgess to approve Plan of Land, dated November 3, 2015. Second by Mr. Beatty. Vote: (6-0) Unanimous. MOTION CARRIES.

3. Discussion: Yarworth Engineering – Proposed Oak Street Project

Documents Presented to Planning Board:

1. *“Plan of Proposed multi-family dwellings, Oak Street, Norton, MA, Prepared for Robert Meisterman, dated December 7, 2015, by Yarworth Engineering Company”.*
2. *Letter, dated December 10, 2015, addressed to Ms. Joanne Haracz, Chairman, Norton Planning Board, from Christopher Yarworth, PE, PLS, of Yarworth Engineering Company, Inc., Re: Oak Street, Norton – Proposed 6 unit buildings.*
3. *Memorandum, dated December 14, 2015, addressed to Beth Wierling, Director, Planning & Economic Development, from Jennifer Carlino, Conservation Agent, Re: Oak Street (map 15, parcel 20)*

Mr. Yarworth indicated he was before the Planning Board to preliminarily discuss a proposed 6-unit building on Oak Street (Assessor’s Map 15, Lot 20) located in the Residential 40 Zoning District. Mr. Yarworth indicated the proposed development would require multiple special permits, including to allow multi-family dwellings and affordable units; the project would also require site plan approval and an ANR creating two lots. Mr. Yarworth indicated he was aware of the Conservation issues associated with the site, indicating he would be conscious of the areas when developing the formal plan.

Mrs. Haracz referenced Mr. Yarworth’s indication that a special permit for affordable units would be required and after review of the Zoning Bylaw, indicated agreement that a special permit for affordable units would be required.

Mr. Fernandes arrived at 7:20 P.M.

Mrs. Haracz said a common driveway would make sense in reference to the preliminary plan, noting the building sizes would need to vary if there were more than six units.

There was a discussion regarding being able to do the development without a ANR, considering the Zoning Bylaw requirements. Mr. Yarworth noted they could do the proposed project on two lots and that is why an ANR is being proposed, however, an ANR would not be completed until after the approval process by the Planning Board.

Ms. Wierling indicated that Mr. Yarworth met with her and she requested he meet with the Planning Board informally to see if the concept is agreeable to the Board and then recommended a full set of plans be developed if the Planning Board is ok with the concept proposed for the site.

Mrs. Haracz asked if Board was agreeable to this general concept? Planning Board responded in concept, they were okay with the concept.

General Business Items

Mrs. Haracz suggested, and it was agreeable to the Board, to hold off Planning Board’s general business to end of meeting due to time constraints with agenda.

4. Report of the Planning Board – deferred to end of Meeting
5. Planning Board Business and Policies – deferred to end of Meeting
6. Approval of Minutes – deferred to end of Meeting
7. Bills and Warrants – deferred to end of Meeting.

7:30 P.M. PUBLIC HEARING – continued from 12/1/15 First Hearing Date: July 28, 2015
60 West Main Street, Garrett's Shoppes on Main Adv.: July 13, 2015 & July 20, 2015
Applicant: GAC Development, LLC Abut: July 11, 2015
(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. *Letter, dated December 10, 2015, addressed to Ms. Beth Wierling, Director of Planning & Economic Development, Town of Norton, from BETA Engineering, George E. Lucas, PE, PTOE, Project Manager, and Philip F. Paradis, Jr., PE, Senior Project Manager, Re: 60 West Main Street – Garrett's Shoppes on Main – Traffic Peer Review*
2. *Memorandum dated December 1, 2015, addressed to Ms. Beth Wierling, Director, Planning & Economic Development, from Mr. Shaun P. Kelly, Senior Project Manager, Vanasse & Associates, Inc., Andover, MA, Re: Response to Peer Review Comments Proposed Garrett's Shoppes on Main, Norton, MA*
3. *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 20, 2015*
4. *Letter, dated November 24, 2015, addressed to Norton Planning Board, from Patrick G. Brennan, P.E., Amory Engineers, P.C., Re: Garrett's Shoppes on Main, 60 West Main Street – Site Plan*

It was noted GAC needed to provide additional traffic analysis. A December 10, 2015 letter from BETA was referenced regarding the Traffic Peer Review. Mr. Lucas, BETA Group, Inc. was in attendance to discuss his comments.

Mr. Lucas said there were separate comments on site plan and traffic and reviewed his outstanding comments with the traffic study. Mr. Lucas noted that the crossing guard was accounted for and analysis done, also noting that buses were accounted for in the revised traffic study. Mr. Lucas noted that the intersections were reviewed as requested by the Planning Board. Mr. Lucas indicated, that it might make sense to review the proposed site access again noting that if some changes were made to the circulation at the site then the access to the site might be able to be revised creating better flow of traffic.

Mrs. Haracz referenced the request for a parking waiver reduction.

Mr. Lucas responded, without detailed information regarding the proposed tenants at the site, according to the proposed site use as a coffee shop/retail site, there is sufficient parking at the site.

Ms. Senior indicated she still had concerns about maximizing of site and parking and she was not sure if she would support this development unless changes were made to the site.

Ms. Wierling indicated there appeared to be some issues with circulation, especially at the right hand exit of the site, suggesting additional measure be taken to address concerns.

Mr. Fernandes and Mr. Daly spoke of an angled parking possibly being beneficial.

Mr. Cohen asked his engineer how many seats would need to be removed from the proposed coffee shop use to decrease the site by two to four parking spaces to modify site based on Planning Board requests.

Mrs. Haracz stated she still felt there was too much on site, noting that she was ok with reduction in parking but felt some additional changes to the site still needed to occur. Mrs. Haracz would like to see additional safety precautions taken at the drive-through and queuing lanes.

"Photos of similar parking situations" in Town (Kelly's Place, CVS, Stephanie-Ann Nason Building) were distributed to Board by Mr. Cohen. He spoke of consistency in Town and pointed out these businesses currently exist (Kelly's Place, CVS, etc.) which have similar parking layouts has his proposed development.

Mrs. Haracz stated in her perspective, the drive-thru creates a lot more issues on site including the Nason Building. She would prefer to see a one-way; not a two-way circulation. With a one-way, landscaping could be added to front of this site, noting that additional review of site circulation needed to be taken before the Planning Board could vote.

Mrs. Haracz recommended that the handicap walkways and pedestrian crossing areas should be a different material also; not just marked, indicating it is a pedestrian location.

Mrs. Haracz referenced she believed ADA compliance-walkway should be at least 4 feet wide and asked the applicant to review the sidewalk area in the rear of the site near the queuing lane.

Mr. Cohen responded they will meet ADA requirements and he will revise the plan as needed.

Mrs. Haracz referenced the circulation and access aisles for spaces being important.

Mr. Lucas of BETA responded access aisle between two spaces should connect on street side.

Mr. Cohen asked if his traffic engineer and the peer reviewer could leave the hearing. Planning Board members agreed; Mr. Lucas and a representative for the applicant left the meeting.

Mr. Miller said he originally thought a one-way would not be a good idea, but he now realizes it would work in front/westbound, possibly with angled parking spaces.

Mr. Fernandes wanted to follow up on Mr. Miller's comment regarding front spaces being angled. He had concern in rear of building; will deliveries be more than one to two times per week? What type of truck will make deliveries? It appears there is a loading area in middle of drive-thru. Moving building up a bit would alleviate some congestion in rear.

Mr. Cohen responded they will move building as much as they possibly can after examining the parking situation.

A resident, Sherri Cohen, said she hoped this project can be passed this evening. She noted CVS also has queues and she parks by side of CVS by Trent Memorial at times.

Mrs. Haracz referenced the Amory Engineers letter, dated 11/24/15 and reviewed it with the Board noting the letter is available in the Planning Department. Some of the current concerns were: i) for optimization of infiltration, Amory Engineers recommends four inches of loan (rather than six) in the infiltration basin. The Applicant's engineer changed the bottom treatment

in the infiltration basin to be gravel and sand. While this would optimize infiltration a vegetated basin provides better treatment. Amory Engineers recommends four inches of loam and seed in the infiltration basin; ii) The roof material of the proposed building should be specified. If it is proposed to be a metal roof it will need to be painted. Runoff from copper and galvanized roofs is considered to be contaminated and cannot be infiltrated without treatment. The Applicant's engineer has stated that the roof will be rubber membrane and asphalt shingles. Amory Engineers suggests this be a condition of approval; iii) Details for PVC and chain link fences should be included on the plans. This was partially addressed by Applicant – PVC fence details have been added but no details for chain link fence.

Mr. Cohen responded the chain link fence will be vinyl coated and indicated the other comments will be addressed. Mrs. Haracz noted black vinyl generally looks the best.

Ms. Sue Liebherr of 16 Seminary Way spoke regarding the 150-foot sound wall, requesting the wall go the entire length of the rear property boundary. Also, she was concerned about the drive-through, indicating there will be a lot of emissions and concern with the maximization of this space.

Ms. Jodi Cross, resident of Town, said she has children in the school system and feels this land near the schools is embarrassing, and said the Town is lacking a main street and wants children and residents to feel proud of their Town.

Ms. Haracz recommended a straw poll of the Planning Board regarding the Special Permit for a drive-through and waiver of parking spaces.

Waiver of parking spaces: Planning Board members indicated they were okay with a parking waiver if it helped improve the site. Ms. Senior commented this proposal is too large for this site and said it will be bursting at the seams.

Mrs. Haracz asked for applicant to confirm coverage. The Norton Zoning Bylaw allows up to 50% impervious coverage.

Mrs. Haracz also noted applicant would like to use a landscape designer not a landscape architect and this did not appear to be a problem to the Board. More landscaping is needed, unless the building is moved forward.

Special permit for Drive Thru: Ms. Wierling read aloud requirements for a special permit from Section 10.10 of the Norton Zoning Bylaw.

Ms. Haracz asked members for a straw poll for the drive-through use- Members responded with the following comments:

Mr. Fernandes indicated he was ok with drive-thru, noting he would like to have sound wall extend in the rear of the site and to right, as there is a residence in that area. Mr. Cohen expressed that could be done with the sound wall; the item was not further discussed by the Planning Board at that time.

Mr. Cohen clarified a question that was raised by Board members regarding use of microphones at the drive-through. A microphone would only be used for a bank and no microphone for a restaurant. Board members indicated that was the preference.

Mrs. Haracz said she was not ok with drive-thru as currently presented, indicating Board members appeared okay with the proposal with modification to the plan.

Mr. Fernandes said he was still concerned with circulation and concerns with patrons needing to drive around building twice. Board members discussed current circulation at the site. Mrs. Haracz asked the applicant to meet with the consulting engineer from BETA Group to resolve outstanding site circulation issues at the site prior to the next meeting. Mrs. Haracz noted the preference of the Board was to satisfy circulation needs at the site if it meant granting a waiver for parking. Mrs. Haracz advised the applicant speak with Ms. Wierling the next day regarding working with BETA, the Town's consultant.

Sharon Rafuse, of 14 Seminary Way, referenced use of an intercom or not? Mr. Cohen reiterated his previous comment regarding use of a microphone at the site.

Mrs. Haracz said the Planning Board can control speaker/drive-thru, indicating the Special Permit runs with the land.

It was noted the next Planning Board meeting is scheduled for 1/12/16. Ms. Senior may not be able to attend the Planning Board meeting of 1/12/16.

Ms. Wierling suggested for the Board to wait until 1/26/16 to ensure all members were present.

MOTION was made by Mr. Fernandes to continue this Hearing to January 26, 2016 at 7:15 p.m. Second by Mr. Beatty. Vote: (7-0) Unanimous. MOTION CARRIES.

Report of Planner

Ms. Wierling said she has been organizing the Planning Office and getting filed straightened out.

Business and Policies

Next scheduled meetings to be held Feb. 9 and Feb. 23, 2016; March 8 and March 22, 2016; and April 19, 2016 and April 5, 2016.

Ms. Wierling referenced an administrative procedure and said Planning Board can vote, if they decide to do so, for Chairman of Planning Board to sign ANR plans. Planning Board decided they would continue to sign the ANR's for the time being.

Bills and Warrants

MOTION was made by Mr. Beatty to approve Bills and Warrants dated December 15, 2015, in the amount of \$6,398.82. Second by Mr. Burgess. Vote: (7-0) Unanimous. MOTION CARRIES.

Adjournment

MOTION was made by Mr. Beatty at 9:10 P.M. Second by Mr. Burgess. Vote: (7-0) Unanimous. MOTION CARRIES.

Minutes Approved by Planning Board on: _____

(Date)

Chairman

Joanne Haracz

Signature: _____

Joanne Haracz