



RECEIVED
NORTON TOWN CLERK
2016 MAR 18 A 9:57

**Town of Norton Planning Board
Meeting Minutes
February 9, 2016**

Call to Order

The February 9, 2016, 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. Also present: Beth A. Wierling, Director of Planning & Economic Development and Janet Sweeney, Recording Secretary. Absent from the meeting was Mr. Patrick Daly.

General Business:

B. Site Plan & Special Permit Modification: 20 Commerce Way, Alnylam Pharmaceuticals

Items provided by the Planning Board for review:

1. *Application for a Special Permit Modification, Article IV – Use Regulations, Section 4.8, Special Permit for construction of an Industrial building in excess of 10,000 s.f. dated January 20, 2016*
2. *Application for Site Plan Modification, Article XV – Site Plan Approval, Section 15.3.2 Applicability – Non-residential use 2,500 s.f. or more of floor space or ten or more parking spaces dated January 20, 2016.*
3. *Storm Water Management Report dated May 13, 2015 prepared by CEG, LLC*
4. *Site Plan titled "Site Plans – Alnylam- 20 Commerce Way, Norton Commerce Center" prepared by Condyne Engineering Group, LLC, dated January 20, 2016*
5. *Two letter providing comments by Amory Engineers, P.C. dated February 9, 2016.*
6. *Written comments provided via email to Beth Wierling from the Norton Fire Department*
7. *Written comments provided by Conservation Commission*
8. *Written comments provided by Department of Planning & Economic Development dated February 8, 2016*

Mark Dibb, P.E., Director of Civil Engineering, Condyne Engineering Group, Inc. and Cory Siddons Director of Engineering / Project Director, Alnylam Pharmaceuticals, were present at the meeting to discuss the proposed plans for 20 Commerce Way, Alnylam Pharmaceuticals.

Mr. Dibb reviewed the Special Permit and Site Plan that was approved by the Planning Board on June 16, 2015, indicating the previous approval was for the construction of a 200,000 s.f. building with 144 parking spaces, and infrastructure at 20 Commerce Way. Mr. Dibb also noted that the June 16, 2015 approval required a variance from the ZBA for coverage at the site, indicating coverage was in excess of what is required in the Zoning Bylaw. Mr. Dibb explained that the proposed project for Alnylam Pharmaceuticals required a minor modification of the previous approvals, noting the proposed modification would result in a smaller building, with less parking; impervious coverage would also be reduced, fitting in with the amount of impervious coverage allowed in an Industrial Zoning District.

Mr. Dibb discussed the proposed site modification indicating it was the intent of the applicant to construct a 2-story, 153,000 s.f. +/- building in two phase, with parking and infrastructure. The plan provided to the Board, dated January 20, 2016, showed a breakdown of the proposed uses by category, office, warehouse, manufacturing space and mechanical equipment. Elevations of the proposed building were shown to the Planning Board, with the applicant noting the proposed building would be a great investment by the Applicant to the Town of Norton. Mr. Dibb indicated that parking spaces were determined by number of proposed employees rather than by square footage required for industrial uses, noting a waiver was required by the Planning Board. It was noted that maximum building coverage was 29% where 33% is allowed, a reduction for the previous site plan/special permit which was at 38%. Further review of the plans showed a proposed tank farm and fire water tank.

Members of the Planning Board asked the applicant what was the intent of the proposed fire water tank. Cory Siddons, Alnylam Pharmaceuticals, indicated the tank is required because of Building Code based on the uses proposed at the site. Members also asked for clarification on the proposed tank farm, asking if it could be secured by fencing for safety measures. The applicant indicated the item would be reviewed. Ms. Wierling also noted concern that the proposed tank farm was not secured by fencing.

Members of the Planning Board asked the applicant about the Fire Departments request for a third party reviewer asking if this had been completed? Mr. Dibbs indicated that the applicant did not have a problem with the request from the Fire Department, however noted it was something that would be required after plan approval from the Board and prior to the start of construction, not something the Fire Department wanted completed during the approval process. Ms. Wierling indicated however, the Fire Department did want a SWEPT analysis completed during plan review to ensure fire apparatus could safely access the site. The applicant noted the request and indicated a SWEPT analysis would be completed.

Ms. Haracz asked Ms. Wierling to review her comments. Ms. Wierling indicated that there were a number of minor plan details regarding conformance with the Zoning Bylaw that the applicant needed to revise; the applicant indicated this was not a problem. Ms. Wierling discussed the site lighting noting the Zoning Bylaw requires a waiver for light poles and wall packs in excess of 20', indicated that proposed light poles are shown on the plans as being between 20' and 30' in height and wall packs are 30' in height. Ms. Wierling also discussed the requirements for site lighting, indicating that appropriate measures need to be taken to ensure lighting will be reduced

between 11:00 p.m. and 6:00 a.m. unless there were employees on site that required outdoor lighting. The applicant indicated, that a waiver for lighting would be sought, indicating that the proposed light fixtures were consistent with what has been permitted for other sites in the Industrial Park. The applicant also indicated that site lighting was necessary during the hours that employees were on site, but it was the applicant's intent to be cautious of the Zoning Bylaw requirements for on-site lighting.

Ms. Wierling discussed previous conditions indicating that the Board required truck traffic to do so via the southerly approach through Taunton or those accessing the site via 495 needed to do so via exit 9. Board members asked the applicant how many trucks and what size trucks were anticipated? Mr. Siddons indicated that they estimated approximately 4-5 trucks a day and they would likely not be excessive sized trucks, noting that some deliveries and pick-ups may even occur by van. Planning Board members indicated they would like this condition carried forward to the modification request, indicating they would like to try to keep trucks out of the residential areas.

It was noted that Amory Engineering completed peer review of the drainage and associated documents and provided a letter indicating the applicant had resolved all outstanding issues.

Ms. Wierling also requested that the applicant show the location of any proposed signs on the plan, as well as update the landscaping plan to reflect the requirements of the Zoning Bylaw. The applicant agreed to do so.

Ms. Haracz acknowledge this was not an advertised Public Hearing because the applicant is requesting a modification to the previous Special Permit and Site Plan, however asked if there were any abutters who wished to speak regarding the proposal. There were no abutters in attendance. Seeing there were no comments, Ms. Haracz asked the Board if they would like to move the agenda item to the next available meeting of the Planning Board.

MOTION made by Mr. Burgess to continue the General Business item to February 23, 2016 at 7:15 p.m. Second by Mr. Beatty. Vote: (6-0) Unanimous. MOTION CARRIES.

Ms. Haracz requested the rest of General Business items be heard after the Public Hearing for New England Ice Cream. Members agreed.

PUBLIC HEARING - *Initial*

New England Ice Cream

1 Arnold Palmer Blvd.

Site Plan & (3) Special Permits

Adv.: Jan. 26, 2016 & Feb. 2, 2016

Abut: Jan. 22, 2016

Special Permits:

- (1) To allow a warehouse, storage and distribution facility in a Commercial Zoning District (Section 4.5 Use Regulations, Industrial Uses)
- (2) To allow construction of an Industrial building which equals or exceeds 10,000 s.f. in area (Section 4.8 Use Regulations)
- (3) Movement of earth materials in excess of 500 CY (Article IX – Movement of Earth Materials).

Site Plan: Section 15.3.2: sites two-thousand, five hundred square feet (2,500 s.f.) or more of floor space or ten (10) or more parking spaces require site plan approval).

Items submitted to Planning Board for the Record:

1. *Application for Special Permits (a) Section 4.5 Use Regulations, Industrial Uses: To allow a warehouse, storage and distribution facility in a Commercial Zoning District, (b) Section 4.8 Use Regulations: To allow construction of an Industrial building which equals or exceeds 10,000 s.f. in area dated January 14, 2016 and (c) Article IX – Movement of Earth Materials: Movement of earth materials in excess of 500 CY dated January 14, 2016.*
2. *Application for Site plan approval dated January 16, 2016 including (3) Waiver requests from Section 18.5.1: To waive the Buffer area requirements and Section 18.6.2: Perimeter and Interior Landscaping and Section 7.5.c Parking Requirements, Non-residential Submitted by Kelly Engineering Group, Inc. dated January 15, 2016*
3. *Stormwater Management report dated January 15, 2016 prepared by Kelly Engineering Group, Inc.*
4. *Traffic Impact and Access Study “Proposed New England Ice Cream Distribution Facility at the Park at Great Woods”.*
5. *Photometric plan and lighting examples dated January 11, 2016.*
6. *Site Plan titled “Site Development Plans for Mansfield Avenue, Norton MA dated January 15, 2016, prepared by Kelly Engineering Group, Inc.*
7. *Peer Review comments provided by Beta Group, Inc. dated February 8, 2016.*
8. *Conservation Commission comments provided in a letter dated January 20, 2016*
9. *Department of Planning & Economic Development comments dated February 4, 2016*

Ms. Haracz made a motion to waive the reading of Public Hearing Notice for New England Ice Cream, 1 Arnold Palmer Blvd. Board members voted unanimously to waive the reading.

David N. Kelly, President, Kelly Engineering Group, Inc. and Richard Halverson, Campenelli Construction were present at the meeting to discuss the proposed site plan and special permit requests for New England Ice Cream, 1 Arnold Palmer Blvd. Mr. Kelly indicated the proposed site is located at 1 Arnold Palmer Blvd, which is a large parcel, and the current property has a street number for Arnold Palmer Blvd. Mr. Kelly indicated if approval is issued, the applicant will submit to the Planning Board for an ANR plan carving off the lot and giving the site frontage on Mansfield Avenue. Since the Golf Course was not anticipating a facility such as New England Ice Cream locating at this site, the applicant has agreed to provide access to the site through Mansfield Ave. only.

Mr. Kelly reviewed the proposed development indicating the applicant wishes to develop an approximately 66,089 s.f. warehouse, storage and distribution center with parking, landscaping and required infrastructure for New England Ice Cream; the proposed facility includes the potential for expansion. Located on the site are 81 parking spaces, 4 handicapped parking spaces and 26 van and 10 truck spaces. The proposal provides landscaping in excess of the Town of Norton Zoning Bylaws. The applicant has provided two (2) waiver requests: Section 18.5.1: To waive the Buffer area requirements. The applicant proposes to maintain a 90'-wide buffer,

between the parking area and Mansfield Avenue, exceeding Bylaw requirements. To install the plantings as required by the Zoning Bylaw, would require removal of natural vegetation.

Section 18.6.2: Perimeter and Interior Landscaping. In the interior part of an outdoor parking lot where (2) rows of parking spaces containing a total of ten (10) or more parking spaces face each other, a landscaped open space separated from the parking area. Ms. Wierling noted that a waiver of Section 7.5.c Parking Requirements which includes the same language regarding landscaping as Section 18.6.2.

Mr. Halverson indicated based upon information received from New England Ice Cream regarding their current operations, it was anticipated that there would modified 24-hour a day operations at the site. Mr. Halverson discussed proposed delivery and loading hours would likely be between 3 a.m. and 5 a.m. for dairy trucks, indicating delivery trucks would be loaded in the vicinity of 4:30 a.m. -5:30 a.m. with all trucks to be fully loaded and leaving the site by 7:30 a.m. Mr. Halverson also noted there would likely be limited trucks accessing the site between 10:00 p.m. and 5 a.m., with office hours between 9 a.m. to 5 p.m.

Ms. Haracz introduced Matt Crowley and Greg Lucas from BETA Group, Inc. indicating that BETA provided peer review of the site. Mr. Crowley and Mr. Lucas reviewed their comments regarding general site issues, drainage and circulation. Mr. Crowley indicated the applicant should provide some additional information regarding Stormwater, the applicant indicated this would not be an issue and outstanding items would be modified with revisions to the plan. Mr. Lucas noted that he did not see the proposed development producing a large amount of traffic compared to an office use. Mr. Crowley noted that due to the proposed truck schedule and cooling units located on the proposed building additional screening may be a good idea, considering the proximity of the abutters, Norton Estates. Ms. Wierling agreed with Beta's comments regarding additional screening for abutters. Mr. Crowley indicated the applicant may wish to provide a stonewall along Mansfield Ave. similar to that provided in the front of the rest of the Park at Great Woods. The applicant indicated they would consider this, also noting that if a sidewalk were required that it should be connected to another to make it pertinent otherwise, it would be a sidewalk to nowhere.

Mr. Fernandes indicated his concern about the impacts and traffic for the abutters. Planning Board members discussed the possibility of requiring a noise study to determine the impacts the development would have on abutters at Norton Estates. Ms. Wierling suggested the applicant and BETA Group, Inc. work together to resolve this issue. Mr. Kelly asked the Board to allow him to work with BETA Group and the abutters to provide a better way to screen the project, rather than requiring a noise study. Members agreed to have the applicant work with those necessary to resolve this issue.

Planning Board members asked if the applicant had looked at other possibilities for site configuration, noting that the driveway seemed to be too close to abutters and perhaps revising the site plan could result in a better site configuration. Mr. Kelly indicated that they did look at all possible configurations and because of future expansion, requirements of the Golf Course and a vernal pool located on the side of the site away from abutters, this was the best configuration. Mr. Kelly did note that it was the intent of the applicant to work with abutters and BETA Group, Inc. to resolve some of the screening issues before the next meeting.

Ms. Wierling reviewed her comments indicating there were minor modifications to the plan needed to bring the submittal into compliance with the Zoning Bylaw. Ms. Wierling asked the

applicant to provide necessary documentation for the application for a Special Permit for Movement of Earth Materials, the applicant indicated they would do this prior to the next meeting of the Planning Board.

Ms. Haracz asked if there were any abutters in the audience who wished to speak. Ms. Pricilla Sweet a resident of Norton Estates Mobile Home Park introduced herself for the record. Ms. Sweet explained to the Planning Board that the Mobile Home Park is a Co-op and noted they were aware that they were a residential use in a Commercial Zone, but indicated they have been located in this area of Town well before the proposed development along Mansfield Avenue. Ms. Sweet indicated that the Co-op would like consideration given to the 150 housing units in order to maintain the neighborhood quality of the park. Ms. Sweet would like the existing tree line to remain and noted that speed along Mansfield Ave./Route 140 is an issue. Ms. Sweet has already contacted the Town Manager regarding speed and the speed limit and is not happy about the current traffic on the roadway.

Town Manager, Michael Yunits indicated in response to Ms. Sweet's concerns that he has already contacted Representative Barrows to complete a traffic study along the stretch of road, noting that Mr. Barrows was working to get a grant to complete the requested study. Mr. Yunits also elaborated on why access along Mansfield Avenue was required and urged the Board to not require changes to the site layout as the proposal is consistent with what The Park at Great Woods has agreed to.

Ms. Haracz noted that this park was developed with a past requirement for access and traffic benchmarks and asked the applicant if this has been reviewed. Dan Mills P.E., PTOE with MDM Traffic indicated on behalf of the applicant, that a preliminary visit with MassDOT has already occurred, noting that the proposed development would likely only produce 30 trips at peak hours of operation.

John Heard, President of the Norton Estates indicated he was concerned with the proposed street lights and the glare they may produce for the abutters at Norton Estates. Mr. Heard also indicated that he was concerned about the proposed truck traffic entering and existing the site at early morning hours. Mr. Heard indicated that he is not against the proposed project, but would like to ensure proper measures are taking to reduce impacts to the abutters at Norton Estates.

Mr. Kelly indicated the applicant will work with the abutters to alleviate some of the concerns regarding truck traffic and noise/light into Norton Estates.

Bob Kimball, Selectman indicated he hopes the Planning Board will work to approve the project at the proposed location because the Town has been working a long time to find the right project for this site; this is a positive for the Town and the property owner.

Ms. Haracz asked the members of the Planning Board and audience if there were any additional comments, seeing there were none Ms. Haracz asked the Board if they would like to continue the hearing until the next available agenda on February 23, 2016 at 7:30 p.m.

MOTION made by Mr. Beatty to continue the Public Hearing for New England Ice Cream to February 23, 2016 at 7:30 p.m. Second by Mr. Fernandes. Vote: (6-0) Unanimous.
MOTION CARRIES.

General Business Cont'd.

A. Report of the Planning Board

Members had no new business to report.

B. Endorsement-Revised Plan ANR: Newcomb - Newland Street

Ms. Wierling reviewed the ANR plan indicating the Planning Board at its regularly scheduled meeting held on October 13, 2015 pursuant to M.G.L., Chapter 41, Section 81L and Section 81P, endorsed the ANR Plan titled "Plan of Land – Newland Street, Norton, Mass." dated October 1, 2015, prepared by David W. Humphrey, PLS, Chief Surveyor, Schofield Brothers, LLC.

Mr. Humphry, Schofield Brothers, LLC provided through a letter to the Planning Board, a revised ANR Plan for Planning Board consideration and Endorsement that reflects changes requested by the Massachusetts Land Court. Changes to the location of two monuments resulted in slight changes to several lot dimensions; All lots remain conforming and there has been no changes to the number of lots being created.

Ms. Wierling indicated that Mr. Humphry was also requesting a waiver of the application fee, considering the plan was recently reviewed and endorsed by the Planning Board in October of 2015.

Ms. Haracz asked the Planning Board members to vote to waive the fee for the re-submitted ANR Plan. Vote: 5-1 with Mr. Burges voting no. Motion carries.

Motion made to Endorse the ANR Plan for Henry B. Reiley, III, Daggett-Crandall-prepared by Schofield Brothers, LLC. (Vote: 6-0) Unanimous. Motion carries.

C. Planning Board Business and Policies

No updates provided

D. Future Meeting Dates

Ms. Haracz indicated the Planning Board had set future meetings for March. Next scheduled meetings are to be held on February 23, 2016; March 8, 2016 and March 22, 2016; and April 19, 2016 and April 5, 2016.

E. Approval of Minutes

Members reviewed the meeting minutes of the December 10, 2015 Planning Board meeting and requested changes to typos.

Members voted to approve, with revisions (6-0-0) the minutes of the December 10, 2015 Planning Board meeting.

F. Bills and Warrants

No bills or warrants presented for approval.

Motion to adjourn the February 9, 2016 Planning Board meeting at 9:30 p.m. all were in favor adjourning (6-0).

Minutes Approved by Planning Board on: 2/23/16
(Date)

Chairman: JOANNE HARAZ Signature: Joanne Haraz