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## **Planning Board Meeting Minutes May 16, 2017**

### **7:15 P.M. Call to Order**

The May 16, 2017, meeting of the Norton Planning Board was held in the Board of Selectman's Meeting Room and was called to order at 7:15 P.M., by Joseph Fernandes, Chairman. Member(s) Present: Mr. Edward Beatty; Mr. Frank Durant; Mr. Joseph Fernandes; Mr. Timothy Griffin, Mr. Kevin O'Neil, Mr. Steven Hornsby and Mr. Stephen Jurczyk. Also present was Tabitha Harkin, Planning and Economic Development Director.

### **General Business**

#### **A. Planning Board Business & Policies**

Clarification of Planning Board Officer Duties and signatories – Ms. Harkin has supplied a guideline of duties of different officers. Mr. Fernandes discussed the duties associated with Vice Chairman. Currently, this position does not step in as Chair if needed. Discussion ensued regarding roles of Vice Chair and Clerk and it was suggested to split up responsibilities between the Vice Chair and the Clerk. Duties of Clerk will be sentences 1, 2, and 3 from materials provided. Duties of Vice Chair will be item 4 and it was decided this role will now fill in for Chairman when needed. The Vice Chair will also fill in when needed to sign documents that would otherwise be signed by the Chairman. Mr. Griffin will make the modifications. Mr. Fernandes, Mr. Beatty and Mr. O'Neil signed a document to be submitted to Accounting that allows them all to sign off on bills.

**Motion was made by Mr. Fernandes to establish the duties of Chairman, Vice Chair and Clerk as represented by modifications of the document. Seconded by Mr. Durant. Vote: Unanimous. MOTION CARRIES**

Regarding the Planning Board Appointee to Southeastern Regional Planning & Economic Development District (SRPEDD) – Ms. Harkin commented that the Southeastern Regional Planning & Economic Development District (SRPEDD) is looking for someone to become a Commissioner. She needs a decision and a signature from Mr. Fernandes. Mr. Beatty currently sits on the Board. They meet monthly on Wednesday nights from 7:00-9:30p.m. as well as Annual Meetings. The Annual meeting is May 24, 2017 and Mr. Yunits will be in attendance.

**Motion was made by Mr. Beatty to nominate Mr. Hornsby to represent the Planning Board on Southeastern Regional Planning & Economic Development District (SRPEDD). Seconded by entire Board. Vote: Unanimous MOTION CARRIES**

Discussion on upcoming By-law and map revisions needed - Ms. Harkin referenced the chart she has included in the materials. It includes all proposed revisions and map amendments that have been discussed, including renaming the Industrial Development Committee to the more holistic "Economic Development Committee". All items require action. Ms. Harkin has requested comments within the next two weeks. Mr. Fernandes inquired whether the Board of Health would be involved in the poultry By-law to which Ms. Harkin responded yes. More information for each topic is uploaded to the Dropbox. Mr. Hernandez requested a deeper dive into the marijuana moratorium topic at the next Planning Board meeting. He asked Ms. Harkin to do further research for the next meeting.

**Public Hearing – SP #470 88-90 East Hodges St. – Keeping chickens in the R60 zone**

Ms. Harkin supplied a review from the department titled "DPED Review #1", dated 5/16/2017. The applicant, Cole Young, a trustee of the Condominium Complex and his daughter, Tessa, came before the Committee. The applicant is requesting the issue of a special permit in order to build a 4'x8' – 8'x12' chicken coop with a maximum of twelve hens. There are only two units, a duplex, in the complex. There will be no roosters. Mr. Young would like hens for eggs and meat. Fireside Realty is on the 280 acres that sit behind the duplex. The location of the coop will be right on the property line next to a wooded area. There are homes on both sides of the property but not in the rear of the property. The closest resident would be 40 feet from this line and they were notified of this special permit. There is nothing positively defining the property line. All hens will be contained within Mr. Young's property. Mr. Fernandes is not aware of a law requiring a fence for keeping chickens. When asked about the disposal of waste, Mr. Young responded he would be using it as compost for his garden.

**Motion was made by Mr. Fernandes to approve the Special Permit to allow hens with a condition of a limit of twelve hens. Seconded by Mr. Jurczyk. Vote: Unanimous. MOTION CARRIES**

**Site Plan Review: SITE#17-01 379 Old Colony Rd. David Rossi (con't from May 2, 2017)**

This is a continued site plan review for Mr. Rossi. The materials provided were parking scheme "A", parking scheme "B", photos of the building type, landscaping plan and the attached packet from the previous Planning Board meeting, complete with application. Ms. Harkin reviewed the recommendations as written in the "DPED Review #2" dated 5/16/17. In regards to the MA DEP/A. XV Site Plan Review surface drainage standards, the applicant has indicated a willingness to comply with additional submission requirements under Article 15, Site Plan Approval that have not been met by this application package: Grading and Drainage Plan; Erosion and Sediment Control Plan; and Stormwater Management Plan. In regards to the new stormwater By-law standards, a limit of work has not been determined, but as it is assumed to be less than 1 acre, under such threshold that the storm water permit can be issued administratively, provided the applicant provides the necessary information as required. Peer review shall be sought for the review of these materials as deemed necessary by the board. DPED recommends the Planning Board continue the hearing to allow the applicant to address all comments or approve the project with waivers/ conditions/landscape surety for the issues and comments discussed.

Mr. Rossi showed there was provisions for the parking based on the request from the Board to show it could be modified to hold more parking. He provided two different septic placement proposals and the

parking could be accommodated with both. The Board of Health does want to see the title 5 inspection done. Mr. Rossi plans on getting this done once the permit is granted. In regards to the driveway, Mr. Rossi scheduled UPS to come to the site and test whether they were able to turn around. The UPS driver was unable to however, because he couldn't back out onto Route 123. Mr. Fernandes would like to see more dimensions from the property line to the height of the arc in regards to the driveway. Ms. Harkin will provide Mr. Rossi with turning radius guidelines so he can superimpose them onto the supplied plans. Mr. Fernandes commented under parking plan "A", drivers could drive in and back into the parking spots if they were built. Mr. Beatty agrees with this option.

Mr. Rossi supplied examples of proposed elevations about what the building will look like. Mr. Rossi plans on installing two roll-up doors and two regular doors. He does not plan on doing any paving to the garage doors. The pathway needs to comply by ADA requirements and this includes paving.

Depending on what needs to be changed to the septic system and driveway, it will impact the drainage plan. Mr. Fernandes inquired about Mr. Rossi's plan about roof runoff on the right hand side of the building. Mr. Rossi responded it would run under the ground in front of the building and tie into the large 125-foot swale/trench. More information regarding this area was included in the original packet provided to the Board. The description on scheme "A" included 1-foot-deep by 5-feet-wide trench along with the cost. Mr. Rossi would like to go with this way as opposed to the plan using a "Cultech" chamber to hold water underground due to cost. The soil analysis came from the period of time when they were pricing out septic systems for the previous owners. Mr. Rossi could provide the Board soil type if requested.

Mr. Jurczyk inquired about if a fire and safety access plan was in place if there was to be no parking added. Ms. Harkin has not received any comments from the Fire Department but they may not realize that the parking schemes are being asked to be waived and would not be on the property.

Ms. Harkin and Mr. Rossi agree that the landscape needs work. The plan is not detailed but Ms. Harkin thinks it will be sufficient. Ms. Harkin suggested a bond could be put on it to make sure Mr. Rossi completes the work, if the board deems it necessary.

The Lighting plan includes seven light fixtures with the proposed parking plan. Mr. Beatty suggested to have all lights installed regardless to prepare for future instances. The requested waiver for the outdoor lighting will be included with the proposed scheme.

Mr. Fernandes would like to continue this site plan review to discuss the driveway and parking plan after Ms. Harkin supplies the turn radius requirements to Mr. Rossi.

Ms. Harkin commented the parking lot plan would have to be graded and designed to deal with the storm water runoff. Currently, this isn't shown so if someone were to purchase the property, they would have to construct it. This would need to be included as a condition. Mr. Beatty commented that the conditions would include creation of an extended driveway and the parking lot in the back and storm water management. Mr. Fernandes commented that he is concerned for a potential buyer and the problems that this storm water drainage may cause if not recorded.

Mr. Fernandes would like to confirm with the Fire Department that there will not be a driveway included on the property, determine the turning radius and to record a condition if the parking is built as the site plan shows that there will be a requirement for storm water calculations and mitigation. In lieu of a plan, language as suggested by Ms. Carlino, conservation agent, could be included. Her suggestions include: "noting the project is commercial and requires storm water management according to the DEP handbook. The Planning Board requires all drainage calculations and information necessary to comply with the State standards. All storm water management areas should be shown on the final approved plan and an Operation and Maintenance Plan for the storm water system is required. The project is also subject to review under the storm water By-law adopted last fall. All redevelopment standards of the By-law are incorporated into the storm water management program. A consulting engineering review may be required to ensure all standards are met."

Mr. Fernandes would like to ask the Town Council for this to be included in the recorded requirement to be included in the property. A discussion ensued regarding the parking plan and if the site plan could be approved without having the parking plan included. If the site plan is approved, it does not show storm water drainage calculations. There is no need to include them if there is no plan on building it

out. If the calculations are done, there is a guarantee that it could be built out for a future sale to a different owner. Mr. Fernandes asked Ms. Harkin to propose this to Town Council for approval. This site plan review will be continued on June 13, 2017. Mr. Rossi should be prepared with dimensions for turning plans for a delivery truck and the Fire Department is aware that the driveway will not be built. Outside help is needed regarding the storm water drainage and the new site plan if purchased by a new owner. The landscaping and lighting plan is sufficient.

**MOTION was made by Mr. Fernandes to continue Site Plan Review: SITE#17-01 379 Old Colony Rd. on June 13, 2017. Second by Mr. Beatty. Vote: unanimous MOTION CARRIES**

**B. Report of the Planning & Economic Development Director**

Ms. Harkin presented the document she compiled for the board titled "*Report of the Department of Planning and Economic Development*" dated May 16, 2017. She gave an overview on the materials in each Planning Board members binders and noted the status of previously issued decisions and other planning news, including three decisions where the appeal periods ended on May 15, 2017. These included Ryder Truck, 316 East Main Street – Norton Self Storage and "O" East Hodges St – Shred Driveway.

Updates on active construction administration items - Wheaton Solar's abutters have come in about the screening issues. There was a letter issued and Ms. Harkin is following up with their landscaper to release the surety. South Shore Mill Works' landscaping is incomplete. Ms. Harkin is following up with the building inspector. In regards to New England Ice Cream (NEIC), Ms. Harkin is currently waiting on Mr. Campanelli about the revised plans and to close out the final landscaping and the revisions to the drainage basin.

Other Planning news discussed included the By-laws were approved through the Town meeting are currently being filed with the Secretary of State. A pre-application meeting with Condyne for the Leonard Street project is set for 11:00a.m. on May 23, 2017.

Upcoming workshops include: SERPDD project to take place next week; SERPDD annual meeting; groundbreaking for 46 Commerce Way on May 18, 2017; CIP update; and Affordable Housing Workshops on June 6-7, 2017.

Ms. Harkin described the 20-day appeal period following a question from a member. This is only for special permits.

**C. Approval of Minutes**

The Board agreed to submit minor changes to the minutes via email to Ms. Harkin prior to the meetings.

**Motion was made by Mr. Fernandes to approve the Planning Board Minutes of Meeting dated April 11, 2017 as amended. Second by Mr. Jurczyk Vote: (4-0-3) MOTION CARRIES**

**D. Bills and Warrants**

Mr. Fernandes read Bills and Warrants. He commented that the bills and warrants for the next fiscal year will contain balances, budget and a list of review fees that are chargeable to a project. The total is \$ 4,063.14. A discussion ensued regarding the advertising budget.

**MOVED by Mr. Jurczyk to approve the Bills and Warrants of May 16, 2017 in the amount of \$4,063.14 Second by Mr. Griffin Vote: Unanimous. MOTION CARRIES**

**Adjournment**

A discussion ensued regarding the timing of the Planning Board meetings. The consensus of the Board is that it will remain at 7:15p.m.

**MOTION was made by Mr. Fernandes to Adjourn at 9:09 p.m. Second by Mr. Jurczyk Vote: Unanimous. MOTION CARRIES.**

Respectfully Submitted by:

Kayleigh Correia  
Planning & Economic Development Director

Minutes Approved by Committee

on: 6/27/17  
(Date)

Signature: 