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Planning Board Meeting Minutes December 19, 2017

7:15 P.M. Call to Order

The December 19, 2017 meeting of the Norton Planning Board was held in the Selectman's Meeting Room and was called to order at 7:15 P.M., by Mr. Joseph Fernandes, Chairman. Member(s) present: Mr. Edward Beatty, Mr. Frank Durant, Mr. Timothy Griffin, Mr. Kevin O'Neil, Mr. Steven Hornsby and Mr. Stephen Jurczyk. Not in attendance: Tabitha Harkin, Planning and Economic Development Director.

A. Planning Board Business & Policies

There was no business to be discussed.

B. Report of the Planning & Economic Development Director

Mr. Fernandes read the "*Report of the Department of Planning & Economic Development*". He stated the town of Norton has been awarded with a Planning Grant for \$45,000 in funding for a Norton Village Center Vision Plan. The Board will wait for more details from Ms. Harkin.

Other planning news included: The Complete Streets Working Group, which includes Mr. Hornsby, will kick off in January; a new ZBA Secretary has been hired; due to Mr. Beatty's last meeting being tonight, there will be an open seat on the Planning Board; and the Town Meeting has been set for May 14, 2018. Mr. Fernandes stated area of concern regarding the Town Meeting is the moratorium and the fact On-premise licensing will make it available for use on certain properties. This gives this regulation more urgency. Mr. Fernandes would like the Planning Board to start working on the regulations before February 8, 2018. Planning Board is responsible for establishing requirement and guidelines.

Special Permit/Site Plan Review Modification SP476, SP477 – 324 East Main Street – Office/Warehouse

The applicant, Mr. Bill Buckley, Project Manager, Bay Colony Group, Inc. on behalf of his client, 324 Main Street Realty Trust, is requesting approval of a 12,500 sf facility located at 324 East Main Street. Mr. Buckley came before the Board and gave a description of the application. He stated the property is a 2.1-acre parcel of land, located in the industrial zoning district and the proposal is for two buildings to be constructed. These buildings would be used by small contractors as small storage sites and would contain nine bays with some office space. The property would include parking in the front with access from the back of the building to the bays in the front. It is designed for work automobiles and equipment.

Mr. Buckley stated soil testing had been done by previous engineers. The site is all sand with relatively deep ground water and is served by municipal water and sewer. Each building will have floor draining, consistent with the plumbing code, and will discharge to the building sewer pump station. Based

on direction from Mr. Marshall, Sewer Department Director, the plan now shows plans for holding tanks. Mr. Buckley went on to describe the storm water design. The proposed design includes an infiltration basin that will filter runoff from the roof, parking area and storage area. The roof has a separate drain system and runoff will be run separately into the catch basin.

The storage area will be graveled, fenced in, accessed through a gate and used primarily by tenants. Due to a request by the Deputy Fire Chief, a turning plan has been created using the "Auto-Turn" program that tests for turning capability. Mr. Buckley stated there is a 45-foot space in the rear of the building so larger vehicles have room to maneuver. He confirmed this property does not accommodate tractor trailers. He believes the operating hours will be fairly normal working hours. In response to a question from a member, Mr. Buckley confirmed the storage area is strictly for tenants, not for outside lease, and will be used for material storage like temporary fencing, orange cones, etc. He confirmed this could be a condition to the application approval.

Mr. Erik Bednarek, Principal of EJB Designs, LLC., came before the Board. Mr. Bednarek designed the landscaping and lighting plans and presented the rendering and plan. He stated he met with Ms. Harkin to revise the plants included in the plan. It now includes: plantings along main street, street trees, trees located in tree boxes, plantings along the front of the building and additional shade trees. He stated there is a significant amount of buffer towards the south side and pockets of vegetation and evergreens to stabilize the buffer. There is also loam and seed along the front and edges of the property with a mixture of flowering plants, hydrangeas, perennials to accentuate the front entrance.

Mr. Bednarek did not have the lighting plan with him and stated it meets national standards and ensures what is designed has a good "glow" to it. The plan includes all dark sky compliant lights. Mr. Bednarek confirmed there is no pole lighting and only includes wall packs. He does not anticipate having any lighting over the gravel area. There is no lighting proposed over the immediate entrance. There is street signage at the entrance and is included on the layout and grading plan.

Ms. Harkin's report states tractor trailers will be accessed and Mr. Buckley confirmed this is not the case since the property is not designed for tractor trailers. Ms. Harkin's suggestion is to prohibit regular access to tractor trailers. There shall be no parking that will face Route 123. Mr. Buckley commented that he will ensure all plantings are set back enough to leave enough space for potential sidewalks. Mr. Beatty commented he would like to see an oil and gas separation plan, definition of the operating hours, and also a rendering of the signage. Mr. Fernandes inquired whether there was a possibility to have a retail based tenant to which Mr. Buckley responded he does not anticipate this but the property could accommodate this. The interior of the building and utility meters will be built to suit the tenant.

MOTION was made by Mr. Hornsby to continue the special permit and site plan review to the January 9, 2017 meeting. Seconded by Mr. Jurczyk. Vote: Unanimous MOTION CARRIES

Special Permit/Site Plan Review Modification SP474A – 3 Lopes Drive

This special permit/site plan review is continued from November 28, 2017. Mr. Walter Hermenau, engineer, came before the Board. He stated all outstanding items were submitted on December 12, 2017 and gave brief descriptions of each. Included in the lighting plan are LED wall packs, two on each side of the building. No waiver is required.

Based on the Norton Zoning bylaw, a landscaping plan is required. The applicant is requesting a waiver of the 100-foot wide buffer strip in an I district adjacent to an R-80 district due to the property being

an active yard site. Currently, there are 16 pine trees and oaks trees on the property that range between 30-40 feet tall. A waiver of the landscape plan is also requested due to the fact the applicant owns both properties and does not intend to sell either. There is no construction scheduled for this area.

Deputy David Myles has commented this property must comply with the MA fire safety code for welding regulations. Mr. Hermenau stated the owner is aware of these requirements, will comply with them and is also OSHA certified. In regards to other modifications to the plan, Mr. Hermenau stated elevation of the three parking spaces has been heightened to enhance stormwater flow toward the catch basin; and the line from the catch basin to the treatment unit has been modified to a straight shot with no bends to ensure there is no impeded flow of water.

Mr. Griffin stated he would like a condition to the permit that stated the existing trees must remain on the property. Mr. Fernandes stated Deputy Chief Myles is waiting on a response from the building inspector regarding the sprinkler requirements.

MOTION was made by Mr. Jurczyk to waive the landscaping plan for Special Permit/Site Plan Review Modification SP474A. Seconded by Mr. Beatty. Vote: Unanimous MOTION CARRIES

MOTION was made by Mr. Hornsby to waive the construction of a landscape buffer with the condition to keep the existing landscaping. Seconded by Mr. Beatty. Vote: Unanimous MOTION CARRIES

MOTION was made by Mr. Hornsby to close the hearing. Seconded by Mr. Jurczyk. Vote: Unanimous MOTION CARRIES

MOTION was made by Mr. Beatty to approve Special Permit/Site Plan Review Modification SP474A contingent upon the final deposition of the building inspector. Seconded by Mr. Hornsby. Vote: Unanimous MOTION CARRIES

Discussion - Surety Release – Mary Joe Estates

Walter Landry, WLFB, LLC. came before the Board. He is requesting a release of \$44,453. Ms. Harkin recommended a partial release of \$26,220 due to large areas of dirt and inconsistent planting of the trees on the property.

MOTION was made by Mr. Durant to approve a partial release of surety in the amount of \$26,220. Seconded by Mr. Hornsby. Vote: Unanimous MOTION CARRIES

Discussion – Request for access off ancient way

The suppliant, Steven Gioiosa, met with the Board to review potentially using Meadowbrook Lan and Pine Needle Way for residential use. Mr. Gioiosa came before the Board. Also in attendance was Scott Wolff, attorney. Mr. Gioiosa handed out copies of the Town GIS mapping for property (Map 29 lot 42). The applicant is requesting to use an ancient way, Pine Needle Way, as access to a property. This leads to a parcel of land, Meadowbrook Lane. They are inquiring if this would be something they should pursue. They are looking for direction on how to proceed with this matter. Access from Crane Street would not be allowed. The intent of the applicant is to find a residual value and work with creating conservation land but

get some financial return on the property. The type of development is dependent on what would be decided from the Board. Mr. Fernandes commented he is the longest serving member of the Board and he hasn't encountered a similar situation. He stated the Board is not in a position to offer guidance without consulting others due to the ramifications being significant and this situation sets a precedent. Mr. Durant stated he would like to see a report from the Conservation Committee regarding this issue. Mr. Beatty would also like a report from the highway department. Mr. Gioiosa stated there is a legal description of Pine Needle way, however, it is not sophisticated since it dates back from the 1700s. Mr. Fernandes stated since it is important to hear from Town Council to what opportunities this property has, Ms. Harkin will be in touch with next steps.

Discussion – ANR Endorsement

At this point (8:53 p.m.), there was no one in attendance to discuss this matter. Mr. Fernandes distributed the Mylar for the subdivision of land sign off.

MOTION was made by Mr. Beatty to approve the ANR plan for 56/76 Oak Street. Seconded by Mr. Hornsby. Vote: Unanimous MOTION CARRIES

C. Approval of Minutes

MOTION was made by Mr. Jurczyk to approve the November 28, 2017 minutes as presented. Seconded by Mr. Hornsby. Vote: Unanimous MOTION CARRIES

D. Bills and Warrants

MOTION was made by Mr. Beatty to approve the planning budget in the amount of \$3,226.15, revolving account (\$0.00), totaling \$3,226.15. Seconded by Mr. Hornsby Vote: Unanimous MOTION CARRIES

I. Adjournment

Mr. Fernandes thanked Mr. Beatty for his service to the Board and wished him well.

MOTION was made by Mr. Beatty to adjourn at 9:06 p.m. Seconded by Mr. Hornsby. Vote: Unanimous MOTION CARRIES

Respectfully Submitted by:

Kayleigh Correia
Recording Secretary

Minutes Approved by Committee

on: 1/9/2018
(Date)
Signature: 