

2021 NOV 31 AM 11:25



NORTON PLANNING BOARD MEETING MINUTES OF OCTOBER 19, 2021

The Planning Board Meeting of October 19, 2021 was called to order at the Norton Public Library Community Room via Hybrid Participation on ZOOM and in person at 7:15 p.m. by Mr. Timothy Griffin, Chairman. Members present were, Mr. Allen Bouley, Mr. Wayne Graf, Mrs. Julie Oakley, and Mr. Scott Bichan. Mr. Kevin O'Neil and Mr. Steven Hornsby participated remotely via ZOOM also in attendance was Paul DiGiuseppe.

Mr. Griffin explained what a Hybrid meeting was and how it was going to be used in this meeting.

Minutes – Minutes were presented from the October 5, 2021 meeting.

The motion to accept the minutes was motioned by Mrs. Oakley and seconded by Mr. Bichan. Roll Call: Mr. Graf Yes, Mr. Bichan Yes, Mrs. Oakley Yes, Mr. Bouley Yes, Mr. O'Neil Yes, Mr. Hornsby Yes, and Mr. Griffin Yes.

SP-11450 and SP-11451: 0 Leonard St (Blue Star Business Park, Phase II). Application for Special Permits and Site Plan for an approximately 200,000 sf warehouse and a 60,000 sf warehouse within Industrial zoning, Owner/Applicant: Condyne Capital Partners. Special Permits needed for a building over 10,000sf, Water Resource Protection District and Floodplain District.

Condyne wanted a continuance to the November 9th meeting to review the questions and concerns they received from the October 5th meeting.

The Planning Board motioned for a continuance to the November 9th meeting. The motion was made by Mrs. Oakley and seconded by Mr. Bichan. Roll Call: Mr. Graf Yes, Mr. Bichan Yes, Mrs. Oakley Yes, Mr. Bouley Yes, Mr. O'Neil Yes, Mr. Hornsby Yes, and Mr. Griffin Yes.

SPR-11852: 186 South Washington Street. Application to modify an existing Site Plan submitted by Industrial Property Leases, LLC, 4 Sunday Woods Road Weston Ma, 02493. Owner: Industrial Property Leases, LLC. Applicant: Jose Pichardo.

Mr. Jose Pichardo from Green Seal Environmental came to speak on the project. The changes being presented are gravel and tension point. They plan on paving the area and modifying the

drainage system which will have an underground infiltration system. There are no additional clearings needed for this project, they will honor the buffing zone, and the only change needed from the peer review was to plan additional sanitation to fencing. Chair Mr. Griffin asks for a reminder to what the project is. Mr. Pichardo states that the site is a garage for trucks on gravel yard, the structure is already built, and the proposal was for paving the road. Mrs. Oakley asks if this will have an increase in traffic. Mr. Pichardo states this modification is only for the pod and gravel and shouldn't impact the flow of traffic.

Mr. Pat Brennan the Amory Peer Reviewer spoke on the Peer Review. He stated that the letter was sent out on October 5, 2021 and gave six comments. The comments were all agreeing with the changes made to the current plan except the desire to add greenage to the part of the plan that has potential runoff. This was mentioned by Mr. Pichardo who had put the greenery in the new proposed modified site plan.

The Motion to approve the Modified Site plan was motioned by Mrs. Oakley and seconded by Mr. Bouley. Roll Call: Mr. Graf Yes, Mr. Bichan Yes, Mrs. Oakley Yes, Mr. Bouley Yes, Mr. O'Neil Yes, Mr. Hornsby Yes, and Mr. Griffin Yes.

SP-494: 0 Rear Eddy Street. Application for a Special Permit for a common driveway, duplexes, and development in Wetland Protection District. Owner/Applicant: Sharlene Widak-Smith. Continued from July 14, 2020, July 28, August 25, 2020, September 15, 2020, September 29, 2020, October 6, 2020, October 27, 2020, November 17, 2020, December 1, 2020, December 15, 2020, January 5, 2021, February 2, 2021, February 23, 2021, March 23, 2021, April 6, 2021, April 27, 2021, June 8, 2021 & July 13, 2021. Applicant is seeking a continuance to October 19th.

Mr. Craig Cygawnoski and Mr. Sam Widak are present to talk about 0 Rear Eddy. Mr. Cygawnoski states that the at present the Conservation Commission has been reviewed and has not been revised as of yet. As well as a dispute involving the type of body of water that is on the property. Chair Mr. Griffin asked what is the estimated timeline in which you could finish this project. Mr. Cygawnoski responds that the earliest would be the meeting after the next Conservation which would place the Planning Board at the November 30th meeting. Mrs. Oakley brings up that this meeting is Mr. Bichan's last meeting on the board and without him the special permit could not be voted on. Mr. DiGiuseppe stated that the applicant was informed of this possibility. Mr. Bichan inquires what would the best action would be. Mr. DiGiuseppe stated the best form of action would be to withdraw and resubmit the application. Mr. Bichan inquires if the Conservation would also have to have their paperwork resubmitted. Mr. DiGiuseppe says that the Conservation Commission is an independent group from Planning and they do not need to both be resubmitted. Chair Mr. Griffin suggests having the project be resubmitted to have a full board. Mr. Widak asks if he would have to send out all the abutters' notices and go through all the payments in filing for a reissue and if he could separate the cases into three parts when he refiles. Mr. Bichan asks if any of these projects could affect one another. Chair Mr. Griffin says the driveway could alter the project and Mr. DiGiuseppe states that Conservation could alter the place of the Duplex changing the site layout as well. Mr. O'Neil inquires if there is a waiting period for when someone could reapply. Mr. DiGiuseppe states that it is a one to two year

waiting period to resubmit. Mr. Widak states the only changes to his plan so far is with drainage that Stormwater wanted put in through the Conservation Committee.

Chair Mr. Griffin read back some of the past questions and concerns on an Excel sheet. Among the topics were what special permits does this project have, what was the opinion of the Fire Department, Potential Flooding, who will be Maintaining the Road, Conservation, Conservation Peer Review, Driveway snowplow, Duplex renting, and Lighting on roads. These were addressed as follows Special Permit with Stormwater, Fire Department moved driveway to pavement, Flooding has the drainage system, Land owners have to maintain the road, the applicant is currently working with the Conservation Commission, Conservation is working on the peer review, property owners will snowplow themselves, duplex owners can rent out to other people, and the roads do have lights added to them. Mr. O'Neil is unsure if he had filled out a Mullen Role or not for July 28, 2020. Mr. DiGiuseppe confirms that Mr. O'Neil did fill out a Mullen Role. Mr. Bichan recommends that the applicant withdraw to have a better chance with to get a permit.

Mr. Dylan Hixon attorney for Mrs. Debra White in place of Mr. Mack Costa are opposed to the Special Permit as they lack the legal footage and the access to let on street needed for Taunton Ave. Mr. Hixon also brings up a letter by Mr. Costa written in February that the board acknowledges that they have in their possession. Mr. Widak states he is able to make the driveway.

Mr. Widak decides to change his Special Permit to a withdraw without prejudice and refile. Mr. Hornsby starts the motion to withdraw without prejudice and refile and Mrs. Oakley seconds the motion. Roll Call: Mr. Graf Yes, Mr. Bichan Yes, Mrs. Oakley Yes, Mr. Hornsby Yes, Mr. O'Neil Yes, Mr. Griffin Yes.

SP-11785: 4 Lagoon Lane. Application for a Special Permit to allow for a duplex.
Owner/Applicant: Michael and Lisa Fournier

Mr. Craig Cygawnoski, the engineer and Mr. Mike Fournier, the home owner are present to talk about 4 Lagoon. Mr. Cygawnoski states the property is an existing house, Variance is also going through the Zoning Board and is still going through them to determine if the lot is prior to zoning regulations. The Applicant is requesting a variance for the duplex which would be a second floor and stairs from the front and back deck leading up to the duplex and will be able to make a fourth parking spot as regulated for duplexes. Mr. Griffin inquiries about the potential ramp problems. Mr. Fournier states that the ramp is blocked by rocks and will not be a problem. Mr. O'Neil inquires if the property is on sewer. Mr. Fournier replies it is.

Mrs. Kim Arena of 8 Fordham Drive states her concerns of the duplex stating she believes they already started work on the project and have a second mailbox. Mr. Griffin states that the issues brought up by Mrs. Kim Arena are generally allowed. Mrs. Oakley asks if the Fire Department has given an opinion on the property yet. Mr. DiGiuseppe states there was construction footage done which confirms that they did.

Mr. Bouley motions to approve the Special Permit and Mrs. Oakley seconds it. Roll Call: Mr. Graf Yes, Mr. Bichan Yes, Mrs. Oakley Yes, Mr. Bouley Yes, Mr. O'Neil Yes, Mr. Hornsby Yes, and Mr. Griffin Yes.

Business and Policies

Mr. Bichan is stepping down from the board. The Chair Mr. Griffin thanks Mr. Bichan for his time on the board. Mr. Bichan states he appreciates the time he was on the Board and looks forward to where the board goes from here. Mr. DiGiuseppe states someone should fill in for the Planning Board Clerk. **Mr. Bouley nominates himself and Mrs. Oakley seconds the nomination. Roll Call: Mr. Graf Yes, Mr. Bichan Abstain, Mrs. Oakley Yes, Mr. Bouley Yes, Mr. O'Neil Yes, Mr. Hornsby Yes, and Mr. Griffin Yes.**

Mr. DiGiuseppe states that the Select Board will send out a letter and a dual meeting between Planning Board and the Select Board will be had to elect a new member.

Adjournment

The motion to adjourn the October 19, 2021 meeting was done by Mrs. Bichan and seconded by Mr. Graf. Roll Call: Mr. Graf Yes, Mr. Bichan Abstain, Mrs. Oakley Yes, Mr. Bouley Yes, Mr. O'Neil Yes, Mr. Hornsby Yes, and Mr. Griffin Yes. Motion passes. The Planning board Meeting from October 19, 2021 was adjourned at 8:29pm.

Minutes prepared and submitted by Bryan Carmichael, Department of Planning and Economic Development Administrative Assistant.

Minutes Approved on: Nov 30, 2021

Signature Paul D. Fiore