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NORTON PLANNING BOARD MEETING
MINUTES OF July 19, 2022

The Planning Board Meeting of July 19, 2022 was called to order at the Norton Media Center via Hybrid means over ZOOM at 7:15 p.m. by Mr. Timothy Griffin, Chairman. Members present were Mr. Allen Bouley, Mr. Bill Marr, Mr. Eric Norris, Mr. Wayne Graf, Mrs. Laura Parker, and Mr. Jim Artz. Also, in attendance was Administrative Assistant Bryan Carmichael.

Mr. Griffin explains how hybrid meetings work and they will affect this meeting.

General Business

Mr. Griffin states to the Planning Board that Mr. Carmichael has forwarded a message from the State that hybrid meetings are to continue.

Mr. Griffin states that over the course of several meetings there will be applicants coming in to close out their peer review accounts for past projects and have the money left over returned to them. Mr. Griffin asks the Planning Board if there is anything they want to see in relation to the projects. Mrs. Parker asks to have something showing the project was finalized either a decision or withdrawal letter. Mr. Griffin asks Mr. Carmichael to provide the treasurer's amount and the decision to the application.

Bills & Warrants – A peer review bill from Horsley Witten is presented to the Planning Board and approved.

ANR ENDORSEMENT-(15628) 22 Reservoir Street and 79 Mansfield Avenue. Applicant: Dylan Ribeiro Owner: D and S Realty Trust

There is no one present to speak on the application. Mr. Griffin states that this application was granted a variance and the hardship shown was trouble about the initial zoning determination of the property. Mrs. Parker asks why this would come before the Planning Board. Mr. Griffin states that the ANR is for the definition of the lot lines and will be making two more lots to make four. Mr. Griffin shows that the variance was for lot number three decreasing the required 150 feet that it would normally be. Mrs. Parker states that are why this fall under the Parks Commission under the Massa State Law Chapter 41 Section 81c which has to do with the Planning Board acting as Park Commissioners. Mr. Griffin asks where that was to confirm that is something to look at. Mrs. Parker states it was in the application itself. Mr. Griffin finds that it is in the ANR and Mr. Bouley asks to make sure that is the right chapter and not a typo. Mr. Griffin

interprets the Form A and sees that it might be an example for another reason and then they added the ZBA decision as well for reference. Mr. Griffin states that since it is an ANR the Planning Board will have to deal with the matter of perspective approvals. Mr. Carmichael shows the Form A for the next application to show if that is how the form is filled out for both applications. Mr. Griffin states that the same Mass State Law is referenced in the Form A. Mr. Griffin explains that the ANR is not referencing the current edition of the Mass General Laws and is just on the ANR.

Mr. Bouley motions to approve the ANR and is seconded by Mr. Artz. The Planning Board votes All in Favor of Endorsement.

ANR ENDORSEMENT-(15756) 38 Barrows Street Applicant: Michael Trowbridge
Owner: Trustee of Paul Helmreich

There is no one present to speak on this project. Mr. Carmichael states that this ANR would create four more lots and one of the lots has a pre-existing house. Mr. Griffin states he was hoping for an applicant present to speak on the existing pool that is on lot three with plans to remove it as it says in the plan. Access perspective on the five lots is the next challenge. Mrs. Parker states that one of the lots do not have proper frontage. Mr. Griffin reads the middle lot has 50 feet of frontage. Mrs. Parker confirms and states that the minimum frontage for the zone is 150 feet which the proposed 50 feet isn't adequate. Mr. Bouley states it has access but no frontage. Mrs. Parker states that this is an R-60 zone. Mr. Carmichael suggests that a road may go down it to make up for the frontage. The Board can't determine that and state it isn't since the frontage still doesn't match up. Mr. Griffin states he would have liked to have the engineer speak on the project to confirm the map is being read correctly by everyone. Mr. Artz asks Mr. Carmichael to confirm that the lot is a road leading up to the lot. Mr. Carmichael states he doesn't know another reason for the narrow lot otherwise. Mr. Griffin states that in this instance it would just be a long driveway which would leave the lot at 50 feet of frontage. Mrs. Parker adds it would be 50 feet plus 33 plus 35 feet equaling 118 feet which is still under 150 feet. Mr. Griffin asks if 45 days are the approval timeline for ANRs. Mrs. Parker asks if Mr. Carmichael can ask the engineer to include a key on their ANR plan. Mr. Carmichael states he can ask the applicant to make a key for the plan. Mr. Bouley asks Mr. Griffin if there would be time for it. Mr. Griffin states that if it is 45 days they would have until August 11th to make a decision which would allow for a continuation to the next meeting. Mr. Griffin asks Mr. Carmichael to ask the applicant for a narrative and explanation for how it meets the zoning frontage or to have a representative at the next meeting. Mrs. Parker asks what the circles on the map mean. Mr. Griffin states that he believes that they are existing rocks around the wall which Mr. Bouley agrees with.

Mr. Bouley motions to continue the application to July 26, 2022 and is seconded by Mr. Artz. The Planning Board vote all in favor.

Public Hearing

PRE-15596: Daggett-Crandell-Newcomb Home (0 Newcomb Street), Norton Development Inc. Application for Preliminary Subdivision Plan

Mr. Bert Corey along with Mr. Joe Rosano are from DGT Associates, a civil engineer group. Mr. Rashid Shaikh is also present and is the CEO of Value Max, the applicant. The property currently is vacant land and is about 11.1 acres. The location of this site is past Red Mill Village on a dirt road by the Canoe River. There has been a lot of single-family housing along Newcomb and Newland Street by the Daggett-Crandell-Newcomb Nursing Home. The lot is also bordering James Street and Boulder Street. What is being proposed is to develop the property into a five-lot subdivision. The zoning district is R-80 which requires 80,000 square feet of lot space. Currently the frontage is 85.73 feet with a 50-foot-wide neck that enters into the much larger portion of the property. There are no wetlands associated with this property other than off-site which has a vernal pool but there is no proposed work inside the buffer zone associated with that. Mr. Corey states he had met with the Town Planner prior to his departure and he said it might be worthwhile to submit the preliminary rather than start with the definitive to introduce the project to the new members of the Planning Board and get feedback. Access would be provided off of Newcomb Street and would extend the roadway into the center of the property the roadway would just be under the thousand feet as required in the bylaw for a dead-end street. The dead-end street would be a cul-de-sac at the end of the road. There would be a waiver asked from a 26-foot-wide road to a 24-foot-wide road. There would also be a waiver on the rounding of the road as there is a 15-foot radius at the edge of the property. The roadway itself according to the bylaw has to be a 30-foot-wide paved roadway which allows down to 25 square feet. Mr. Corey states they will ask for a waiver for a 27-foot radius for the roadway. Mr. Corey states they have already met with the Fire Department and put together the fire truck apparatus on the plans in and out of the property which shows it works. The property was carved into five separate lots. They all have frontage along the proposed road and they all meet the area requirements according to zoning. As far as the development goes what is being proposed is five duplexes, one for each lot equaling ten units. The bylaw allows for duplex housing through a special permit. Mr. Corey states that it felt more affordable for people to have a duplex system. The roadway is shown to have access to all five lots. The soils according to the NRCS published data states there is Hinckley soil which is a good sandy material in the substratum, it has good depth to groundwater. Mr. Corey states that they have yet to do any soil testing out on the property but will be working with the Board of Health and Conservation to get that. The Board of Health will be there to witness the on-site sewage disposal along with the Conservation agent for stormwater management will also witness the tests which should happen sometime in August of this year. Also, will be working with the Board of Health to look at the surrounding properties to get a feel for their soils too. Stormwater would be handled with subsurface infiltration and will still have to manage the peak flow. This will either be done with infiltration galleys that would subsurface as long as there is a good depth to the groundwater table or there are several different ways of handling the situation through an open basin or infiltration basin, or a subsurface detention basin. On the plan there are areas where Mr. Corey states he thinks the Stormwater Management works with requirements to setbacks as well. Water and electric are written on the plan to get a head start on moving the application forward. There will be further conversations with Town officials to find out how they want utilities laid out. Meeting with the Fire Department if they'd prefer a fire hydrant before the bulb of the cul-de-sac rather than at the end.

Mr. Griffin asks to confirm that the proposed road runs north. Mr. Corey states that it is correct and that Pine Needle Drive which was mapped out so the distance requirement could be maintained from the center of both roads.

Mrs. Parker asks if a dead-end road has to be a private way. Mr. Griffin confirms that it does have to be. Mrs. Parker asks if there will be an association for the development for the maintenance of the road. Mr. Corey states it is written in the regulations.

Mr. Shaikh states that he is the applicant and asks if there is a time limit for when the private way can become a public way in Norton. Mr. Griffin states that Town Meetings does have private roads accepted as public ways and can look into the regulations to be able to provide the process of how it works.

Mr. Marr asks to confirm that 58% of the property will remain undeveloped woodland. Mr. Corey states that the trees in the backyard will not be disturbed. Mr. Marr states that they would meet the requirements for backyard distances. Mr. Corey states that it doesn't differentiate if it meets the zoning requirements. Mr. Shaikh states that they could use 10000 to 20000 square feet and still have similar setbacks so that is plenty of land for setbacks.

Mr. Griffin states that there is a waiver for the width of the roadway and a four-foot sidewalk. Mr. Corey explains they are requesting the waiver rather than put a sidewalk on both sides of the roadway they are asking for a sidewalk on one side of the road to reduce the amount of imperviousness as best as they can because otherwise it would be looked at from a stormwater standpoint. Mr. Griffin asks since this is connected to the Daggett-Newcomb-Crandell home, if this property was connected to the senior housing complex. Mr. Corey states that it isn't. Mr. Griffin asks if mobility challenged people will be on the site. Mr. Corey states he doesn't believe so. Mr. Shaikh adds that he isn't looking to build assisted living space on the property and the homes that are being planned are aimed more at young families. Mr. Shaikh also explains that having a sidewalk on both sides leading the same way wouldn't be as efficient as just having it on one side in the shape of a question mark for all the neighbors. Mr. Corey states that the terrain is relatively flat and when he took a site visit, he didn't see any ledge outcroppings in the area and is mostly a pine forest with maple trees dispersed.

Mr. Griffin asks how far along they are with other town departments. Mr. Corey states right now they are working with the Board of Health and Conservation to find a time to go over soil testing for witnessing for stormwater management. Mr. Corey states they have met with the Conservation Agent and the Fire Department and has been trying to coordinate with the Board of Health agent. Mr. Griffin asks if there will be multiple filings later on. Mr. Corey states that they will not be filing for multiple things. Mr. Shaikh states that they have met with the Conservation agent and are clear of the 100 foot no build buffer for wetlands. Mr. Corey states that Mr. Shaikh is referring to a vernal pool off-site.

Mrs. Parker states that it looks to have been subdivided and that there are no wetlands on the GIS map. Mr. Corey states that it was. Mrs. Parker asks if during the process there was a delineation asked on the lot that is being presented was also checked for wetlands. Mr. Corey states he believes it was examined when it was associated with the development of the lots on Newcomb

Street not necessarily for the lot in the plan. Mr. Corey continues that there was a wetland delineation done with their own wetland specialist and is confirmed by Mr. Rosano. Mr. Rosano states that the surveyors had contacted the wetland specialist to start the chain of confirming the wetland area to be flagged. Mr. Shaikh adds the property has no wetlands.

Mrs. Parker asks if the waivers being requested are to be voted on. Mr. Griffin states that the Board is approving the preliminary plan with or without modifications or disapprove. If the Board approved the preliminary plan with waivers, then the waivers will be listed. Mr. Bouley asks to confirm that the waivers would come back. Mr. Griffin states that the waivers would be approved for the preliminary but would still need to get approval for a definitive plan. Mr. Griffin states the waivers being requested are the intersections with the intersecting angles of the curb radius where they showed the turning calculations for the fire trucks which will be peer reviewed later on. There is a waiver for the pavement width, an additional waiver for the sidewalk, and a waiver for the scale of the map of the project.

Mrs. Parker states that on the plan of record the proposed roadway provides necessary access to Norton Fire Department trucks and asks to be shown where the access is. Mr. Corey states that the plan is on the exhibit plan. Mrs. Parker states that it is not in the plans that were sent to the Planning Department. Mr. Corey shows the physical plan that was brought in and shows on the plan the fire truck radius. Mr. Griffin confirms it is not in the information given to the Planning Board and assumed it would be something for the future to be peer reviewed. Mr. Griffin states that the tightest turn is going to be coming into the road from the east. Mr. Artz asks to confirm the Fire Department's only recommendation was to put the fire hydrant before the bulb. Mr. Corey states that it was on the standards where it shows that the hybrid at the end however the Fire Department asked for it to go before the bulb. Mr. Corey adds that this was suggested to the Water Superintendent and they weren't able to meet with the Superintendent to talk about this as they were in another meeting when Mr. Corey went to meet with them. Mr. Corey adds that they will still have to talk to the Water Department about a loop system for the development.

Mr. Marr asks where the slopes described in the property description are on the plan and if it would impact the slope of the road coming in. Mr. Corey states that it is 50 feet of one percent which can be done. Mr. Rosano adds that it is required for 1% for the first 50 feet and then the rest of the site is between 1% and 3% of a roadway slope which was done in the narrow site.

Mr. Bouley motions to close the public hearing and is seconded by Mr. Artz. The Planning Board Vote All in Favor of closing the meeting.

Mr. Bouley motions to approve the application with standard conditions with the five waivers and is seconded by Mr. Artz. The Planning Board Vote All in Favor of approving the preliminary plan with conditions.

General Business

Mr. Griffin states he has asked Mr. Carmichael to give the Planning Board a copy of the PowerPoint presentation presented last meeting from Town Counsel. Mr. Carmichael states he has sent an email to Town Counsel and asked for the PowerPoint.

Mr. Carmichael states that now the Mr. DiGiuseppe is no longer the Planner. Mr. Carmichael asks the Planning Board to vote on a new person to sign the minutes.

Mr. Artz nominates Mr. Griffin to sign the minutes and is seconded by Mrs. Parker. The Planning Board vote in favor of Mr. Griffin, Mr. Griffin abstains. (6-0-1)

Mr. Griffin asks if there have been any applications for the Town Planner position. Mr. Carmichael states at this time there are no applicants for the position.

Mr. Griffin asks Mrs. Parker to sign the next payroll as Mr. Griffin is on vacation that week.

Mr. Artz states he will attend virtually.


Adjournment

The motion to adjourn the July 19, 2022 meeting was done by Mrs. Parker and seconded by Mr. Graf. The Planning Board Votes All in Favor of ending the July 19, 2022 meeting and was adjourned at 8:19 pm.

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

Minutes Approved on: December 20, 2022

Signature

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