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NORTON PLANNING BOARD MEETING  
MINUTES OF September 20, 2022

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The Planning Board Meeting of September 20, 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, Mrs. Laura Parker, Mr. Bill Marr, Mr. James Artz, Mr. Eric Norris, and Mr. Wayne Graf. Also, in attendance was Administrative Assistant Bryan Carmichael.

Mr. Griffin explains how hybrid meetings work and how they will affect this meeting. Zoom is down at this meeting and no one can enter the meeting space over Zoom.

**General Business**

**Bills & Warrants** – Two bills are submitted one from Horsley Witten and the other is for a peer review for Pine Street from Horsley Witten.

Mr. Griffin states that a vote for the representative for the Capital Improvements Committee and Mrs. Parker had volunteered to be the representative.

**Mr. Bouley motions to appoint Mrs. Parker as the representative and is seconded by Mr. Graf. The Planning Board votes All in Favor of Mrs. Parker's appointment to the Committee.**

**ANR ENDORSEMENT-(16192) 394 Old Colony Road Applicant/Owner: Ronald Haskell Continued from August 30, 2022.**

Mr. Griffin states there has been some back and forth discussing this application including Mrs. Parker asking Town Counsel about the subdivision control law. Decal Drive is a paper street on the lot which is not a state road which was discussed through email. The Applicant is asking for a further continuance to the October 25<sup>th</sup> meeting to try and get the documentation to show that they can remove the paper street as part of the ANR process.

**Mr. Bouley motions to continue the ANR to October 25, 2022 and is seconded by Mrs. Parker. The Planning Board votes to approve the continuation, Mr. Artz abstains. (6-0-1)**

**ANR ENDORSEMENT-(16277) 0 Pine Street Applicant: Wildacre Woods Owner: The Everett G Germain Jr. Irrevocable Trust**

Mr. Marr recuses himself from the discussion.

Mr. Jason Smith from Level Design Group is present to talk about the application. It is a 15-acre parcel that is believed to qualify for an ANR endorsement and meets the zoning requirements for it.

Mr. Griffin asks if lot 13 already exists as its own lot. Mr. Smith states that is correct. Mr. Griffin asks if the remaining lot being divided into five. Mr. Smith states that it will be five lots. Mr. Griffin asks how access would be provided to the buildable area of lot four. Mr. Smith states it will likely need an easement coming through lot 6 or 7 or if they tried the front, they would have to go to the Conservation Commission. Mr. Griffin states it would be a very long driveway at about 600 – 700 feet. Mr. Smith states it is possible to get something in the front if needed but they haven't decided what they will do with the property. Mr. Griffin explains that while they are only dividing lot lines but access for the lots is something that is considered.

Mr. Bouley asks if an easement needs to be put on file. Mr. Griffin states they are only dividing the lot lines. Mr. Bouley states it is difficult when access can't be proven. Mr. Smith states the lot has a little frontage and access. Mrs. Parker states that they will be going through wetlands. Mr. Smith states that it will be additional permitting but it does not mean it is impossible.

Mr. Griffin asks why the applicant started with lot 4 and not lot 1. Mr. Smith states that there was a prior subdivision done with the lots labeled as 1, 2, and 3. Mr. Griffin asks if this was all one lot at some point. Mr. Smith states it most likely was as it was subdivided.

**Mr. Bouley motions to endorse the ANR and is seconded by Mrs. Parker. The Planning Board vote to endorse the ANR (6-0-1) with Mr. Marr choosing to reclude himself.**

#### **MODIFICATION TO SPECIAL PERMIT AND SITE PLAN**

**Lucky Green Ladies LLC / Ronald Haskell, 394 Old Colony Road (Assessor's Map 26, Lot 15). Applicant seeks determination to proceed with a minor modification to the Special Permit and Site Plan #13543 and #13544**

Ms. Alissa Nowak of Lucky Green Ladies is present to speak on the application. Lucky Green Ladies is a cannabis home delivery business located at 394 Old Colony Road and are requesting the Planning Board approval of a minor modification for the site plan and special permit in regards to parking. In the new plan there are plans to close the deliveries for one hour which will be enough time for employees to change shifts. In doing so the traffic engineer revised the parking analysis and found that only twelve spaces are needed instead of the initial twenty-two spaces. The new plan will instead have 14 spaces and they will still be on the parcel and will be changing what spots will be used. Two of the vehicles will be parked inside of the bay and have permission from the Building Commissioner, Mr. Nick Iafrate to do so. The cars that will be used are Toyota Priuses and they are about five and a half feet in width so it is believed that two cars can fit in the bay which is 19 feet wide. The wall next to the bay will be moved over two extra feet so the cars can fit in. There will be an additional parallel space which was approved by the Deputy Fire Chief, Mr. Jason Robbins which will be placed in front of the bay door.

Mr. Griffin asks to confirm that there is no new net parking taken out of the communal parking area between the buildings. Ms. Nowak states that is correct. Mr. Griffin states that in the initial plan Ms. Nowak had tried getting as many parking spaces as needed and it was a challenge. Ms. Nowak agrees but thinks with this plan, it only came down to when the shifts were changing that there were so many cars on the site which was changed by closing the site for an hour so the second shift drivers can get in while the other employees can still work at the facility. Mr. Griffin states to the Planning Board that this is a cannabis delivery company where members of the public will not be allowed at the facility.

**Mr. Bouley motions to determine that the change to the amount of parking spaces is a minor modification and is seconded by Mrs. Parker. The Planning Board vote in favor of the application being a minor modification.**

**Mr. Bouley motions to approve the minor modification of the special permit for 394 Old Colony Road and is seconded by Mr. Graf. The Planning Board vote in favor of approving the minor modification of the special permit.**

**Mr. Bouley motions to approve the minor modification of the site plan for 394 Old Colony Road and is seconded by Mr. Norris. The Planning Board vote in favor of approving the minor modification of the site plan.**

**Public Hearing**

**SP 13540 & 13479: 196 Mansfield Avenue. Request to reimburse the remaining balance from the peer review.**

Mr. Griffin states that this is from the remaining balance of the peer review and a new person will be funding the next part of the review of the site.

**Mrs. Parker motions to approve the reimbursement of the remaining peer review balance of 196 Mansfield Avenue and is seconded by Mr. Graf. The Planning Board vote in favor of releasing the peer review funds for 196 Mansfield Avenue.**

**DEF 13932 & SP 14704: 0, 126, 128 & 154 Pine Street and 0 Wood Road.**

**Owner/Applicant: Norton Land Company, LLC. Application for the creation of 44 lots into a residential cluster subdivision. Continued from May 10, 2022, May 24, 2022, June 21, 2022, June 28, 2022, and July 26, 2022, and August 30, 2022. Applicant is seeking a continuance to September 27, 2022.**

Mr. Griffin asks Mr. Carmichael if the applicant thinks they'll be ready for the September 27<sup>th</sup> meeting as that is a week. Mr. Carmichael states that the applicant wanted to give the peer reviewer time to review the project before making changes.

**Mr. Bouley motions to continue the application to September 27, 2022 and is seconded by Mr. Norris. The Planning Board vote in favor if continuing the application to September 27, 2022.**

**SPR 15808: 0 Hill Street. Applicant: Kessler Machine and Fabricating. Owner: Norton Development Inc. Application for a 9,900 square foot machine and fabricating building. Continued from August 16, 2022, and August 30, 2022.**

Mr. Michael Dryden, the Senior Project Manager with Allen Engineering is present to speak on the application along with Mr. Joe Kessler. Mr. Dryden states that the Fire Department was reached out to and spoke with the Deputy Chief. Mr. Dryden shows a plan sheet that shows that the fire truck can maneuver the site without issue. Mr. Robbins had reviewed the plan and agreed that there were no issues with turning. The next item was about adding notes to the plan in context to the buffer on the site. The front of the property was to be maintained as existing wooded land and the Planning Board had asked for erosion control measures and notes to the plan so that area didn't get cleared by accident during construction. The plan has those notes and additional erosion control measures. The proposed hours of operation are Monday through Friday 5am to 7pm and Saturday 6am to 4pm while Sunday is closed.

Mr. Griffin asks will truck traffic be consistent over the operating period. Mr. Dryden states that truck deliveries will be Monday through Friday 7am to 4pm. The 40-foot single unit rig flatbed trucks that will be going onto the property are what will be primarily the type of truck that will be doing deliveries on the site. There will be tractor trailers that will visit the site but it will be very seldom and the site has been done to make sure a typical 50-foot tractor trailer can maneuver through the site.

Mr. Bouley asks if they have an updated landscaping plan that was to add a bigger buffer. Mr. Dryden states that he added notes and to bolster protection of the existing buffer. Mr. Bouley states the buffer was thin and thought that they would add to the buffer. Mr. Dryden states he doesn't remember talking about adding landscape to it but can do so by adding some evergreen shrubs adjacent to the entryways and want to avoid blocking site distance. Mr. Dryden states the plan is to keep the existing 32- to 36-foot-wide vegetation. Mr. Bouley states he is looking for adding some screening for noise and sight line reduction for neighbors. Mr. Kessler states all the noise will be happening inside the building. Mr. Bouley explains that it is an Industrial business in a residential neighborhood and wants to try to buffer the business and the neighbors as best as possible which is asked for in the bylaw.

Mr. Marr states he remembers asking if the trees were deciduous or not and the answer was that they are and believes this was when the Board had discussed evergreen screening to help buffer the site from neighbors. Mr. Dryden states he can add some arborvitae type evergreen plantings and as long as it doesn't impede sight distance adjacent to the two curve cuts and close the gap and can evaluate the existing evergreen that will remain in the 32-36-foot vegetation and perhaps fill in the holes with evergreen plantings.

Mrs. Parker requests for something other than arborvitae as there is a significant deer population and suggest junipers. Mr. Dryden states they will choose something else like a mountain laurel or Australian pine.

Mr. Bouley asks Mr. Griffin if the landscape plan could be something the Planning Board could condition so they wouldn't have to come back for that. Mr. Griffin states he thinks that would be a condition that could be set.

Mrs. Parker asks how often trucks will be on the site. Mr. Kessler states the tractor trailer would be a couple times a year and a flatbed would be two or three times a week with UPS once a day and with steel coming in twice a week. Mr. Dryden states he hopes the traffic being presented will put the abutters and the Planning Board's mind at ease as it is a small facility and will not generate large amounts of traffic. Mr. Griffin states that there is a problem with vehicles that are not following the posted speed limit and want to prevent adding additional irritants to that area.

Mr. Griffin asks the applicant if they would be amenable to putting the proposed hours of operations into the decision. Mr. Dryden and Mr. Kessler wouldn't oppose the addition of it to the decision as those are the preferred hours. Mr. Kessler asks if the hours in the decision would prevent him from working at the office of the site past those hours. Mr. Griffin states it would be hard to enforce having Mr. Kessler working at his desk after the proposed business hours. Mr. Dryden states that the requested hours are geared toward full operation.

Mr. Griffin asks the Planning Board if they would like to close the public hearing that night and then at the next meeting do the conditions or should it all be done at this meeting. Mr. Bouley states he thinks it can all be voted on at this meeting.

Mr. James Carter owner of the 0 Hill Street across from this site. Mr. Carter asks about winter operations with snow removal, sand, and salt is it possible with the wetland protection areas and vernal pools and if it has been addressed. Mr. Carter explains that there is potential for contamination to the wetlands with trucks coming onto the property with salt and sand. With the limited amount of parking what are the plans to get rid of the snow, salt, and sand without impacting the wetlands. Mr. Carter reads a statement from a neighbor who couldn't make it as they work nights. Mr. Carter states that neighbors have signed a petition to limit the truck traffic on Hill Street. Mr. Carter reads that the resident is concerned once the rail trail goes in there will be more congestion on the corner of Crane and Hill Street with families with bicycles at that location as well as members of the Wheaton track teams who have to be forced off the road when a car went by. The neighbors partake in keeping up with curb appeal and the other side of Hill Street has been getting more commercial with businesses that a traffic study should be done to determine the impact of this area as this doesn't look like the proper entrance and egress for Hill Street when it should be in the industrial park. Mr. Dryden states he has the snow removal area marked on the layout materials, there are two areas for snow storage for designated snow removal with the idea being you could push along the major part of the parking lot and put snow there. If there is more snow removal needed, they will remove it to operate the business but this would be a rare occasion. For salt and sand removal any separate rules for them in regards to the wetland areas will be imposed by the Conservation Commission as it is their purview. The stormwater management system does remove suspended solids in this case 44 free treatment and then ultimately more than 80 percent with the stormwater management system with any de-icing materials will be regulated by the Conservation Commission.

Mrs. Amy Conley of 61 Hill Street hands the Planning Board pictures of what Hill Street looks like. In Mrs. Conley's opinion the road was made as a residential area. The length of the road is 21 feet in length. Ms. Conley states she didn't look up what an industrial street should be in length but Mrs. Conley went to Leonard Street to get a sense of the length and that is 35 feet wide. Compared to Leonard Street, Hill Street is very narrow. There is a curve in Hill Street that makes it so it isn't a completely straight road. Mrs. Conley shows in one of the pictures truck imprints around where the proposed entrance is for 0 Hill Street. Mrs. Conley states that the engineer is stating comments that the Board wants to hear. A lot of the trees by the site are deciduous trees so once all the leaves fall it will be an empty space in terms of sight and noise. Mrs. Conley states that there are bicyclists that come down the road and on Saturdays the Norton Bike Group use Hill Street as part of their route to get to the bike way. Mrs. Conley states she is concerned for pedestrian and bicyclist safety going down Hill Street with trucks coming onto the property Monday through Saturday. Mrs. Conley states that her husband is a delivery driver and the deliveries aren't guaranteed to come at a certain time of the day. For a flatbed to enter the street it is difficult to imagine it taking a left out to Hill Street with only 21 feet. At the current operations of Kessler Manufacturing, the materials are stored outside based on the picture provided. Mrs. Conley states she knows the part of Hill Street is industrial zoned but the roads are not made for Industrial traffic only residential. There is a sign on the road that says thickly settled speed limit 30 mph. With the potential for increased industry, it would become a safety hazard for any pedestrian looking to jog or ride a bicycle unless the road will be widened. The noise and lights that would come from Kessler Manufacturing would take away from the atmosphere of the neighborhood. Under prohibited uses in Industrial uses in the Norton bylaw it would prohibit any harmful, detrimental, hazardous, offensive, or would tend to reduce property value in the district where it is located by reason of excessive dust, direct odor from smoke, etc. Mrs. Conley states she believes this project would devalue her property value. Mr. Griffin states that outdoor storage is a standard condition for site plans of this type and that condition can be enforced by the Building Commissioner so if it is not being followed the Building Commissioner has to authority to have them comply. Mrs. Conley asks if there is a width requirement to an Industrial Zone. Mr. Griffin states there is no road width requirement for a zone. Mrs. Conley states she hopes that the trucks will be instructed to go back toward the Camp Myles Standish Industrial Park and go through the highway the way and it will be a tight corner to make the turn to do that. Mr. Griffin states that the applicant does have a decent straight away coming out of the site but he agrees with Mrs. Conley that it is a narrow road and is not sure where the GPS would send drivers. Mrs. Conley states it could go either way as trucks do still go down Hill Street to get to South Washington Street and some trucks come from South Washington Street and go down Hill Street to get to Camp Myles Standish. Mr. Griffin states he was thinking Hill Street going down to South Washington Street. Mrs. Conley states they are mostly coming off of Route 123 to South Washington coming down Hill Street and with the community use of the road and would like to not have Saturday work hours. Mr. Griffin states the hours of operation that are being proposed are not unusual for an industrial zoned area with some asking for 24-hour operations seven days a week. Mrs. Conley asks if that means the abutters don't have a say in the hours of operation because it is industrially zoned. Mr. Griffin states it is as of right use. Mrs. Conley states she thinks it is zoned improperly because of the number of wetlands in the area and the residences and that the property should just be conservation land and a lot of the wooded area will be removed. Mrs. Conley states that Conservation is about conserving the land and the habitat that uses that land and states there are plenty of industrial spaces in Norton and in Camp

Myles Standish. Mrs. Conley states that the property value would go down. Mr. Griffin states that the Planning Board will do their best to put in screening the best they can for the neighbors. Mrs. Conley states that the buffer won't protect the neighbors from the light and noise the property would give off. Mr. Griffin states they have reviewed the light plan and the lighting had gone straight down. Mrs. Conley states that the noise factor and traffic is still a problem which will be increased Monday through Saturday.

Mr. Matthew Griffin of 61 Hill Street, no relation to the Mr. Griffin on the Planning Board states that not only tractor trailer trucks but also box trucks take up the whole road in either direction which will create dangerous conditions for the drivers and pedestrians. There are two bay doors facing Hill Street and during the hours of operation in summer and will be visible to the public and it should be on the other side facing the back. Mr. Matthew Griffin states there are bay doors on the rear and side of the building as well.

Mr. Rich Conley of 61 Hill Street states his concern is where will they be unloading the stock from the trucks that come in and will there be enough space for a fire truck to go at the same time and states that they would not be able to. Mr. Griffin states that would be a challenge. Mr. Conley states that getting a 50-foot truck down Hill Street without going onto someone else's property is a safety concern. Mr. Conley asks if property value and safety are factors. Mr. Griffin states they are factors and it is mentioned by the engineer that the fire truck analysis that was done by the engineer who showed the plan to the Fire Chief and they said they can get their fire trucks in and out of the site. Mr. Conley states that the trucks can get in and out of the site if there is nothing blocking their way but if it is filled the fire truck isn't going to get in. Mr. Griffin states that it would be difficult to get a fire apparatus in that particular spot in the scenario Mr. Conley is suggesting but they could still go all the way around the building. Mr. Conley states he doesn't think they can go around the building. Mr. Griffin asks to confirm with Mr. Dryden what it says on the plan. Mr. Dryden states that based on the plans submitted the Fire Chief said that they would be able to go around the building. Mr. Conley states that when the leaves fall the building will be visible and will be quote "Like Fenway Park in my front yard" and explains that at the end of the street the other welding shop is lit up "like Fenway Park" currently. Mr. Griffin states that the dimness was not something was not discussed what was discussed was the lighting plans they're going straight down and have a cutoff so the lights have a sharp no light kind of cutoff. Mr. Conley states that they should be "good neighbors and not move there because nobody wants them." Mr. Conley states that it is a safety issue and hopes "nobody has to pay the price for this."

Mr. Bob Gennard of 51 Hill Street states he has lived on Hill for about 20 years and states that some time ago they had looked into getting no truck signs put in when Pine Street got their sign. Mr. Gennard states that the road isn't technically wide enough for heavy truck traffic according to the state when they had asked about it then. There are no lines separating the two sides of the traffic on a portion of Hill Street until Waste Management where the road widens. Mr. Gennard states that Mr. Purcell, a former Town Manager had stated that he would help get Hill Street a no truck sign. When Mr. Yunits came in, he stated that they couldn't put the sign in as trucks would need a means of egress out of Taunton. Mr. Gennard states that Pine Street is wider until past the farm and then you can take a left onto route 140. Mr. Gennard states he is concerned that if more development comes then they would need to widen the road which would affect the whole street.



When Mr. Gennard had first moved to Pine Street it was a dirt road and it had minor truck traffic until recently when GPS systems have told people to go off of Interstate 495 to Route 123 and have gone down Hill Street. The traffic now is more constant and the tracks are more visible and are eroding the sides of the road. Mr. Gennard states that since there are no government officials on Hill Street, he feels that the neighbors on Hill Street are alone on this as opposed to when Pine Street got their no through truck sign and a Select Board member was living on Pine Street.

Mr. Peter Wiggins of 157 Mansfield Avenue reads a Taunton Gazette news article from February 11<sup>th</sup>, 2011 that states the construction of the Allied Waste Services vehicle maintenance facility on Hill Street and how Charlie Crowley and the Norton Town Manager Mr. Jim Purcell exchanged emails to discuss the waste management building proposed to be a 26,000 square foot facility with 183 parking spaces. Mr. Crowley had complained that Norton would receive the property and excise taxes and Taunton getting nothing more than wear and tear by trucks and had stated that he was sure they could use the roads in Norton instead of Taunton as the constant truck traffic would weaken the road. Mr. Crowley had stated that Hill Street would need a new culvert and a traffic light would be required and they had opposed the project because of this. Taunton City Councilor Mr. Thomas Hoyer had agreed with Mr. Crowley and stated that Allied Waste should access 495 by using Norton roads and Route 123.

Mr. Gennard of 51 Hill Street stated that originally the property that is industrially zoned was farm land and when it was the training camp, Camp Myles Standish and that became the present-day industrial park and there were houses but Mr. Gennard thinks there wasn't any designs for housing which is why that side of Hill Street remained residential and in the past there was supposed to be a large buffer zone that was supposed to be left for the residential side which was never meant to be an entryway to the industrial park from that side and can't find where they had originally stated that.

Mr. Dryden states that everyone understands the concerns of the neighbors and states that the situation is common when a street is split between residential and commercial properties on either side and it has been acknowledged that 0 Hill Street is in an industrial zone. Mr. Dryden restates he understands the concerns and states the building is under 10,000 square feet with 13 parking spaces and are not talking about a bigger project like an Amazon distribution facility. Mr. Dryden states there will be an increase in trips but they will be minimal. Mr. Dryden states he personally sees this as a win as it is a four-acre lot with only one acre being developed while the other three will remain undeveloped and is a low intensity use. Mr. Dryden states that he understands the neighbors' concerns he feels offended by the idea that he is only stating comments the Planning board wants to hear and is telling the Board what they believe to be the truth. Mr. Griffin states he has to be a cynic anyway in the event someone isn't truthful. Mr. Dryden states that he is on record as a professional engineer, this is his profession, and he has permitted hundreds of projects like this one and if he felt this was a safety issue Mr. Dryden states he wouldn't be presenting the project. In terms of how the site functions the Fire Chief and a truck is unloading and there is a fire, the truck will have to move to make way for a fire truck. Mr. Dryden restates that the lighting plan is all wall pack lighting, it is LED low mounting height with a full cut off, it will be very low-level lighting for safety. Mr. Dryden states that he understands the neighbors' concerns and that at one time there was a buffer but presently the site



is zoned Industrial and that there is still more industrial land on Hill Street. Mr. Dryden restates that the site is 1 acre of disturbance on a four-acre lot.

Mr. Graf states he does have a concern about the width of the street with it being 21 feet. Mr. Graf continues that the width is not designed for industrial and has been through this a few times recently in West Mansfield where trailer trucks are going with low hanging trees and the trucks were taking the branches off of the trees and if there are any landscaping trucks on that road, they would usually take up half of the road. Tractor trailer trucks are eight and a half feet wide and having two of them on the road at the same time is a tight fit. Mr. Graf states he knows that the property is zoned industrial but feels that the road is not zoned industrial because of how narrow it is. Mr. Graf states he has to deal with this type of road on North Worcester Street and when a 53-foot tractor trailer tries to go around Mr. Graf's corner. Mr. Dryden states he doesn't know of any restrictions on the road. Mr. Graf explains he knows there isn't any restrictions and states that he knows what it is like to have trucks go down a narrow road. Mr. Dryden states that he heard that other trucks currently go down Hill Street and restates the amount of traffic being added is minimal. Mr. Dryden states that if there is an existing problem, they are not exacerbating the problem but if Hill Street's industrial development gets too big then eventually a developer may have to widen the road and the size of this project doesn't warrant the widening of the road. Mr. Graf states that he doesn't think the residents would want the road widened anyway. Mr. Dryden states widening the road might be the only option and instead of taking front yard off of residential properties it would most likely be within the confines of the present day right of way. Mr. Griffin agrees and states it is something that might have to be evaluated at a future town meeting and Mr. Griffin adds that it could be an article put forward by a resident if they wanted to.

**Mr. Bouley motions to close the public hearing and is seconded by Mr. Norris. The Board votes in favor of closing the public hearing. Mr. Artz abstains. (6-0-1) The motion passes.**

Mr. Griffin asks if the Board would like to vote on conditions now or have the decision written and the Board can go through the conditions at a separate date. Mr. Graf states he would prefer to look at the conditions at a later date. Mr. Griffin reads through some of the conditions such as the hours of operation and the front buffer landscaping.

**Mr. Bouley motions to approve the application with standard conditions plus the stated hours of operation and the additional landscape plan to be reviewed at a following meeting and is seconded by Mr. Norris. The Board votes in favor of approving the application. Mr. Artz abstains. (6-0-1) The motion passes.**

**SP 15966 & SPR 15640: 120 Mansfield Avenue. Owner: Town of Norton. Applicant: VHB Inc. Application for the construction of the Norton Senior Center. Continued from August 30, 2022.**

Mr. Scott Lindgren of VHB Inc., a civil engineering firm is present to speak on the application and is representing the Town of Norton. He is joined by Mr. Michael Viveiros from DPVW Architects and Mr. Matthew Healy from BHB who is the traffic engineer. There were some

questions asked by the Planning Board concerning some parking and traffic information and at the time the application was continued to further the discussion. Since last meeting the Conservation Commission has closed their public hearing on 120 Mansfield Avenue and is granting an order of conditions for it. The Board of Health has notified Mr. Lindgren that the site design is acceptable for the septic system and they are waiting on the Planning Board's final approval before they grant and issue the certificate of approval. Last week Mr. Lindgren presented before the Zoning Board of Appeals for the parking variance for the parking regulation requirement. During that meeting Mr. Lindgren presented some information clarifying the approach taken for parking and the Zoning Board granted the variance for the parking for the Senior Center.

Mr. Lindgren goes through the questions brought up at the previous meeting and how the operation of the parking facility would work not only in front of the senior center in front of the drop-off and some handicapped parking but also the larger parking field to the left of the senior center which is a one-way circulation with the pickup window and it being clockwise. The question asked was if there are cars wanting to exit the exit the left parking lot side then would the people trying to come in get impeded. Mr. Lindgren and his team had a chance to review the parking lot and the comment gave them the opportunity to create a gap by putting in a stock bar and a stop sign close to where the arrows were pointing on the plan and have an additional stop sign there. It will allow a few cars to be in the exit lane and then have a gap for people turning into the site to be able to take a left in-between car as they go around the one-way circulation and allows the people exiting to visibly see the on-coming traffic wanting to take a left hand turn onto Mansfield venue and delay their approach enough so they can hold in and have that movement as well. They are also given the opportunity to exit off of the right-hand side if necessary. The next slide of the presentation shows the summary of the zoning variance and parking analysis. The data from last time concerning the parking in terms of required spaces based on the zoning regulations. As senior centers are not a specific use code under the zoning regulations. There can be two approaches the first being occupancy and Mr. Lindgren had originally put the occupancy was of the fire code occupancy of the whole building not each individual room and the associated uses. Mr. Lindgren had taken it as a whole use code with the fire code which is how many can be in the building at one time which is how many can be in the room not how many people can fit into the room. A discussion with the zoning building official, the design team, and the Senior Center Building Committee it had been looked at on a use code and it is regulated in the zoning to do that. The table went through a lot of the different uses that would go into the senior center and applying the square feet for the use and the amount of parking spaces that are allotted for each use in each of the areas and they consider public assembly, office space, special use space, and a special use seating space which is multi-purpose. The total amount of parking spaces based on the zoning is about 80 parking spaces. This is the number of spaces given to the Zoning Board to when granting the variance to which the Zoning Board agreed with that calculation and approved the variance of 21 spaces allowing them the 59 spaces as shown on the plan. 59 spaces are what was decided upon by the design team and the others in the implementation process for the number of spaces needed for the property. The Council on Aging and Permanent Building Committee had reviewed other facilities around the state and in terms of size and use and tried to approach this in terms of data gathering for parking requirements. Examples included Scituate and Walpole which had a greater square footage than the senior center being proposed with Situate at 15,000 square feet with 70 parking spaces and

Walpole had a 13,000 square foot building with 52 parking spaces. With 59 parking spaces lead the design group to believe they are within the appropriate range for parking. Mr. Lindgren had looked into the Institute of Transportation Engineers and the parking generation manual. A senior center is not a use but things that are comparable to them were used to determine where to look in the code and looking at a recreational facility for Norton and the ITE takes into account a lot of nationwide data which has a 2.7 parking space per thousand square feet as a range which translates to 33 spaces which is a lot less than what is being provided and feels the 59 spaces is warranted for the facility and why the variance was requested.

Mr. Marr asks if there has been any consideration for the Senior Center to be one way and if that would mitigate some of the traffic issues. Mrs. Parker asks if the left side should be a right turn only egress. Mr. Lindgren states that there has been a lot of internal circulation benefit to having both sites egress and enter with some safety considerations on it. Mr. Healy states that having both entrances full access has benefits for the site circulation, a lot less conflicts in terms of the site and of splitting the volume between left and right between the two driveways. Part of the study the crash history of the area was looked at and that is below the district average and are not that concerned about the concerns about safety. There will be a MassDOT access permit required. Mr. Griffin states he likes the addition of the stop sign as that would mitigate a bad conflict in the crossover zone by allowing both sides the ability to see both sides coming.

Mrs. Parker states that reviewing the senior center parking rationales seen throughout the different meetings with the other committees and requests additional context for the different reasoning. Mr. Lindgren asks which committees are being referred to. Mrs. Parker states that the Finance Committee on September 12<sup>th</sup> with having to do with money left over from improvements that were intended for the existing senior center that was not done and wanted to reappropriate that at the next Town Meeting for additional parking at the new senior center. The PBC chair and the COA director had explained that the original design had more parking spaces in it and the number of rooms had to have them reduce the number. Then in the ZBA meeting two days later went to the ZBA seeking a variance for the number of required, ZBA expressed some concerns that there may not be enough parking spaces and when asked for the rationale for the reduced parking was due to a limitation in the available upland space and no additional parking could be accommodated due to the wetland buffer. Mr. Lindgren states that he was not involved in the Finance Committee meeting and cannot answer for their rationale but can explain the Zoning Board. Mrs. Parker asks if there were discussions for more parking. Mr. Lindgren states that the rationale for the Zoning Board in terms of the parking spaces being presented were specific to what is presented in terms of the parking data analysis and the number of parking spaces. Mrs. Parker asks to confirm the variance was to reduce 80 parking spaces to 59 parking spaces to which Mr. Lindgren confirms it was. Mrs. Parker adds and that there was no additional space. Mr. Lindgren states that that was a question brought up by the Zoning Board if there could be additional parking proposed on the site and Mr. Lindgren states his response was due to site constraints and how there was not enough room to grow because of these constraints. It was the answer to a question and not specific to how it was parking that was available. Mrs. Parker asks if the plans could provide additional parking if cost were not a factor. Ms. Dinah O'Brien, chairman of the Building Committee states the additional money that was received from the Finance Committee transferring one article to this project enables them to get the parking spaces that are being presented, it does not add just gets to where the plan is currently and

apologizes if the impression given was that the money would add parking spaces. Mrs. Parker states that she is more concerned that the ZBA did not have all the details when the application was being presented when they rendered their decision as they all had felt there was insufficient parking and that they would've liked to have seen more but was told it was not possible due to the wetland buffer. Mr. Lindgren states he still stands by his statement of the buffer. Mrs. Parker restates if money was not a factor could there be additional parking at the senior center. Mr. Lindgren states if there was money for a parking garage then yes. Mrs. Parker asks if nothing could be reconfigured to change the amount of parking spaces. Mr. Viveiros states that he wouldn't say that there is no way to add additional parking as that would not be true. Mr. Viveiros states that they were trying to do a holistic site plan design that the parking would be appropriately provided which is necessary based on careful analysis from other facilities as described by Mr. Lindgren. They have taken into consideration how it fronts the street, how it addresses its neighbors, it leaves space in the back of the building for recreation, and the uses for the users of the facility. It has taken some time but the plan was made in mind with a sensitive overall proper site plan. If asked if there could be more spaces added then it is something that the architect could do if it has to be done but it is not something that they would like to do as money is a factor especially with the cost escalation being seen in the industry. Mr. Viveiros states that it is possible but would ask that it would not be requested of them. Mrs. Parker restates that she was more concerned that the ZBA wasn't given the full reason and that the reason given was very black and white and the only reason for the parking was for insufficient space. Mr. Viveiros states that they are arguing that there is sufficient parking and given the layout of the sit, it isn't that there can't be more spaces but from a budget and design perspective lays out a site that they believe is appropriate, sensible, and thoughtful about design with the safety about parking and the drop-off window and how they will be affected over the course of the day. Mr. Viveiros states that they are thinking about the sustainability of the site such as stormwater runoff to manage parking and will sometimes push to have people do less parking than a regulation requires if they see it as an appropriate amount as there are regulations that were created that have an over reliance on things such as parking lot sizes and dimensions of the travel lanes. The reductions are for the benefit of not just the cost but also is in the opinion of the architect that this is a good, strong, sensible design. Mrs. Parker states she is in favor of these projects and want these projects to be successful and tend to agree with the ZBA's analysis that 59 parking spaces might be light and considering when this was going to voters for funding which was one of the biggest issues that was raised was about how the senior center needed more parking. Mrs. Parker states she does have a concern about the parking and given what the COA director had said popular programs will generate 50-55 participants currently at the existing location and currently parking is being rented. Combined with the additional use of the Cupboards of Kindness having a pickup twice a month during peak hours which may happen on the same day as a program. Mrs. Parker states that she doesn't want the project to end up being short-sighted and understands that nobody wants to go back and get more funds for it but would hate to miss the opportunity to have more parking spaces if it is possible and it should go back to the voters in town to decide. Mr. Viveiros states that the answer to the question would be very complicated and in the construction industry and see how projects either move forward or don't and price inflation on the construction and feels that 59 spaces is an appropriate amount of parking spaces for the design and use of the project.

Mr. Artz asks about the other examples in Situate and Walpole. Mr. Viveiros states those were the examples that lead them to their conclusion on if the site has adequate parking. Mrs. Parker explains that South Hadley was given to the Planning Board as a comp for their senior center and are building a new senior center with 116 parking spaces. Ms. O'Brien states that the Council of Aging is not renting parking spaces, it is renting space to provide programs at the VFW. They are not renting parking spaces are transporting people to the existing Council on Aging. Ms. O'Brien states that with an infinite amount of money there could be tremendous improvements on the Senior Center and Council on Aging however because that is not the case as shown with the Finance Committee meeting to get what is the current plan. The COA currently has 13 – 15 designated parking spaces to run at the current facility. The parking is only on the side of the building and people park over in the commercial space through an agreement with the COA director and the property owner that allows parking on private property. The parking spaces on private property could not be included as they could incur liability. Ms. O'Brien states that as the chair of the Permeant Building Committee, she felt the information provided to the ZBA was accurate and truthful. The information that was given to the Conservation Commission, Zoning Board, and the Board of Health was all truthful. Mr. Lindgren states that he believes there has been some confusion about the transportation study review concerning the information that was not parking related. Mr. Healy states that it was related to trip generation as ITE is used for trip generation projections as there is no senior center data, there will be empirical data with one of the studies being South Hadley. South Hadley had generated their trip generation from the Greenfield and Hampton senior center's data as well as their existing senior center and just wanted to focus on the trip generation rate associated with the use. Mrs. Parker asks if there would be an equivalence between trip generation in and out of the property and the number of parking spaces required. Mr. Healy states not usually as parking is regulated by zoning while trip generation is how many people come and go so, they are not really correlated.

Mr. Marr states it is noted that there are 6 handicapped spaces out of 59 and they are all in the front of the building along Mansfield Avenue. Mr. Marr continues that there is a different scale for the spaces between the parking spaces and asks if that is so the vehicles can fit as there are two spaces that look wide enough to be handicap accessible vans. Mr. Lindgren states that is correct. Mr. Marr states that one of them would have to be used for the senior center bus exclusively leaving only one other handicapped van space loading and unloading. Mr. Lindgren states there are provided spaces for employees that are not in front for the van and does not have information for the access and usage of the vans but there is a provided drop off for where the van parks and is not really associated with the handicapped space. Mr. Marr states that the bus is a bigger vehicle than the standard parking space width wise and allow seniors to get in and out of their vehicles with enough space if the van parks next to one of their cars. Ms. O'Brien states that currently the Council on Aging does not have a van and they do not provide van service. Mr. Marr asks if there is any transportation. Ms. O'Brien states there isn't. Mr. Marr asks if the buses used for trips are rented. Ms. O'Brien states that the bus on the trip is there to load them onto the bus but there is no daily van service. Mr. Marr asks if there is handicap access for the bus trips. Ms. O'Brien states they come and go, they do not stay.

Mr. Bob Briscoe of 3 Brenda Road is present to represent the senior center as a member of the Permeant Building Committee and originally Ms. Beth Rossi, the Council of Aging director had wanted more parking. As the project progressed Mr. Viveiros had stated that based on their

studies that the 59 spaces would be adequate for the facility and what drove them to the conclusion was the cost to try and stay within the budget. After reviewing the project, the Permeant Building Committee were in agreement for the amount of parking spaces being adequate for the senior center.

Mr. Jim Slattery 36 Sturdy Street states that the Cupboard of Kindness food pantry from his understanding does not work on the weekends. Ms. O' Brien states that it is active every two Mondays from 4pm – 7pm. Mr. Slattery states that the senior center is theoretically closed during that time so that shouldn't be a problem. There was also a concern about cars circulating in the Cupboard of Kindness, it is to Mr. Slattery's understanding that the people stop and pick up their groceries so there is no circulation in the parking lot. The only pickup that is done is the grab and go meals that are done Monday through Friday from 11am to 2pm which was the purpose of the drive-up window. To answer Mr. Marr's question the senior center uses GATRA for a handicap van to bring seniors to the facility if they are handicapped. Mr. Slattery states that time is the utmost importance as the cost of the senior center will continue to rise the longer it is in the permitting process. Mr. Slattery states that the project is already 2 million dollars out of budget already with hiring the engineers and this is prior to the construction of the site. The site has been examined by experts and they are stating the site is adequate for the new senior center. Mr. Slattery requests that the Planning Board make a decision on the project. Mr. Slattery adds that they are trying to stay within the budget.

**Mr. Bouley motions to close the public hearing and is seconded by Mr. Graf. The Planning Board vote in favor of closing the public hearing. Mr. Artz abstains.**

**Mr. Bouley motions to approve the site plan with conditions of approval and is seconded by Mr. Graf. The Planning Board vote in favor of approving the site plan. Mr. Artz abstains.**

**Mr. Bouley motions to approve the special permit and is seconded by Mr. Norris. The Planning Board vote in favor of approving the special permit. Mr. Artz abstains.**

### **General Business**

Mr. Carmichael asks the Board if they can schedule November. The dates decided upon are November 15<sup>th</sup> and 29<sup>th</sup>.

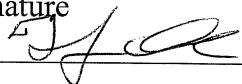
### **Adjournment**

**The motion to adjourn the September 20, 2022 meeting was done by Mr. Marr and seconded by Mr. Graf. The Planning Board vote in Favor of adjourning the meeting at 9:27 pm.**

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

Minutes Approved on: \_\_\_\_\_

Signature

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