



**TOWN OF NORTON  
ZONING BOARD OF APPEALS**

70 East Main Street  
Norton, Massachusetts 02766-2320  
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**MINUTES**

Meeting of October 3, 2013

The October 3, 2013 scheduled meeting of the Zoning Board of Appeals was called to order at 7:38 pm at the Norton Middle School by Tom Noel, Chairman, with the following members present. Tom Rota, Nitin Choksi, Frank Reynolds (Alternate member) and Jason Brolsma (Alternate member). Also present was Ilana Quirk, Town Counsel.

Tom Noel noted there is only one continued project on the agenda this evening.

Tom Rota made a motion, seconded by Frank Reynolds, to remove the project from the table for discussion.

**013-005 – Campanelli Thorndike Norton, LLC, Parcels 61 & 76, Assessor's Map 11, 274 East Main Street.** Comprehensive Permit 40B application – 230 apartments (continued from the September 19, 2013 meeting).

Document List

1. Expanded Study Area Traffic Assessment dated March 28, 2013.
2. Comprehensive Permit Application – Supplement No. 2. Response to Comments.
3. Comprehensive Permit Application – Supplement No. 3. – Revised Architecture.
4. Plans entitled "Norton Apartments, 274 East Main Street, Norton, MA, Campanelli Thorndike Norton LLC, March 1, 2013. Pages T1 & A1 – A12. Preliminary Architectural Drawings, Typical 30 Unit Apartment Bldg., 274 East Main Street, Norton, Massachusetts, signed and stamped by Candice L. Reynolds.
5. Plans entitled "Plans to Accompany Comprehensive Permit Application for Norton Apartments, 274 East Main Street, Norton, MA, January 31, 2013, prepared by Kelly Engineering Group, Inc. and signed and stamped by David Noel Kelly. (Sheets 1-16).
6. List of Waivers requested from the Zoning Board of Appeals.
7. A letter dated May 7, 2013 addressed to the ZBA in response to Graves Engineering, Inc. letter dated April 26, 2013.
8. Letter dated May 13, 2010 to ZBA from Oren N. Sigal.

9. Letter dated May 24, 2013 from MDM Transportation Consultants, Inc.
10. First Amendment to the Purchase and Sales Agreement.
11. Letter dated June 6, 2013 from Brona Simon, Mass Historical Commission
12. Letter dated June 5, 2013 from Mass Housing Partnership
13. Letter dated June 3, 2013 from Oren N. Sigal, Atty.
14. Letter dated June 3, 2013 from Oren N. Sigal, Atty. requesting to do a presentation.
15. Draft Comprehensive Permit dated June 2, 2013
16. Letter dated June 11, 2013 from Michael Yunits, Town Manager
17. Graves Engineering, Inc. Report dated June 21, 2013
18. Memorandum dated June 23, 2013 from Conley Associates
19. Letter dated June 24, 2013 from Oren N. Sigal, Atty.
20. Letter dated June 24, 2013 from residents of Red Mill Village
21. Letter dated June 24, 2013 from Mass Housing Partnership
22. Traffic Consultants letter dated July 19, 2013
23. Graves Contract Change Order #3
24. Graves Contract Change Order #3R
25. Abutters' Additional Supplemental Material dated 7/22/13
26. Draft Comprehensive Permit for 274 East Main Street
27. Memorandum of Agreement
28. Supplement No. 7
29. Abutters' Response to Supplement No. 7 dated 8/5/13
30. Letter from SRPEDD dated August 6, 2013
31. Extension letter from Freeman Law Group, LLC to ZBA dated August 7, 2013
32. Letter to ZBA from the Board of Selectmen dated August 9, 2013
33. Contract Change Order #3R from Graves Engineering, Inc. dated August 6, 2013
34. Town Counsel's draft Decision dated August 23, 2013
35. Letter from David T. Gay of Gay & Gay, Attorneys for the Kingsbury Hill Condominiums, to the ZBA dated August 23, 2013.
36. Town Counsel's draft Decision (with Developer's Revisions) dated August 23, 2013
37. Letter to ZBA from the Red Mill Village Condominium Trust dated August 29, 2013
38. Report from Kelly Engineering Group, Inc. dated August 26, 2103 to the Norton Conservation Commission responding to Chessia Consulting Services LLC report dated July 26, 2013
39. Letter from Kelly Engineering Group, Inc. to Jennifer Carlino dated August 26, 2013 in response to her letter dated July 15, 2013.
40. Letter to Thomas Noel, Chairman, Zoning Board of Appeals from the Red Mill Condominium Trust dated August 29, 2013.
41. Contract Change Order #4 from Graves Engineering, Inc. dated August 29, 2014
42. Letter from William D. Myles, Deputy Fire Chief, to the ZBA dated September 11, 2013.
43. Draft decision from Town Counsel dated September 11, 2013.
44. Updated 274 East Main Street Phasing Plan
45. List of waivers submitted by the applicant
46. Letter from Oren N. Sigal, Atty. at Law to the ZBA dated September 12, 2013.

47. Letter from Oren N. Sigal, Atty at Law to the ZBA with corrections to his letter dated September 12, 2013 dated September 16, 2013.
48. Extension of Purchase and Sale Agreement submitted on September 12, 2013
49. Letter from Oren N. Sigal, Atty at Law to the ZBA dated September 16, 2013.
50. Report from Graves Engineering, Inc. dated September 18, 2013.
51. Report from Robert J. Michaud, P.E., MDM Transportation Consultants, Inc. dated September 19, 2013.
52. Request by the applicant's Attorney, Peter Freeman for an extension of the public hearing to November 4, 2013.
53. Letter received on September 25, 2013 from Harold Silverman to Thomas Noel, Chairman, ZBA.
54. Order of Conditions from the Conservation Commission issued September 25, 2013.
55. Financial Report dated September 18, 2013 received from John C. Bowman, III, CRE, FRICS.
56. Document "Notes of Explanation for 274 East Main Street Pro Forma, Budget, and "One Stop" Submission to MHP." Received from Campanelli Thorndike Development.
57. List of Waivers submitted by the applicant dated 10-3-13.
58. Proposed additional condition email from Ilana Quirk.

Present at the public hearing were Lloyd Geisinger of Thorndike Development, David Eastridge of Thorndike Development, Peter Freeman, Attorney for the applicant and David Kelly, Engineer.

Tom Noel stated that a Peer Review is underway for the Pro Forma which will be presented next month.

Discussions continued with the draft decision beginning with "Regulatory Conditions". Peter Freeman had concerns with units not being eligible for subsidized housing post construction.

Tom Noel asked Ilana Quirk when the Town will become responsible for monitoring and she replied it will be once the springing into effect restriction occurs, once the first affordable restriction handled by the subsidizing agency expires.

Tom Noel asked who does the monitoring and Ilana Quirk replied it could be anyone, usually the Housing Authority, but occasionally the Board of Selectman or even the ZBA.


Regarding condition # 10 under "General Conditions", Lloyd Geisinger requested that the installation of the water and sewer lines be controlled by the Water/Sewer Department as construction of the units progresses. Ilana Quirk commented that a phasing plan may be implemented later on only if approved by the Water/Sewer Department, but until that time, this general condition shall remain in effect.

**The recorder stopped recording at this point (approximately at 8:26 pm)**

Further general discussion regarding the project continued.

Minutes Approved by Committee on: September 22, 2014

Respectfully submitted,



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Thomas R. Noel, Chairman  
Norton Zoning Board of Appeals