



TOWN OF NORTON
ZONING BOARD OF APPEALS
70 East Main Street
Norton, Massachusetts 02766-2320
Office: 508-285-0278
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MINUTES

Meeting of November 6, 2013

The November 6, 2013 scheduled meeting of the Zoning Board of Appeals was called to order at 7:35 pm at the Norton Middle School by Tom Noel, Chairman, with the following members present, Tom Rota and Frank Reynolds, Alternate member. Also present was Ilana Quirk, Town Counsel.

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

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 November 1, 2013 meeting)

All in favor. Approved.

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, 2013 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. Order of Conditions from Conservation.
54. Draft Waivers from applicant dated 10-3-13
55. Notes of Explanation for 274 East Main Street Pro Forma, Budget, and "One Stop" Submission to MHP.
56. Letter dated September 18, 2013 to ZBA from John C. Bowman, III.
57. Letter from Harold Silverman, 77 Coddington Road, Norton, MA to Tom Noel, ZBA.
58. Draft Decision dated 9-15-13.
59. Letter and Economic Analysis for 274 East Main St. to John C. Bowman, III from Lloyd Geisinger, Campanelli/Thorndike Development dated October 8, 2013.
60. Initial Pro Forma dated October 9, 2013
61. Letter dated October 14, 2013 to Tom Noel, Chairman, ZBA, from Richard Heaton, Partner of H & H Associates, LLP.
62. Letter dated October 15, 2013 to John C. Bowman, III, Crosswhite Property Advisors, from Oren N. Sigal, Attorney at Law.
63. Documents submitted by the applicant: amended 10-15-13: Operating Budget, Summary Project Budget-180 Unit Plan, Project Specifications.
64. Letter dated October 15, 2013 to David McClave, DHCD from Oren N. Sigal, Attorney at Law.
65. Financial Review by John C. Bowman, III, Crosswhite Property Advisors, dated October 23, 2013.
66. Revised color pamphlet "Smart Growth Multi-Family Apartment Community, 274 East Main Street by Campanelli/Thorndike dated November 1, 2013.
67. Letter dated November 1, 2013 by the applicant requesting an extension to November 16, 2013.
68. two traffic charts
69. Memo to ZBA from Jennifer Carlino dated October 29, 2013.
70. Transfer of funds memo from Jennifer Carlino to James Puella dated October 30, 2013.

Present at the public hearing were Lloyd Geisinger of Thorndike Development, David Eastridge of Thorndike Development and Peter Freeman, Attorney for the applicant. Tom Noel noted that he had received late today a bulleted memorandum from the abutters which was signed by Lloyd Geisinger but he nor anyone else has had time to review this.

Tom Noel asked the applicant to update the board on Sunday's meeting with the residents and abutters.

Lloyd Geisinger replied that many of the residents and abutters had met on Saturday. He noted that he, Steve Murphy and Gabe Thaisz had met with a few of the residents and abutters this past Sunday for a work session in which many issues and concerns were discussed. He said the memo received today was the result of that work session.

Maureen Sroczynski commented that she and the abutters, residents had agreed on the latest plan submitted by Mr. Geisinger noting 188 units to be constructed.

Tom Noel replied that the board members will have to review the plans before they can be approved.

Lloyd Geisinger updated the members on the latest detailed plans. He said revised plans with water/sewer, etc. will be drawn and submitted to the board for review.

Ilana Quirk noted that the applicant has to note that the revised plans submitted tonight will become the **plan of record**. Lloyd Geisinger replied that these plans are the plan of record as submitted.

Tom Noel noted that the revised plan submitted tonight is Sheet 2 of a plan Entitled "Norton Apartments Campanelli/Thorndike Norton LLC Overall Layout and Zoning Plan" dated November 6, 2013 will now become the **plan of record**.

Tom Noel replied that he had notified Graves Engineering, Inc. that they should be receiving revised plans for review in the near future.

Discussion ensued on the when the next meeting would be held. Lloyd Geisinger replied he would be in touch with Jeff Walsh of Graves Engineering, Inc. tomorrow and ask how long it would take him to review the latest plan of record.

Ilana Quirk noted she had circulated a draft decision based on comments made at the October 3, 2013 public meeting.

Peter Freeman submitted a letter requesting an extension of the closing of the public hearing deadline to December 2, 2013. Tom Rota made a motion, seconded by Frank Reynolds, to accept the extension request letter. All in favor. Approved.

Tom Rota made a motion, seconded by Frank Reynolds to authorize Tom Noel, Chairman, to communicate with Graves Engineering regarding all Peer Review information and processes and to communicate with the applicant regarding the submission of funds to pay for the Peer Review.

Tom Noel noted that the revolving fund for the 274 East Main Street project is \$510.37 short at this time. Lloyd Geisinger requested that an email be sent to him requesting the needed additional funds and Tom Noel replied he would have the secretary send that to him.

The members reviewed an invoice from Crosswhite Property Advisors in the amount of \$3,500.00. Tom Rota made a motion, seconded by Frank Reynolds, to pay the bill. All in favor. Approved.

The members reviewed an invoice from Graves Engineering, Inc. in the amount of \$3,964.30. Tom Rota made a motion, seconded by Frank Reynolds, to pay the bill once sufficient funds are in the revolving account. All in favor. Approved.

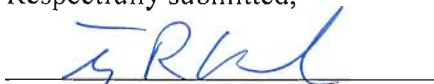
Tom Rota made a motion, seconded by Frank Reynolds, to continue the public hearing to Saturday, November 16, 2014 to be held at 1:00 pm at the Norton Public Library. All in favor. Approved.

Tom Rota made a motion, seconded by Frank Reynolds to have a meeting posted for Monday, November 18, 2014 to be held at 7:00 pm at the Town Hall. (Ilana Quirk commented that the area in the town hall where the public meeting will be held will not be determined until tomorrow. This meeting is being posted in case a continuance is voted at the November 16, 2013 meeting. All in favor. Approved.

Tom Rota made a motion, seconded by Frank Reynolds, to adjourn the meeting at 9:37 pm. Approved.

Minutes Approved by Committee on: March 2, 2015

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'T. Noel', is written over a horizontal line.

Thomas R. Noel, Chairman
Norton Zoning Board of Appeals