

## NORFOLK PLANNING & ZONING COMMISSION

Special Meeting  
Botelle School Cafeteria  
128 Greenwoods Rd. East  
July 13, 2021 @ 6:30 p.m.

### Approved Minutes

**Present:** Tom Fahsbender-Chair, Lawrence Freedman, Paul Madore, Melissa Renkert, Edward Barron, Marion Felton, West Lowe (alternate), Jonathan Sanoff (alternate)

**Also Present:** ZEO Michael Halloran

1. **Call to Order**-6:31pm
2. **Roll Call** -Jonathan Sanoff was seated for Chris Schaut. Mike Ziska, new counsel for the Commission, was introduced.
3. **Agenda Review**- none
4. **Approval of Minutes**- A motion to approve the minutes as amended for the June 22nd, 2021 special meeting was made by Melissa Renkert, seconded by Lawrence Freedman, and approved unanimously.
5. **Public Comment**- none.
6. **Old Business**-
  - A. **A and B**- The Public Hearings, #21-008 Petition from Foundation for Norfolk Living for text amendment to the Norfolk Zoning Regulations, Section 5.04 Haystack Woods Overlay Zone, for creation of a town road to property located at Old Colony Rd. and #21-009 from the Foundation for Norfolk Living for a re-subdivision of property at Haystack woods, off Old colony Rd., were heard concurrently. The Hearing opened at 6:46 pm.  
Melissa Renkert recused herself from discussion. West Lowe, alternate, was seated for her.  
Tom Fahsbender read the legal notice into the minutes and conducted a roll call of the seven voting members.  
Kate Johnson, President of the Foundation for Norfolk Living FNL, stated that she had given the Commission new packets consisting of;
    - 1) New set of drawings dated July 6, 2021.
    - 2) List of changes and reason for the changes.

3) A response to Glenn Chalder's, consultant to the commission, report of May 4<sup>th</sup>, 2021 as well as responses to Lenard Engineering report.

Lawrence Freedman then asked if FNL had responded to Glenn Chalder's July 9<sup>th</sup> email. Kate Johnson replied that she had not received it and then Glenn Chalder apologized that he had mistakenly not sent it to her, therefore she could not respond to the questions.

Kate Johnson also mentioned that she had another meeting with Inland Wetlands and they had not closed their Public Hearing so the Commission would not be able to make a decision this evening either, although all could discuss the matter at hand.

Ken Hrica, engineer for FNL on the project, stated that he received a report from Lenard engineering and that they will comply with all of Lenard's requests. A question was asked about the life expectancy of the retaining wall from the last meeting and Ken said that the manufacturer expressed that the expectancy was 75-100 years.

Martin Connor, Certified Planner working with FNL, commended the Commission on their working with FNL and wished other towns would do so as well.

Michael Halloran then read into the record Exhibits 11-22 Exhibit 1, that replaces Exhibit 11.

Exhibits 12-19, various papers he passed out to the Commission from FNL.

Exhibit 20, report from Lenard Engineering dated July 13, 2021.

Exhibit 21, letter from Norfolk Center Cemetery that grants easements to FNL.

Exhibit 22, from Troy LeMere Norfolk Road Superintendent.

Jonathan Sanoff then passed out a draft of "Unanimous Consent Of The Directors of The Foundation for Norfolk Living, Inc." that he wrote and would like all to consider. This was then put in as Exhibit 23. Exhibit 23 draft of document from Jonathan Sanoff

Continuation of questions with FNL. Glenn Chalder wanted to summarize his July 9<sup>th</sup> report and proceeded to do so to help the Commission better understand it.

Glenn explained that he was struggling with earth removal, would excavation be part of the approval or a separate application based on Section 6.04 of the regulations.

Pg. 3-updated letters were addressed

Pg. 8-waivers, the Commission needs to go thru them one by one and vote for each one separately.

Pg. 9-maintenance responsibility, public works should review and respond to each concern.

Pg. 10-site plan, Commission should review.

Tom Fahsbender then asked if the public had any questions. Susan

MacEachron stated that she was offended by the characterization by Martin Connor, the Foundation's planner, of the invasion of New Yorkers to the town.

Tom Fahsbender stated that more documents need to come in and more questions to be asked.

Kate Johnson said that FNL will grant another 28 day extension.

Tom Fahsbender emphasized that 6 items are to be addressed

- 1) Glenn's new report
- 2) Lenard's new report
- 3) Getting response from Fire Chief and review of waivers from Troy LaMere
- 4) Glenn will consider different options for the earth excavation
- 5) 2019 shows phase 2 but no grading, now it shows more grading  
This needs to be shown to the Commission.
- 6) FNL will submit more documents to the Commission further ahead of the meeting with more time to study.

Tom Fahsbender then stated that a motion needed to be made to continue public hearing at the next meeting of August 10<sup>th</sup>, 2021

Edward Barron made a motion to continue the public hearing to August 10<sup>th</sup>, 2021, seconded by Jonathan Sanoff and approved unanimously.

## **7. Bills & Correspondence-**

Melissa Renkert was seated again and West Lowe an alternate again.

- A. A motion was made to pay Planimetric invoice #1791 from Lawrence Freedman, seconded by Paul Madore and approved unanimously.
- B. It was noted that the Commission received the Wetlands report from Michael Halloran.

## **8. ZEO Monthly report-** Michael received three permits for June.

- A. Michael sent a letter to 105 Greenwoods Road for lack of permits for 3 family housing.
- B. Request for bigger smoker at Infinity Hall Restaurant. Michael will look at site plans to see if smoker was in it.

## **9. Action items and responsibilities-**Lawrence, Edward and Michael found Mike

Ziska as new counsel for the Commission. He is from Burlington Connecticut and spoke about himself.

Mike Ziska also recommended opting out of a provision for accessory apartments. He also stated that all members of P and Z will require additional training for this.

10. **Adjournment**-A motion to adjourn was made at 9:07 by Marion Felton, seconded by Paul Madore and approved unanimously.

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Respectfully submitted,

Marinell Crippen, Secretary