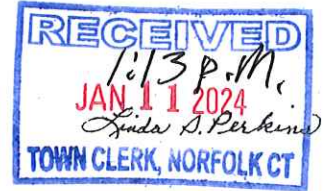


NORFOLK PLANNING & ZONING COMMISSION  
Regular Meeting  
Norfolk Town Hall  
December 12, 2023 @ 6:30 p.m.  
Approved Minutes



**Present:** Tom Fahsbender-Chair, Jonathan Sanoff, Wiley Wood, Jordan Stern, Edward Barron (alternate)

**Also Present:** ZEO Michael Halloran

1. **Call to Order**-6:32 pm
2. **Roll Call**
3. **Agenda Review**-none
4. **Public Comment**-none

5. **Approval of Minutes-**

Jonathan Sanoff made a motion to approve November 14, 2023 minutes as amended, seconded by Wiley Wood, and approved by all with the exception of Jordan Stern and Edward Barren who abstained because they were not present at that meeting.

A motion was made to move #9 to after #5 by Wiley Wood, seconded by Jonathan Sanoff and approved unanimously.

9. **ZEO report-**

Michael Halloran said that he issued three permits in November and four in December so far. He said that he has received 44 permits this year so far which is more than the busiest year he has had since he started in 2010. He has also done 31 Wetlands permits. He has done 75 permits in total for Wetlands and P&Z combined. He had a complaint for a nonpermitted structure on 524 Winchester Road. He did a site visit and issued a permit and ex post facto fee of \$250 because a barn was built before a permit was obtained. He also sent a letter to a resident at Greenwoods Road East for a non-permitted landscaping business. He received several calls from a next-door neighbor who believed a business was going on next door to them. Halloran sent the owner a letter. Mr. Halloran passed out 2024 Calendars and a list of members information.

6. **New Business-**

colors to break up any dominant color. He noted that Infinity Hall and other buildings in the Village District have 3 or more colors. Mr. Stein believes it is a subjective comment. Mr. Chalder did not think the design of the shed having a flat roof was complementary to the main building and Mr. Stein said that the design was purposefully done to make it look simple with a shed roof and maybe use solar on the roof later. Mr. Stein said it was made simple on purpose as not to take away from the main building. He thinks this comment is subjective as well but also offered that they could make revisions if necessary. Tom Fahsbender said that he believed that Mr. Chalder was objecting to the roof on the shed as it pertains to the view from City Meadow and Mr. Fahsbender said he thinks it ends up looking very blocky. Mr. Stein thinks the shed blends into the landscape instead of a gabled roof like the main building, making the main building the priority. Mr. Stein said that it is not a mandate in a Village District for everything to have a pitched roof and it is common to have outbuildings and utilitarian buildings having flat roofs. Mr. Stein believes that because it is in the meadows having a more horizontal building than one with verticality blends well. Mr. Stein said it will meet all the requirements that the main building must meet.

Will Walter noted that he gave the Commission new site plans showing more bushes and air condensers.

Mr. Chalder said lighting 8.09.N.5 is potentially compatible. Mr. Chalder was referring to the brightness of the lighting. Mr. Walter then explained that most municipalities require no trespass across the property line which means that the lighting should not shine outside the property. Mr. Walter said they have done that with "0 light intensity" at the property line. All the lights are shining down. Mr. Chalder stated that there is significant brightness specifically in the southwest corner. Mr. Walter said the brightness is coming from the wall packs over the shed. He said they could remove a few from 5 to 3. The Fire Department needs light to navigate safely around the building. The lights will be on a timer or motion detector.

Brian Hutchins, Fire Chief of the Norfolk Fire Department and Norfolk resident for 42 years spoke and said he would like to clarify the lighting. He said that some light will need to be on full time for security purposes. Tom Fahsbender said that the highest intensity is at 7 or 8 and wanted to know how bright that is and Mr. Walter said that at the desk he was sitting at it was 35.

Dan Wouri, member of the Fire Department and formally a neighbor to the Fire House said there is always a light on now in the front and the back for the past 50 years and believes these are brighter than the new ones that will be shining down.

Mr. Walter said that Mr. Chalder recommended a warm white light and Mr. Stein said that a white bright light is necessary, 5000 lumen rating is best practice.

been taken into consideration. He then showed where they would park and said the outbuilding would be built last.

Will Walter showed where the new fire alarm is going with a note on the new plans and it is required by ISO which rates all fire departments and brings down insurance cost and they must have 2 ways of alerting members to an emergency, 1-paging, 2-siren. If these two are in place, then we get a lower rating from ISO which means lower insurance costs, Brian Hutchins said. Michael Halloran asked if the siren needed to go off every day at noon and Mr. Hutchins said it did not but they were testing it.

Public-Paul Padua, President of Norfolk Fire Department, addressed the lighting in town and said that there were 28 lights that were on 24 hours a day, or dusk to dawn. He said that it shouldn't be an issue for the Fire Department to have lights like the center of town.

Dan Wouri stated that the library has 15 lights on at present.

Tom Fahsbender said there were a couple of things that were requested one being a set of sample building materials, another being the written description of changes of proposed access to City Meadow that the Commission did not get and there were a couple of things up to the town being a lot line adjustment. City Meadow was approved in 2017 for 3.93-acre lot and since then there have been 3 modifications and all 3 times they have come back to the Commission for a modification of their special permit and public hearing. The regulations say that anytime you modify a special permit you must hold a public hearing if the Commission thinks the change is not minor. If they feel it is minor, then no public hearing is required. The amount of land being modified is about a little over half of an acre. Wiley Wood believes that for City Meadow the building is a significant change to Shepard Rd and the people that put their time and money into City Meadow deserve a public hearing. The town of Norfolk applies for the modification. A lot line adjustment can happen after a request for a special permit has been applied for.

Tony Kiser wondered why the application for the modification of a special permit was not done first. Matt Riiska would need to have gotten the modification and Michael Halloran spoke to him twice about it 2 months ago reflected in the October minutes. Tom Fahsbender stated that the issue is if this project is going to change the use of a piece of property that the commission has already approved the use for in a public hearing, that use must be changed before an approval can be done for this project. Mr. Fahsbender said that it is a procedure that must be done. Michael Halloran said that as far as the timing, there is time.

Edward Barron, neighbor on Shepard Road, said that the turning plan on drawing C7.0 only accounts for 2 bays and there are 3 bays facing Shepard. Will Walter said that the vehicles back in off Shepard Road and that if needed, they could make an overlay showing that.

7. **Old Business-** There is an issue with a Commission member concerning nonattendance. Kevin Gundlach has not been at any of the last 6 meetings, and he contacted Mr. Fahsbender and said that because of work requirements he was unable to be at the meeting and was considering resigning. Michael Halloran read section 2 of the Commission bylaws regarding vacancies that says if a member missed 3 consecutive meetings of the regular or special meetings, at the next following meeting of the NPZC that member may be removed from office with a majority vote.

Tom Fahsbender made a motion that according to the Commission's bylaws Article 3 Section 2 Part B if a member misses 3 consecutive meetings that he/she may be removed by majority vote. Based on a lack of response from Mr. Fahsbender's communications with him and his lack of attendance at the meetings, it is in the best interest to the Commission and the town of Norfolk that Kevin Gundlach is removed from office so at the next meeting the position may be filled, seconded by Wiley Wood and approved by Tom Fahsbender, Wiley Wood and Jordan Stern, abstained by Edward Barron and opposed by Jonathan Sanoff.

8. **Bills and Correspondence**-none

9. **ZEO report**-moved to before #6

10. **Action items and responsibilities**

- 1) Tom Fahsbender with speak with Kevin Gundlach regarding removal from the Commission
- 2) Michael Halloran should receive via email an extension to the public hearing on the Firehouse from Matt Riiska
- 3) Michael Halloran will order 20 new P&Z books.

Alan Drapach was introduced to the Commission as the new ZEO. Mr. Drapach spoke and gave his history. Mr. Drapach and Mr. Halloran made a schedule for Mr. Halloran to work with him the following week. The Commission introduced themselves.

11. **Adjournment**-A motion to adjourn was made at 9:38 by Jonathan Sanoff, seconded by Wiley Wood and approved unanimously.

Respectfully submitted,

  
Marinell Crippen, Secretary