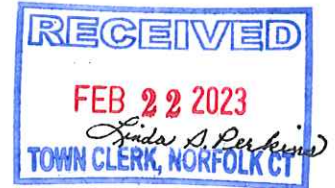


NORFOLK PLANNING & ZONING COMMISSION
Regular Meeting
Norfolk Town Hall
February 14, 2023 @ 6:30 p.m.
Draft Minutes



Present: Tom Fahsbender-Chair, Chris Schaut, Paul Madore, Melissa Renkert, Jonathan Sanoff, Marion Felton, Kevin Gundlach, Edward Barron (alternate), Steve Landes (alternate)

Also Present: ZEO Michael Halloran

1. **Call to Order-6:30 pm**
2. **Roll Call -.**
3. **Agenda Review-**
 - A. Move #4 to after #6. Chris Schaut made a motion to move #4, approval of the minutes to after #6, new business, seconded by Marion Felton, and approved unanimously.
 - B. Move 6B, application 23-004 to before 6A. Chris Schaut made a motion to move 6B to before 6A on the agenda, seconded by Paul Madore, and approved unanimously.
 - C. Remove 6D, discussion of budget 2023-2024 Chris Schaut made a motion to remove 6D from agenda, seconded by Marion Felton, and approved unanimously.
4. **Approval of Minutes- moved to after #6**
5. **Public Comment-none**
6. **New Business-**
 - B. **Application 23-004 property of Brian and Brenda Lilly, 105 Greenwoods Road East: 3.02-1A2 Two family dwelling in accordance with the provisions of Section 3.05E.**

Brenda Lilly spoke and showed an architectural drawing of her proposed plans for a two-family house. She then explained her plans.
The Lilly's asked for several waivers since the outside structure is not changing, only the inside.
Chris Schaut made a motion that they received the application 23-004 and schedule a public hearing for 6:45 on March 14th, 2023 which is the next regular meeting, Melissa Renkert seconded, and it was approved unanimously.

Chris Schaut made a motion to waive the requirement of a site development plan, seconded by Jonathan Sanoff, and approved unanimously.

Chris Schaut made a motion to waive the requirement for a utility plan since they are not changing anything with that, seconded by Jonathan Sanoff, and approved unanimously.

Chris Schaut made a motion to waive the landscaping requirement since there are no changes to that, seconded by Jonathan Sanoff, and approved unanimously.

Chris Schaut made a motion to waive the zoning informational table as there are no changes to the plans, seconded by Jonathan Sanoff, approved unanimously.

Chris Schaut made a motion to waive the requirement for an erosion and sedimentation control plan since there are no site changes planned, seconded by Jonathan Sanoff, and approved unanimously.

A. Public Hearing 6:45 pm, #23-001 Special Permit Application for Recreational Facility 3.05L, A Dog Park on vacant land on Westside Rd. Lot parcel #7-10/18.

Tom Fahsbender asked the Agency if there were any recusals and Chris Schaut said that his husband is on the board of The Friends of Norfolk Community Dog Park, FNCDF, but that he could be impartial.

Tom read the legal notice into the record.

Michael Halloran has received the 9 mailings that went to the abutting property owners.

Tom then read the roll call.

Tom asked the applicant to summarize the application. Joel Howard, a member of FNCDF stated that they have applied for a special permit for a dog park that mimics the ones in Salisbury and Egremont. This park would be 500 feet away from any house. It will be funded completely by donations, and they will have a board and membership.

Tom stated that the Commission will ask the applicant questions first and then the public will.

Edward Barron asked that Mr. Howard answer the questions that he asked for at the last meeting which were: 1) Who is in charge of maintenance of the proposed dog park? Snow plowing, mowing etc 2) Who will pick up the dog waste? 3) Will the town have any legal responsibility?

Mr. Howard said that they have a service called Shamrock that will pick up the dog poop. Cindy Leffell said it is allowed for in the annual budget. She said they have also been working with a contractor who is available to do lawn care and maintain the parking lot.

Mr. Howard said that it is a private non-profit on private land so the town will not be held liable for any legal fees and they have ample insurance.

Chris Schaut asked if any trees would be removed as part of the construction.

Mr. Howard said there are a lot of dead trees that would come down but they want a lot of trees in the park.

Tom Fahsbender asked what materials would be used for the parking lot and Mr. Howard stated that it would be gravel. Mr. Howard also said that the facility is on 2 acres but the plot is 58 acres. Ms. Leffel said they will not be putting up any lighting and would be posting signs that it would be open dawn to dusk. Next is the reading of 45 letters into the record.

Michael Halloran started the reading from Doreen Kelley, then (can you fill in the names please)

After the letters were read which took a significant amount of time, Mr. Fahsbender opened up the discussion to the public.

Avis Meehan, 390 West Side Road, spoke first. She has 2 terriers that she walks on a regular basis on West Side Road. She and her spouse did not submit a letter in advance. She and her spouse have a lot of concerns about this project. She thinks the parking lot will be a nuisance and had a few questions: Will people park there 24/7 is there is no gate? And if there is a gate who will open and close? And who will monitor the dogs-are they vaccinated etc?

John Funt, 97 Golf Drive, said that he abuts the Hellerman property on the south side and he believes he will be disturbed by the sounds of the barking dogs at 7 am on a Sunday morning. He says that all of the letters say let's have a dog park and don't say that that is a perfect location for a dog park and he is not opposed to a dog park just the location of this dog park.

Albert Banta, 55 Golf Drive, stated that he recently purchased the home and he is worried about the affect on wildlife and the noise.

Roger Miller said that his wife who just died was a member of the dog park committee. He said that she spent a great deal of time researching locations and she thought that this location was the only one that made sense. Mr. Miller objected to the worry about it being an animal crossing area because he has deer scat all over his lawn and he has seen bear. He doesn't think animals will be scared of the dog park and the notion of noise is not to be worried about because his son Ian Miller, in one of the letters read, showed decibel levels and how the dogs would not be heard from any neighbors' houses.

Holly Gill, 172 West Side Road, had a question concerning whether it would be town dogs only and if so, how would that be enforced or monitored? And do the regulations require a 20 acre parcel for a recreational facility?

Mr. Fahsbender replied and stated that in the regulations a minimum for some recreational facilities is 5 acres like a tennis court or swimming pool and for all other the minimum lot area would be 20 acres. Michael Halloran said the approval would be with conditions.

Jill Vantine, a real estate agent, said that the 50 acres could be several houses because there is road frontage. She said that she would be in support of the dog park and thinks that it is a nice location since it is close to the ballpark.

Ian Miller spoke and wanted to address some information in one of the emails. He said he lives a stones throw from a dog park in Egremont and doesn't hear

the dogs but does hear coyotes at night and he also said that one of the reasons he moved to Egremont is all the protected and preserved land and the dog park in no way takes away from the bucolic nature of the area or diminishes the property values.

7. Old Business-

8. Bills & Correspondence-

A.

B.

9. ZEO Monthly report-

10. Action Items-

11. Adjournment-A motion to adjourn was made at 7:18 by Paul Madore, seconded by Christopher Schaut, and approved unanimously.

Respectfully submitted,

Marinell Crippen, Secretary