

NORFOLK PLANNING & ZONING COMMISSION
Regular Meeting
Town Hall

November 12, 2024 @ 6:30 p.m.

Approved Minutes

Present: Tom Fahsbender (Chair), Chris Schaut, Wiley Wood, Jordan Stern, Marion Felton, Edward Barron, Steven Landes (alternate), and Lise Read (alternate)

Also Present: Stacey M. Sefcik, CZEO

1. **Call to Order** – 6:32 p.m. & **Roll Call** – Lise Read seated for Jonathan Sanoff; all other regular members present and seated.
2. **Agenda Review** – Chris Schaut made a motion to postpone the public hearing on Application 24-020 Special Permit Per Section 7.01.B.2 of the Zoning Regulations to change nonconforming use at 16 Maple Avenue in the Village Residential District to the Commission’s regular meeting of December 10, 2024. Seconded by Edward Barron and approved unanimously.

Chris Schaut made a motion to add Application 24-024, Norfolk Senior Housing Facility for a site plan modification for 4 additional parking spaces at 9 Shepard Road, to the agenda under New Business item 7.B. Seconded by Lise Read and approved unanimously.

3. **Public Hearings**
 - A. **Application 24-015 Special Permit Per Section 6.10.D of the Zoning Regulations for Ground-Mounted Solar Collector at 400 North Street in the Rural Residential Zone.**

Steven Landes not seated as a Commission member and left the Commission’s table. Seated Commission members: Fahsbender, Schaut, Wood, Stern, Felton, Barron and Read.

Stacey Sefcik, CZEO, provided a summary of the application.

Tom O’Brien of Momentum Solar presented the application on behalf of the property owner, providing detail on the size and output of the proposed ground-mounted solar collector. Following questions from the Commission, Mr. O’Brien stated that the existing driveway would be the main access during construction. He anticipated a late December start date, and the installation would take 2-3 days of work on-site. The electricity generated by the solar collector would be for the house located at the property.

Kim and Marc Crone, of 22 Wood Creed Road, expressed concerns over construction access and tree removal near the property line. Mr. and Mrs. Crone also asked about buffer planting to address visibility of the solar collector from Wood Creek Road and their property, which abuts the subject property. Mrs. Crone stated that there may be deed restrictions that limit what can be installed on the property. Mrs. Sefcik advised that deed restrictions are not under the purview of the Commission.

Edward Barron noted that property ownership is in a trust and the trustee, Douglas Toby Miner, has not provided authorization for Momentum Solar to be an authorized agent for the application. Mr. Miner provided verbal authorization over the phone during the public hearing and will follow up with written authorization.

Susan MacEachron, reporting for Norfolk Now, noted that the Commission required screening consisting of arborvitae in a prior application for a ground-mounted solar collector on North Street and asked whether similar screening should be required with this application. A discussion followed.

Jordan Stern made a motion to close the public hearing. Seconded by Marion Felton and approved unanimously.

B. Application 24-019 Special Permit Per Section 3.03.1.F.4 of the Zoning Regulations for Buildings Accessory to an Allowed Principal Use if Larger than the Principal Building (Barn Addition) at 542 Greenwoods Road East in the Rural Residential Zone.

Seated Commission members: Fahsbender, Schaut, Wood, Stern, Felton, Barron, and Read.

Terry Anstett, property owner and applicant, presented the application. Upon questions from the Commission, Mr. Anstett stated that the accessory building required a 4-foot frost wall as a foundation and all soil removed would remain on-site. The anticipated start of construction could be early 2025 and that it would be completed by fall 2025 at the latest.

No members of the public wished to speak on the application.

Jordan Stern made a motion to close the public hearing, seconded by Edward Barron, and approved unanimously.

4. **Public Comment** – Susan MacEachron inquired as to the status of committee reviewing dark sky regulations with the absence of Jonathan Sanoff. Edward

Barron stated that the sub-committee would resume once Jonathan Sanoff returns.

5. **Approval of Minutes** – Lise Read made a motion to approve the minutes of the Commission’s regular meeting of October 8, 2024, as amended. Seconded by Edward Barron and approved by Fahsbender, Barron, Landes, and Read. All other Commission members abstained as they were not in attendance at the October 8, 2024 meeting.

6. **Old Business**

- A. **Application 24-015 Special Permit Per Section 6.10.D of the Zoning Regulations for Ground-Mounted Solar Collector at 400 North Street in the Rural Residential Zone.**

Steven Landes not seated as a Commission member and left the Commission’s table. Seated Commission members: Fahsbender, Schaut, Wood, Stern, Felton, Barron and Read.

The Commission deliberated screening requirements and possible conditions of approval for the application.

Tom Fahsbender discussed compliance of the application with the Zoning Regulations and the Norfolk Plan of Conservation and Development (“POCD”), particularly POCD Section 5.6 related to sustainability and energy conservation.

Lise Read made a motion to approve Application 24-015 for ground-mounted solar collector at 400 North Street, with the condition that the trustee provide written authorization for Momentum Solar. Seconded by Jordan Stern and approved unanimously by Fahsbender, Schaut, Wood, Stern, Felton, Barron, and Read.

- B. **Application 24-019 Special Permit Per Section 3.03.1.F.4 of the Zoning Regulations for Buildings Accessory to an Allowed Principal Use if Larger than the Principal Building (Barn Addition) at 542 Greenwoods Road East in the Rural Residential Zone.**

Seated Commission members: Fahsbender, Schaut, Wood, Stern, Felton, Barron, and Read.

Tom Fahsbender discussed compliance of the application with the POCD, particularly Section 3.6 to encourage and support local agriculture.

Jordan Stern made a motion to approve Application 24-019. Seconded by Marion Felton and unanimously by Fahsbender, Schaut, Wood, Stern, Felton, Barron, and Read.

7 New Business

- A. Adoption of 2025 Regular Meeting Schedule** – There was discussion of the November 2025 meeting date since it would fall on Veteran’s Day. The Commission chose November 18 so that the meeting would not conflict with municipal elections or Veteran’s Day.

Chris Schaut made a motion to approve the 2025 Regular Meeting Schedule, seconded by Lise Read, and approved unanimously.

- B. Application 24-024 Norfolk Senior Housing Facility for a site plan modification for 4 additional parking spaces at 9 Shepard Road.**

Stacey Sefcik provided a summary of the application with additional information provided by Ron Zanobi, board member with the Norfolk Senior Housing Facility. The additional spaces are needed in the proposed location because it is the location of elevator access to upper floors of the facility and is already used by residents for loading and unloading purposes. A Commission discussion followed. The Commission agreed that the additional parking spaces were a reasonable accommodation for persons with disabilities given the nature of the facility.

Lise Read made a motion to approve the site plan for 9 Shepard Road to add 4 additional parking spaces with the condition that a letter from the Catholic Church be submitted, allowing access to the parking spaces through church property and construction to take place on church property, as depicted on the map submitted with the application. Seconded by Wiley Wood and approved by Fahsbender, Schaut, Wood, Stern, Felton, and Read. Barron abstained and Landes was not seated.

8 Bills and Correspondence – none.

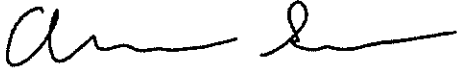
- 9 ZEO report** – Stacey Sefcik, CZEO, provided an overview of the ZEO report and enforcement actions taken since the Commission’s October meeting. A discussion followed.

10 Action Items and Responsibilities – none.

11 Adjournment

Chris Schaut made a motion to adjourn at 9:12 p.m., seconded by Marion Felton, and approved unanimously.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Chris Schaut', with a long horizontal flourish extending to the right.

Christopher Schaut, Acting Secretary