

**Norfolk Records**  
**Fall Special Town Meeting October 28, 2003**

Pursuant to a warrant dated September 22, 2003, signed by John J. McFeeley, Joyce E. Terrio and Ramesh Advani, Selectmen of Norfolk, the inhabitants of Norfolk qualified to vote in elections and town affairs met in the King Philip Senior High School, 201 Franklin Street, Wrentham, MA on Tuesday, October 28, at 7:30 PM in the evening, there and then to act on the following articles. The meeting was called to order at 7:35PM by Moderator Frank J. Gross who introduced the Town Clerk, the Assistant Town Clerk, Town Counsel, the members of the Board of Selectmen and the Advisory Board Chairman, who introduced the members of the Board. There were 114 registered voters in attendance. Sworn counters were Paul Muliero, Robert Garrity, and Deborah Robbins.

The singing of the National Anthem was led by Georgia Jones of Norfolk with musical accompaniment by Charles Stacy (piano) of Wrentham and George Clinton (trumpet) of Norfolk.

**APPROVED BY VOICE VOTE** to waive the reading of the warrant and the return on the warrant.

**The Moderator suspended the Fall Special Town Meeting at 7:38PM** for the purpose of convening a Special (Library Zoning) Town Meeting, pursuant to a warrant dated September 29, 2003, signed by John J. McFeeley, Joyce E. Terrio and Ramesh Advani, Selectmen of Norfolk. Mr. Gross explained that all of the articles included in this Special Town Meeting relate to zoning issues regarding the Norfolk Public Library, and that due to procedural defects in the posting of the Planning Board public hearing, action on all of the articles contained within this Special Town Meeting will be deferred until November 4, 2003.

**APPROVED BY UNANIMOUS VOTE** to adjourn the Special (Library Zoning) Town Meeting to November 4, 2003 at 7:30PM at the King Philip High School, 201 Franklin Street, Wrentham, MA.

**The Moderator resumed the Fall Special Town Meeting at 7:40PM.**

**ARTICLE 1**

**APPROVED BY VOICE VOTE** to defer action on Article 1 until after Article 25.

Mr. Markel introduced the Finance Director, Jack Hathaway, who reported the following financial information:

Certified Free Cash	\$807,598
Water Enterprise Fund	\$256,681
Prison Mitigation receipt	\$191,276
Stabilization Fund balance	\$448,070
Ambulance Fund balance	\$ 95,816

Mr. Markel then gave a presentation of the Selectmen's goals for the current fiscal year and ideas for improving communication.

**ARTICLE 2**

**APPROVED BY UNANIMOUS VOTE** to transfer the sum of \$5,455.08 from Account #01.5151.3090, Town Counsel Legal Fees, to pay an unpaid bill of a prior year for legal services provided by Anderson and Krieger, pursuant to Massachusetts General Laws Chapter 44, Section 64.

**ARTICLE 3**

The Advisory Board moved and seconded to transfer from Free Cash the sum of \$28,000.00 to fund the Capital Budget request to purchase MUNIS accounting software and train staff.

Mr. Piscatelli made a motion, and it was seconded, to amend by deferring action on this article until after Article 1.

**APPROVED BY COUNTED VOTE**, 48 YES, 37 NO, to defer action on Article 3 until after Article 1.

**ARTICLE 4**

**APPROVED BY VOICE VOTE** to defer action on Article 4 until after Article 3.

**APPROVED BY VOICE VOTE** to defer action on Articles 5, and 12 – 22 until after Article 4.

**ARTICLE 6**

**APPROVED BY UNANIMOUS VOTE** to allocate from the Community Preservation Fund \$36,600.00 to erect a shade structure at the Pond Street Recreation Facility; specifically to include purchase and erection of the shade structure, permanent water connection from Pond Street to the Structure for service to water bubblers (not to include purchasing of the bubblers), framing of the structure, pouring a 28' x 52' cement slab within the structure, and the waterproofing package which includes the asphalt shingle roof.

**ARTICLE 7**

**APPROVED BY UNANIMOUS VOTE** to allocate from the Community Preservation Fund \$1,825.00 to fund the payment of labor and materials to paint the Tramp House.

**ARTICLE 8**

**APPROVED BY UNANIMOUS VOTE** to amend the Town of Norfolk Personnel Bylaw Section IX. ADMINISTRATION OF THE SALARY CLASSIFICATION PLAN,

Subsection C. CLASSIFICATION SCHEDULE by adding the following position:

Grade 8                      Facilities Manager

and to amend the Town of Norfolk Personnel Bylaws Section XIII. PERFORMANCE APPRAISAL PROGRAM, Subsection 6.0 EVALUATORS by adding the following:

<u>POSITION</u>	<u>EVALUATOR</u>	<u>SECONDARY EVALUATOR</u>
Facilities Manager	Building Commissioner	Town Administrator;

**ARTICLE 9**

**APPROVED BY VOICE VOTE** to Indefinitely Postpone Article 9.

*(money for the Town's share of the Federal Firefighters Assistance Grant Program for the purpose of replacing Engine One)*

**ARTICLE 10**

**APPROVED BY VOICE VOTE** to Indefinitely Postpone Article 10.

*(an easement to Mark and Joanne Pollard for the purpose of installing, maintaining, repairing and replacing a subsurface water line within the layout of Valentine Drive for the benefit of the property at 18 Valentine Drive)*

**ARTICLE 11**

**APPROVED BY UNANIMOUS VOTE** to authorize the Board of Selectmen to take by eminent domain, for no damages, an easement for the installation, operation, maintenance, repair and replacement of underground utilities for water and sewer services in a private way known as Old Populatic Way, said easement being shown on a plan entitled "Plan of Land Showing a Sewer & Water Easement in the Town of Norfolk, Norfolk County, Massachusetts" prepared by Guerriere & Halnon, Inc., dated April 2, 2003, Scale 1"=40', a copy of which is on file in the office of the Highway Superintendent.

**ARTICLE 23**

**APPROVED BY VOICE VOTE** to Indefinitely Postpone Article 23

*(accept the provisions of Section 139 of Chapter 140 of the General Laws of Massachusetts to allow the issuance of a dog license at no cost for a dog owned by a resident aged 70 years old or older)*

**ARTICLE 24**

**APPROVED BY UNANIMOUS VOTE** to authorize pursuant to Massachusetts General Laws, Chapter 44, Section 53E1/2, a Revolving Fund to receive passport processing postage fees to be expended under the direction of the Town Clerk for payment of postage related to submitting passport applications.

**ARTICLE 25**

**APPROVED BY VOICE VOTE** to Indefinitely Postpone Article 25.

*(to amend Article 1, Section 4 (Fall Town Meeting) of the Town of Norfolk General Bylaw by deleting it in its entirety)*

**At 11:00PM the Town Clerk made a motion to adjourn the meeting to 8:00PM on Tuesday, November 4, 2003 at the King Philip High School. The motion passed unanimously.**

**Norfolk Records  
November 4, 2003  
SPECIAL (Library Zoning) TOWN MEETING**

The second session of the Special (Library Zoning) Town Meeting was called to order by the Moderator at 7:30PM. There were 192 registered voters in attendance. Sworn counters were Paul Muliero, Robert Garrity, and Deborah Robbins. The moderator explained that at 8:00PM this meeting would be temporarily suspended so that the Fall Special Town Meeting adjourned session could be opened and then suspended to return to this Town Meeting.

The Board of Library Trustees gave a presentation regarding all of the Articles contained within this Special Town Meeting, along with background information and a status report on the project.

**At 8:00PM the Moderator suspended the Special (Library Zoning) Town Meeting** and convened the second session of the Fall Special Town Meeting, which was then suspended to return to the Special (Library Zoning) Town Meeting.

**ARTICLE 1**

**APPROVED BY 2/3 VOTE** called by the Moderator to amend the Zoning Bylaws of the Town of Norfolk, Section I.4.a.5., Pedestrian Access, as follows:

By revising the current bylaw which reads:

I.4.a.5. Pedestrian Access. BUILDINGS shall generally be PEDESTRIAN WAY-oriented and shall be physically and visually accessible to pedestrians from the PEDESTRIAN WAY. BUILDINGS shall provide pedestrian entrances that open to the front PEDESTRIAN WAY and may provide other entrances to the side or rear. Within the BUSINESS CORE, unless otherwise provided by Special Permit by the Planning Board, the FRONTAGE SIDE of each BUILDING shall have not less than 70% of the length of its PEDESTRIAN WAY level street-side façade comprised of doorways which provide physical access, and windows or other transparent elements of wall which provide visual access.

By adding the following italicized provisions to the bylaw, so that it is amended to read:

I.4.a.5. Pedestrian Access. BUILDINGS shall generally be PEDESTRIAN WAY-oriented and shall be physically and visually accessible to pedestrians from the PEDESTRIAN WAY. BUILDINGS shall provide pedestrian entrances that open to the front PEDESTRIAN WAY and may provide other

entrances to the side or rear. Within the BUSINESS CORE, unless otherwise provided by Special Permit by the Planning Board, the FRONTAGE SIDE of each BUILDING, *excepting a Municipal BUILDING*, shall have not less than 70% of the length of its PEDESTRIAN WAY level street-side façade comprised of doorways which provide physical access, and windows or other transparent elements of wall which provide visual access. *Municipal BUILDINGS shall have not less than 30% of the length of its PEDESTRIAN WAY level street-side façade comprised of doorways which provide physical access, and windows or other transparent elements of wall which provide visual access;*

## **ARTICLE 2**

**APPROVED BY 2/3 VOTE** called by the Moderator to amend the Zoning Bylaws of the Town of Norfolk, Section I.4.a.6., Streetscape, as follows:

By revising the current bylaw which reads:

I.4.a.6. Streetscape. Within the BUSINESS CORE, BUILDINGS shall not be more than forty feet in height. At least 60% of the vertical wall area of the FRONTAGE SIDE façade of BUILDINGS (excluding porches) shall be parallel with and aligned to the BUILD-TO LINE, and a minimum 60% portion of the FRONTAGE SIDE façade shall also be made up of vertical BUILDING wall, dormers, or a parapet or false façade to a height of twenty feet. Bay windows and balconies above STREET level may project toward the STREET beyond the BUILD-TO LINE. Outside the BUSINESS CORE, BUILDINGS shall not be more than forty feet in height. BUILDING HEIGHT shall not include any steeples, flag poles, weather vanes, or cupolas. The highest point of any such steeples, flag poles, weather vanes, or cupolas shall not exceed eighty (80') feet.

By adding the following italicized provisions to the bylaw, so that it is amended to read:

I.4.a.6. Streetscape. Within the BUSINESS CORE, BUILDINGS shall not be more than forty feet in height. At least 60% of the vertical wall area of the FRONTAGE SIDE façade of BUILDINGS, *excepting Municipal Buildings*, (excluding porches) shall be parallel with and aligned to the BUILD-TO LINE, and a minimum 60% portion of the FRONTAGE SIDE façade shall also be made up of vertical BUILDING wall, dormers, or a parapet or false façade to a height of twenty feet. Bay windows and balconies above STREET level may project toward the STREET beyond the BUILD-TO LINE. Outside the BUSINESS CORE, BUILDINGS shall not be more than forty feet in height. BUILDING HEIGHT shall not include any steeples, flag poles, weather vanes, or cupolas. The highest point of any such steeples, flag poles, weather vanes, or cupolas shall not exceed eighty (80') feet. *At least 60% of the vertical wall area of the FRONTAGE SIDE façade of a Municipal BUILDING shall be made up of vertical BUILDING wall, dormers, or a parapet or false façade to a height of 10';*

## **ARTICLE 3**

**APPROVED BY 2/3 VOTE** called by the Moderator to amend the Zoning Bylaws of the Town of Norfolk, Section I.4.b.2.(A), BUILD-TO-LINE, as follows:

By revising the current bylaw which reads:

Section I.4.b.2. Within the Business Core:

(A) BUILD-TO-LINE: At the APPLICANT’S discretion, shall be either eleven (11) or nineteen (19) feet from, and parallel with, the Frontage line(s) of the LOT;

(A.)1. Notwithstanding the provisions of I.4.b.2.(A) above, the BUILD-TO-LINE of a TOWN HALL shall be at least nineteen (19) feet and not more than one hundred twenty-five (125) feet from the FRONTAGE line of the LOT.

By adding the following italicized provisions to the bylaw, so that it is amended to read:

Section I.4.b.2. Within the Business Core:

(A) BUILD-TO-LINE: At the APPLICANT’S discretion, shall be either eleven (11) or nineteen (19) feet from, and parallel with, the Frontage line(s) of the LOT;

(A.)1. Notwithstanding the provisions of I.4.b.2.(A) above, the BUILD-TO LINE of a TOWN HALL shall be at least nineteen (19) feet and not more than one hundred twenty-five (125) feet from the FRONTAGE line of the LOT.

(A.)2. Notwithstanding the provisions of I.4.b.2.(A) above, the BUILD-TO LINE of a Municipal BUILDING which is used as a library, shall be at least ten (10) feet and not more than thirty-five (35) feet from the frontage line of the LOT.

**ARTICLE 4**

**APPROVED BY 2/3 VOTE** called by the Moderator to amend the Zoning Bylaws of the Town of Norfolk, Section F.7.b. Schedule of Minimum Off-Street Parking Requirements, Section F.7.b.6., as follows:

By revising the schedule of the current bylaw which reads:

Section F.7.b. Schedule of Minimum Off-Street Parking Requirements

<b>F.7.b.6. Libraries, museums, and other non-recreational floor space public facilities</b>	<b>1 per 200 sq. ft USABLE FLOOR AREA</b>
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By replacing the following italicized provisions to the schedule, so that it is amended to read:

<b>F.7.b.6. Libraries, museums, and other non-recreational floor space public facilities</b>	<b>1 per 300 sq. ft USABLE FLOOR AREA</b>
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**ARTICLE 5**

**APPROVED BY 2/3 VOTE** called by the Moderator to amend the Zoning Bylaws of the Town of Norfolk, Section I.4.a.1. Building Scale, as follows:

By revising the current bylaw which reads:

Section I.4.a.1. Building Scale. No building FOOTPRINT, other than a GROCERY STORE, Municipal BUILDING, or VARIETY STORE, shall exceed 8,000 square feet except by a Special Permit. No GROCERY STORE or VARIETY STORE FOOTPRINT shall exceed 45,000 square feet except by Special Permit. No Municipal BUILDING FOOTPRINT shall exceed 20,000 square feet except by Special Permit. Upon issuance of a Special Permit from the Zoning Board of Appeals, no Building FOOTPRINT other than a GROCERY STORE, Municipal BUILDING or VARIETY STORE shall exceed 15,000 square feet, no Municipal BUILDING FOOTPRINT shall exceed 30,000 square feet, and no GROCERY STORE or VARIETY STORE FOOTPRINT shall exceed 50,000 square feet.

By adding the following italicized provisions to the bylaw, so that it is amended to read:

Section I.4.a.1. Building Scale. No building FOOTPRINT, other than a GROCERY STORE, Municipal BUILDING, or VARIETY STORE, shall exceed 8,000 square feet except by a Special Permit. No GROCERY STORE or VARIETY STORE FOOTPRINT shall exceed 45,000 square feet except by Special Permit. No Municipal BUILDING FOOTPRINT shall exceed 25,000 square feet except by Special Permit. Upon issuance of a Special Permit from the Zoning Board of Appeals, no Building FOOTPRINT other than a GROCERY STORE, Municipal BUILDING or VARIETY STORE shall exceed 15,000 square feet, no Municipal BUILDING FOOTPRINT shall exceed 30,000 square feet, and no GROCERY STORE or VARIETY STORE FOOTPRINT shall exceed 50,000 square feet.

**At 9:00PM the Town Clerk made a motion to dissolve the Special (Library Zoning) Town Meeting which passed unanimously.**

**The Moderator then returned to the business of the suspended Fall Special Town Meeting:**

**APPROVED BY VOICE VOTE** to bring forward Article 5.

### **ARTICLE 5**

The Advisory Board moved and seconded to Indefinitely Postpone Article 5.

The Planning Board moved and seconded to amend by substituting the motion as printed in the Warrant and the Town voted to accept this substitute motion.

**APPROVED BY UNANIMOUS VOTE** to amend the Zoning Bylaws of the Town of Norfolk, Section E.2.h., Estate Lots, as follows:

By substituting “Planning Board” for “Zoning Board of Appeals” as the designated special permit granting authority in Sections E.2.h. and E.2.h.3.b.;

By deleting Section E.2.h.2.f., of that bylaw which currently reads:

“The Zoning Board of Appeals may deny a special permit for an Estate LOT if the applicant or his predecessor in title, at any time subsequent to the first publication of notice of this Bylaw (September 21, 2001), owned or controlled adjoining land with which the proposed Estate Lot could have been advantageously subdivided, in the opinion of the Planning Board, into a conforming LOT or LOTS, or into an open-space subdivision plan.”

And replacing said Section E.2.h.2.f. as follows:

“The Planning Board shall not issue a special permit under this section except upon the following findings:

- 1) The applicant has provided for safe access for public safety vehicles and personnel to the dwelling unit to be constructed on the lot, and the intersection of such access driveway and the public way has been placed in the best location available to the applicant; and
- 2) The development of the property as an estate lot will have a less adverse effect on the character of the neighborhood and the protection of open space, significant or important natural resources and to historic structures or places (where such features are present) than other development options available to the applicant.”

And by deleting Section E.2.h.3.c. of the Zoning Bylaw which currently reads:

“The special permit shall contain a recorded restriction against further division of the Estate LOT creating any additional BUILDING LOTS.”

And replacing said Section E.2.h.3.c. as follows:

“No landowner shall be eligible for more than one Estate Lot from a single parcel of land, or from adjoining parcels of land in common ownership, based on the ownership status of the land as determined by instruments and plans on file at the Norfolk County Registry of Deeds as of the effective date of this bylaw as amended (November 4, 2003). No Estate Lot shall be further subdivided. The Planning Board shall note such limitations, with a description of the land affected by them, in its written decision.”

And by inserting the following Section E.2.h.4.:

“E.2.h.4. The November 4, 2003 amendments to this Section E.2.h. shall not apply to any special permit application for an estate lot filed before the first publication of notice of the Planning Board hearing thereon (October 20, 2003). Any such application shall be governed by the provisions of this bylaw in effect as of the date it was filed.”

**APPROVED BY VOICE VOTE** to defer action on Article 1 until after Article 4.

**ARTICLE 3**

**APPROVED BY UNANIMOUS VOTE** to transfer from Free Cash the sum of \$35,000.00 to fund the Capital Budget request to purchase MUNIS accounting software and train staff.

**ARTICLE 4**

**APPROVED BY UNANIMOUS VOTE** to rescind the appropriation made under Article 9 of the Special Town Meeting of October 23, 1991, and to appropriate by transfer from the account established under said article the remaining balance of \$30,000.00 to Water Department Expenses.

**ARTICLE 1**

**APPROVED BY UNANIMOUS VOTE** to transfer:

**FROM:**

<b><u>Account#</u></b>	<b><u>Department</u></b>	<b><u>Amount</u></b>
01.5210.1100	Police – Salaries	\$ 6,375.00
01.5132.1100	Finance – Salaries	\$ 8,000.00
01.5420.1100	Highway – Salaries	\$ 5,500.00
25.5450.4010	Water – Building Maintenance	\$ 18,450.00
24.5955.3055	Ambulance Fund	\$ 20,896.41
01.5913.1740	Unemployment Compensation	\$ 45,000.00
<b>Total</b>		<b>\$104,221.41</b>

**TO:**

<b><u>Account #</u></b>	<b><u>Department</u></b>	<b><u>Amount</u></b>
01.5210.4010	Police – Expenses	\$ 6,375.00
01.5132.4263	Finance – Consulting Services	\$ 13,000.00
01.5132.	Finance – GASB 34	\$ 9,000.00
01.5420.4289	Highway/Building Supplies & Materials	\$ 5,500.00
01.5159.4800	Municipal Buildings – Fuel & Utilities	\$ 18,450.00
01.5291.0000	Emergency Management	\$ 1,000.00
01.5151.3090	Town Counsel – Litigation (BBC Painting Subcontractor)	\$ 5,896.41
01.5220.1100	Fire – Salaries	\$ 25,000.00
01.5122.7820	Veteran’s Day Parade	\$ 5,000.00
01.5132.4263	Finance – Audit	\$ 15,000.00
<b>Total</b>		<b>\$104,221.41</b>

**At 10:20PM the Town Clerk made a motion to adjourn the meeting to 7:30PM on Wednesday, November 5, 2003 at the King Philip High School. The motion passed unanimously.**

Third session of the Fall Special Town Meeting convened at 7:30PM. There were 33 registered voters in attendance. Sworn counters were Paul Muliero, Robert Garrity, and David Wildman.

### **ARTICLE 12**

**APPROVED BY UNANIMOUS VOTE** to amend the Town of Norfolk Zoning Bylaws by deleting all references to the C-2 Zoning District and to adopt a new zoning map showing the deletion of the C-2 Zoning District as follows:

- 1) Section C.1. Types of Districts, Section C.1.a. Replace current line that reads, “Commercial-2 through Commercial-5 C-2/C-5” with “Commercial-3 through Commercial-5 C-3/C-5”
- 2) Section D.1.e.2. Second sentence replace “In the C2, C3 and C5 Districts” with “In the C3 and C5 Districts”; and in the third sentence replace “In the B2-B4 and C2, C3 and C5 Districts” with “In the B2-B4 and C3 and C5 Districts”
- 3) Section D.1.e.3. Second sentence replace “In the C2, C3 and C5 Districts” with “In the C3 and C5 Districts”
- 4) Section D.2. (Column Heading) [Use Table] which currently reads, “C2/C3/C5” will now read “C3/C5”
- 5) Section E.1.b. Column Heading for Schedule of Dimensional Requirements Delete “2” for current column for Commercial 2, 3, 5 so that the heading will now read, “Commercial 3, 5”
- 6) Section F.9.b. Column Heading change to C1, C3-C6 from C1-C6
- 7) Section H.1.b. Change “or Commercial 1 through Commercial 6” to “or Commercial 1 and Commercial 3 through 6”.
- 8) Section H.1.c.2. Change “or Commercial 1 through Commercial 6” to “Commercial 1 and Commercial 3 through 6.”
- 9) Section H.1.c.6. Change “or Commercial 1 through Commercial 6” to “or Commercial 1 and Commercial 3 through Commercial 6.”
- 10) Section C.2. Location of Districts, Section C.2.a. Revise the Zoning Map Date from April 16, 2001 to October 23, 2002 in this Section. (A copy of the revised map is available for public inspection in the office of the Town Clerk);

### **ARTICLE 13**

**APPROVED BY UNANIMOUS VOTE** to amend the Town of Norfolk Zoning Bylaws by deleting from the Schedule of Use Regulations - Section D.2.c.9. which reads, “Conversion of SINGLE FAMILY DWELLINGS – R (SP), B2-4 (SP), C2/C3/35 (SP).”;

### **ARTICLE 14**

**APPROVED BY UNANIMOUS VOTE** to change references from “Building Inspector, Inspector of Buildings” to Building Commissioner in the following sections:

1. G.3.a. Change Inspector of Buildings to Building Commissioner
2. G.5.a. Change Building Inspector to Building Commissioner
3. G.5.c. Change Inspector of Buildings to Building Commissioner

4. G.5.d. Change Inspector of Buildings to Building Commissioner;

**ARTICLE 15**

**APPROVED BY UNANIMOUS VOTE** to amend the Town of Norfolk Zoning Bylaws as follows: Renumber Section D.4.h.1. and add the title, “Severability” so that the Zoning Bylaw will now read as follows:

“D.4.h. Severability

A determination that any portion of this overlay protection district is invalid shall not invalidate any other portion or provision thereof, nor shall it invalidate any special permit previously issued thereunder.”;

**ARTICLE 16**

**APPROVED BY UNANIMOUS VOTE** to amend the Town of Norfolk Zoning Bylaws by adding a new Section D.3.e.1.d. to read as follows:

“D.3.e.1.d. See General Laws Chapter 132B, Section 1 (Massachusetts Pesticide Control Act) and any and all amendments thereto”;

**ARTICLE 17**

**APPROVED BY UNANIMOUS VOTE** to amend the Town of Norfolk Zoning Bylaws by adding a new Section H.2.h.4.a.4. to read as follows:

“H.2.h.4.a.4. Notwithstanding other requirements of 310 CMR 22.02 as it relates to Zone II Wellhead protection, the Permanent Open Space may be included in the area required for the purpose of the computation of the capacity of septic systems.”;

**ARTICLE 18**

The Advisory Board moved and seconded to Indefinitely Postpone Article 18.

The Planning Board moved and seconded to amend the motion by substituting the following motion to amend the Town of Norfolk Zoning Bylaws as follows:

By deleting Section E.1.c.4. of that bylaw which currently reads:

“The REQUIRED CIRCLE must fit entirely within the LOT. No LOT shall be narrower than the required FRONTAGE between the FRONTAGE line and the REQUIRED CIRCLE.”

And replacing said Section E.1.c. with the following:

“E.1.c.4. The REQUIRED CIRCLE must be located so that it touches the lot frontage and it must also fit entirely within the LOT. No LOT shall be narrower than the required FRONTAGE between the FRONTAGE line and the REQUIRED CIRCLE.”;

**The motion failed to receive the required 2/3 vote upon counted vote, 15-yes, 8-no.**

**ARTICLE 19**

The Advisory Board moved and seconded to Indefinitely Postpone Article 19.

The Planning Board moved and seconded to amend the motion by substituting the following motion to amend the Town of Norfolk Zoning Bylaws, Section F.5.a. by deleting the current wording which reads:

“F.5.a. No ACCESSORY STRUCTURE shall be closer to any principal BUILDING or any LOT LINE than a distance equal to the height of such ACCESSORY BUILDING and in no event in the front YARD.”

And replacing it with the following new wording:

“F.5.a. No ACCESSORY STRUCTURE, including those in Open Space Preservation Subdivisions, that is 120 s.f. or less may be located no closer to any principal BUILDING or any LOT LINE than a distance equal to the height of such ACCESSORY BUILDING however, for ACCESSORY STRUCTURES that are greater than 120 s.f. they shall be located to comply with the setback requirements for the underlying zoning district. In no event shall ACCESSORY STRUCTURES be located in the front YARD setback.”;

**The motion failed to receive the required 2/3 vote upon counted vote, 15-yes, 11-no.**

**ARTICLE 20**

**APPROVED BY UNANIMOUS VOTE** to amend the Town of Norfolk Zoning Bylaws, Section F.5.c. by adding the words, “including those in Open Space Preservation Subdivisions” so that section F.5.c will now read as follows:

“F.5.c. No swimming pool, including those in Open Space Preservation Subdivisions, shall be constructed closer than twenty-five (25) feet to any LOT LINE, and in no event in the front YARD setback.”;

**ARTICLE 21**

The Advisory Board moved and seconded to Indefinitely Postpone Article 21.

The Planning Board moved and seconded to substitute the following motion to amend the Norfolk Zoning Bylaws, Section H.2.f.1. by adding a new paragraph to read as follows:

“Any appurtenances such as ACCESSORY BUILDINGS and swimming pools shall comply with the dimensional requirements of the underlying zoning district.”;

**The substitute motion passed by a unanimous vote.**

**ARTICLE 22**

**APPROVED BY UNANIMOUS VOTE** to amend the Town of Norfolk Zoning Bylaws, Section F.11.a. which currently reads:

**“F.11. SITE PLAN APPROVAL**

**F.11.a. Requirements for Site Plan**

In all districts no BUILDING or structure shall be constructed or externally enlarged and no use shall be expanded in ground area or established in an existing BUILDING except in conformity with a site plan bearing an endorsement of approval by the Planning Board unless Site Plan Approval is specifically exempted herein. This provision shall not apply to SINGLE FAMILY homes, including additions or enlargements, which are permitted in the district in which the property is located as a matter of right.”

By adding at the end of the second sentence the following, “including single family homes located within an Open Space Preservation residential subdivision” so that the second sentence will now read as follows:

“This provision shall not apply to SINGLE FAMILY homes, including additions or enlargements, which are permitted in the district in which the property is located as a matter of right including single family homes located within an Open Space Preservation residential subdivision.”;

**At 8:20PM the Town Clerk made a motion to dissolve the Fall special Town Meeting. It was voted unanimously.**

**Respectfully Submitted,**

**Gail E. Bernardo  
Assistant Town Clerk**