



TOWN OF NORTON
BOARD OF SELECTMEN
MUNICIPAL CENTER,
70 EAST MAIN STREET, NORTON, MA 02766

Telephone: (508) 285-0210 Fax: (508) 285-0297

BOARD OF SELECTMEN
MINUTES OF MEETING
SEPTEMBER 7, 2016

I. CALL TO ORDER

The September 7, 2016 Meeting of the Board of Selectmen was called to Order by Mr. Giblin, Chairman, at 7:00 P.M., held in the First Floor Conference Room.

A. ROLL CALL: Mr. Timothy R. Giblin, Chairman; Mr. Robert K. Kimball, Jr., Vice-Chair; Mr. Robert S. Salvo, Jr., Clerk; and Mr. Bradford K. Bramwell were present. Mrs. Mary T. Steele arrived at 7:30 P.M. Mr. Michael Yunits, Town Manager, was also present.

B. Pledge of Allegiance

II. LICENSES AND PERMITS

1. Request of Joseph A. Costa, Adjutant, Disabled American Veterans, Westcott Houghton Chapter 56, North Attleboro, for Annual Forget-Me-Not Drive Permit, to be held Thursday, October 6th, Friday, October 7, Saturday, October 8th, and Sunday, October 9th, 2016, to be held at Roche Brothers Supermarket, 175 Mansfield Avenue, Norton, MA 02766

The Commander of Chapter 56 was present regarding the Forget-Me-Not Drive, along with Mr. Costa, who was in the audience.

Mr. Giblin said every year they have been expanding this Drive from Roche Bros. to any other business that is agreeable to have this drive. It was noted all proceeds go directly to local veterans and their families. Last year they raised about \$4,000 which was greatly needed.

Mr. Kimball recognized Mr. Costa, who was in the audience.

MOTION was made by Mr. Kimball to approve the Request of Joseph A. Costa, Adjutant, Disabled American Veterans, Westcott Houghton Chapter 56, North Attleboro, for Annual Forget-Me-Not Drive Permit, to be held Thursday, October 6th, Friday, October 7, Saturday, October 8th, and Sunday, October 9th, 2016, to be held at Roche Brothers Supermarket, 175 Mansfield Avenue, Norton, MA 02766, and at any other location approved by business owner/management. Second by Mr. Salvo. Vote: Unanimous. MOTION CARRIES.M

III. ANNOUNCEMENTS

Sunday, September 11, 2016 is the Norton Reservoir Cleanup Day from 8:30 a.m. to noon. This is sponsored by Norton Kayak and Wheaton College. For more information contact Norton Kayak at 508-740-7728 or info@nortonkayakco.com.

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It was noted there were a number of vacancies for various boards/committees in Town. If there is any interest, residents should send a letter of introduction to the Selectmen's Office at 70 East Main Street, Norton, MA 02766.

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There will be a yard sale sponsored by the Gold Star Committee in honor of Master Sgt. Trent from 9 a.m. to 2 p.m. It costs \$20 to rent a table \$20 and all proceeds benefit the Master Sgt. Trent Memorial Scholarship Fund and the Master Sgt. Trent Memorial Fund.

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The Norton Water Department has communicated that hydrant flushing will be starting Sunday, September 11 and will be conducted during the evenings from Sunday through Thursday from 7 p.m. to 3 a.m. Daily flushings may occur if needed.

Mr. Salvo asked Mr. Yunits where the Town is in a drought, is it ok to flush hydrants at this time?

Mr. Yunits said the Water & Sewer Superintendent, Mr. Marshall, said he was confident the levels of wells are ok to do this.

IV. BUSINESS

A. NEW BUSINESS

1. Discussion - Rezoning Leonard Street

Mr. Yunits said the Board had discussions on this previously and this is to provide some updates. The Planning Board is holding a public hearing on this on September 20 and Finance Committee, will more than likely, discuss this on September 21. Mr. Yunits indicated he did have a resident who came in to see him regarding this and indicated to him he would put it on the next agenda, and Mr. O'Neill agreed to come in to discuss. He said he was discussing this earlier with the Town Planner and IDC and noted anything built in this area will involve infrastructure improvements and probably taking sewerage from the hub down Route 123 and into that area. Mr. Yunits referenced traffic signalization at the intersection and it is important to move forward now because in 2018, Route 123 reconstruction is scheduled and traffic signalization on the off-ramp to be developed at that same time. If they do not move now, that road/street won't be able to open for another seven years. The year 2018 is not a long way off, and as far as planning, design and approvals from State, it is a short time from now

Mr. Jeff O'Neill of Condyne said they have been at Norton Commerce Center for quite some time and it is coming to its end and looking for next wave of development opportunity to locate companies looking to expand and locate in the Town of Norton. He said they are looking at development of this site and are under contract with Houghton Estate and dealing with the trust that remains. What they are designing is a first class industrial park and looking to rezone existing zoning into industrial and he believes that would fit their need very well. In the market place, industrial is strong and robust and they are seeing e-commerce companies coming in and taking up most of the square footage. The traditional brick and mortar retailers are declining dramatically and being replaced by these different types of uses. When they looked at site, their approach was to be the least obtrusive with the most value in the quickest timeframe to the Town. It is zoned agricultural now and that is the tax generation coming out of it and would be changing that to an industrial zone development which would substantially increase the tax base to what they are trying to accomplish. They would be looking at roughly seven to eight buildings (high bay industrial or flex to be able to accommodate a combination of office/manufacturing, etc. It would be a variety in size of buildings, any where from small ancillary retail out on Route 123 from 85,000 square feet to 250,000 square feet to 50,000 square feet, then 130,000 square feet, then 315,000 square feet that is combined in the back. As they look to mitigate any sort of repercussions from neighbors and abutters, they are sensitive to the approach and design of each facility. There are some natural buffers and wetlands and restrictions that they cannot access in heavily treed area that is within the area. When they laid out these facilities, they placed any sort of truck and car traffic to a certain side of of the building; nothing traverses to the rear and no access would be provided from these facilities unless it was something provided for public safety (i.e., if they need a breakaway gate for fire engine/ambulance for access). In addition, he noted a separation line against residential which requires 100 feet, and they even

provided 50 more feet totalling 150 foot setback from any residential zone. Additionally, they added an earthen berm, landscaped and treed on top, to add to any sort of separation as well, and trying to mitigate as much as they can. Any sort of sound is directed toward conservation area and heavily treed area. It will take a long time for permitting (must go through MEPA/state levels) and important to get an idea if zoning change will be accepted or not. In addition, they would look at mitigation relating to the traffic light, which is much needed for left and right exits, and their goal is to use the Town sewer. What has recently changed from last proposal was FEMA flood zone and it was surveyed, and left with a lot of excess land, so they would like to propose something in concert with the Town, such as access to waterways and conservation land to make a joint roadway and access to Canoe River or ball fields, etc. However, no buildings can be built in this area. In addition, they need to do a greenhouse gas study as part of MEPA filings, and when done, the buildings will be solar ready and will look to collect rainwater off the roof and installation of wells for irrigation to mitigation and provide some green to facilities and the park. They want to make it a first class business park and attract as many companies as they can, and they already have had strong interest from people seeking a location. There would also be the benefits to Town such as job growth increase, tax revenue, any type of excise tax would be directed to the Town. He believed it was a great opportunity for both, the Town of Norton and Condyne.

Mr. Giblin stated this Board of Selectmen has been supportive of this whole project and it looks very good. Some of the concerns of the Board of Selectmen as well as some of the residents would be traffic, as well as other issues like conservation, etc., therefore he thought traffic studies were needed.

Mr. Kimball communicated he had some concerns about the large parcel and believed the Planning Board has a different opinion than the Board of Selectmen about rezoning it or not. With the suggested buffer zones, he had a small concern about neighbors in that area, however, it sound like Condyne is addressing those issues. If that area is rezoned and the approximate 80 acres is left out, as to what Planning Board is suggesting, people have to realize the Town has no control at that point of that parcel and what could happen is a Ch40B (200-300 units of housing possibly). Mr. Kimball would support to rezone that entire parcel the way Condyne has proposed and if he needs to make a friendly amendment regarding this on Town Meeting floor, he may do so. He did have a question on the possible ball field at the bottom of Canoe River; how many acres?

Mr. O'Neill replied it is approximately 8-10 acres.

Mr. Kimball said there is a need for additional space for some of the organized sports in the Town, and using it also for access to Canoe River along with ball fields the Town can utilize would be beneficial. He applauded Mr. O'Neill/Condyne for looking into this and infrastructure

improvements are a plus. One concern is how would they control people going down the other end of Leonard Street exiting from there; how do they keep people going back toward Route 495? He believed they would need to control it. It is a green project and they are not utilizing every square inch of it; and leaving a lot of forest and access to 495 makes it a winner. He understood the neighbors concerns in the back area and understands as Wheaton College happens to be behind his own house. Mr. Kimball said this is a proactive approach to rezone area to industrial and wave off the potential development of housing. This would increase the Town's commercial tax base. The streets would be widened in that area and referenced phases of development. It would have a minimal impact on some residents in the Town, and any development will have pros and cons, but this is a win-win for Town and developer. Condyne did a great job in the current industrial park and he is certain they will work with the neighbors. Mr. Kimball said he heard about a right of way from Burt Street into that property, however, that cannot be used as part of an industrial park, but probably could be used for a residential purpose. It may be able to be accessed as an emergency access for Fire/Rescue Department. He did like the idea of the buffer.

Mr. Giblin asked if anyone from the audience had comments/questions regarding this.

Mr. Bettencourt, of 10 Janet Street, pointed out his house on map and wanted to understand their strategy and not sure if he was in favor of this or against it. He said the Easton-side of town is taking a beating with the newly-built apartments, etc. He asked about lighting; what types of buildings would be constructed as this is a residential area. It does not impact many people, but it does impact some people. He referenced the property and said possibly the best use of this may be for Condyne to give to town for conservation purposes. He was aware it will be developed by someone, and fought for years to keep it from being developed using that Burt Street easement and also went to court to stop it. He does not want this to just be dollar signs, and wanted people who are developing this to know this is a residential area, and he has resided here for 30 years.

Mr. Giblin said he understood Mr. Bettencourt's comments and as a Board they will try to do the best thing possible for that property, and try to minimize the impact to neighbors. Of course, lighting is also a concern.

Mr. Bettencourt asked about truck traffic/noise, what type of buildings; would it be manufacturing?

Mr. Kimball said where he resides near Wheaton College, and also had a concern with lighting, however, he does not even know it is there.

Mr. Yunits said they held a previous meeting and Condyne has gone out of their way to make accommodations. If there is one developer who would work with the neighbors, it would be Condyne. Everything the Town has asked them to do on Commerce Way, there has been no questions and they have obliged.

Mr. O'Neill stated the lighting is by code and zoning and cannot illuminate off site (dark sky compliant lighting).

Mr. O'Neill referenced sewerage and the goal of a force main out and across highway, and there is nothing stopping them if they need to bring up some sort of stub. It is not their goal to do septic.

Building heights were discussed. Mr. O'Neill said building(s) could be built up to 50 feet; usually 43 feet for high bay industrial and 24-28 feet if it was more flex.

Mr. Kimball recommended to try to consider a building smaller than 50 feet in height closer to neighbors.

Mrs. Steele arrived at 7:30 P.M.

Mr. Giblin asked Mr. O'Neill if there was any update on any other projects in Norton?

Mr. O'Neill provided an update: Alnylam is moving ahead which is great and because it is such a beautiful sophisticated building/company, their existing buildings look vintage 1980's. They would like to upgrade other buildings to make them more modern with a minor expansion on each of those facilities (on 10, 15 and 50). They are also close to kickoff 60 Commerce Way development and proposal was originally for Ryder and still in contention as well as 100,000 square foot facility proposed there and should finalize itself and go in one direction or the other. They have three lots left and are close with a very small flex office user for about 15,000 square feet to take up one of those lots and two lots are remaining to be developed.

Mr. Yunits suggested neighbors/residents to look at these buildings in this industrial park which are quality buildings.

Mr. O'Neill indicated they could provide a tour as well to any neighbors/residents of these buildings.

2. SRPEDD Route 123 and North/South Worcester Streets - Traffic Signal Warrant

Analysis

Mr. Yunits said many people have concerns regarding this intersection and SRPEDD conducted a traffic analysis. After analysis, it was decided it does warrant traffic signalization and it is a State highway, so next step is he will reach out to MASS DOT for traffic signalization. They would need to come out and engineer intersection and conduct a design. Mr. Yunits will send them a letter as well as State reps and Senator.

Mr. Giblin noted there was a tremendous amount of traffic on Route 123 and intersection was not a 90 degree angle.

Mr. Kimball suggested to recommend to State to straighten that road out a bit more; possibly a land swap. He was also aware the Drane's own many properties near that intersection.

Mr. Bramwell believed any land swap will make it worse; they cannot be aligned and cannot move the pond, etc.

Mr. Giblin said this is good news as the last study was rejected in the past. In the past, there were not as much traffic and not as dangerous an intersection.

Mr. Yunits commended SRPEDD for doing an excellent job.

B. OLD BUSINESS

C. TOWN MANAGER'S REPORT

- Update on intersection of West Main Street, North Worcester and South Worcester Streets

Mr. Yunits contacted the State to see if something could be done at the Norton Post Office regarding traffic congestion; anyone driving on Route 140 toward Taunton who needs to turn left into post office must wait due to the traffic. If there is some way to post signage to not block driveway and hopefully State can do that for the Town.

Mr. Bramwell said if that does not come about, possibly they can look into using Wheaton College parking lot, to possibly access the post office from parking lot of Wheaton which is off of Route 123. It may be worth talking to Wheaton College about this.

Mr. Salvo said there are already signs that state: "Do not block driveway", however people do not read or do not see them. He said the high traffic starts early in morning and in the afternoon.

Mr. Giblin said striping of the road may help also.

Mr. Salvo referenced an email previously received by Mr. Yunits regarding this. He spoke of contacting a traffic engineer; however, he believed having a meeting first to review the whole scenario. If they come out here and redesign it, this will ease a lot of problems on Routes 140 and 123, and may also help issue with post office access also. Discussion ensued.

Mr. Kimball spoke of realignment/widening of road in front of Wheaton College's President's house and adding another lane and widen roadway at other end, also. Making it wider and adding more lanes to it it will be the only way it will work. Lights could also be tweaked, but he thought the extra lanes would improve this area. It would need to be done in a timely fashion because of roads being redone (beneficial to do it at same time the roadwork is being done).

Mrs. Steele stated the posted signs by the post office are not very useful or visible. The painted roadway may help, which Mr. Yunits suggested.

There will be a 9/11 ceremony on September 11 at 9 a.m. at the Fire Department and everyone is welcome to attend.

D. APPOINTMENTS/RESIGNATIONS

V. SELECTMEN'S REPORT AND MAIL

Mr. Salvo communicated Mr. Yunits contacted Planet Aid regarding cleaning up dumpster at end of Oak Street, however, it is still not cleaned up. In his own opinion, he believed a letter should be sent to Planet Aid to stop bringing their containers into Town because they don't pick up containers in a timely fashion. He said the Town should have more control as it is a disgrace.

Mr. Bramwell said he was upset about the mess, but also about the people dumping things there. There are many items Planet Aid does not accept, however, people leave items by container, and Planet Aid has to pay to get rid of things. People dumping these items that Planet Aid should be arrested like anyone else would be for littering, etc.

Mrs. Steele asked about a bylaw and regulating dumpsters put on private property.

Ms. Wierling, Director of Planning & Economic Development, was in the audience, and said this was more complicated to do for non-profits and some of them being on private property, etc. However, she will look into this further.

Mr. Yunits said the Board of Health Agent spoke to private property owner regarding this and explained he could be held liable for this dumping of junk and property owner had indicated he would have containers removed. However, it appeared containers were still at this location. It was noted Planet Aid pays property owners \$100 per quarter to have containers on site.

It was discussed someone needs to hold some responsibility such as the property owner.

Mrs. Steele referenced a bylaw and asked if they could have control over which companies were allowed in Town.

Mr. Yunits responded he did not believe they could do that. However, he believed a bylaw could state an area would be required to be fenced in, etc.

Mrs. Steele spoke of also adding fines as a penalty.

Mr. Kimball stated he had an issue with having a bylaw; he thought a license would be more effective for these containers and licenses could be pulled if there was non-compliance.

Mr. Yunits responded he will check and see legally what can be done.
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Mr. Kimball said the TPC Boston/Norton Golf Tournament had a great weekend. This is the last year Deutsche Bank will sponsor it and EMC is stepping forward and will be the new sponsor of it. He would like Deutsche Bank to come in to thank them and also have EMC in to see if the Town can assist them in any way.

Mr. Giblin said the Tournament did go smoothly and Deutsche Bank has done very well in the last 13 years. It would be ideal to have them come in to thank them and also having EMC come in would be beneficial.
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It was noted the Primary was the following day, thus the reason why the Board of Selectmen was meeting this evening instead of tomorrow evening.

VI. WARRANTS AND MINUTES

- A. Approve bi-weekly payroll for the period ended August 27, 2016, Warrant #13, dated September 1, 2016, in the amount of \$1,195,916.71

MOTION was made by Mr. Salvo to Approve bi-weekly payroll for the period ended August 27, 2016, Warrant #13, dated September 1, 2016, in the amount of \$1,195,916.71. Second by Mr. Kimball. Vote: Unanimous. MOTION CARRIES.

B. Approve bills Warrant #14, dated September 1, 2016, in the amount of \$1,420,150.49
MOTION was made by Mr. Salvo to Approve bills Warrant #14, dated September 1, 2016, in the amount of \$1,420,150.49. Second by Mr. Kimball. Vote: Unanimous. MOTION CARRIES.

C. Approve bills Warrant #15, dated September 8, 2016, in the amount of \$388,215.34
MOTION was made by Mr. Salvo to Approve bills Warrant #15, dated September 8, 2016, in the amount of \$388,215.34. Second by Mr. Kimball. Vote: Unanimous. MOTION CARRIES.

D. Approve Minutes -
No Minutes were reviewed/approved.

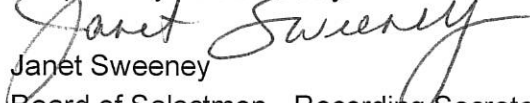
VII. NEXT MEETING'S AGENDA

VIII. EXECUTIVE SESSION

IX. ADJOURNMENT

MOTION was made by Mr. Salvo to Adjourn at 8:10 P.M. Second by Mrs. Steele. Vote: Unanimous. MOTION CARRIES.

Respectfully Submitted by:


Janet Sweeney
Board of Selectmen - Recording Secretary

Documents Presented at September 7, 2016 Board of Selectmen Meeting

. Request of Joseph A. Costa, Adjutant, Disabled American Veterans, Westcott Houghton Chapter 56, North Attleboro, for Annual Forget-Me-Not Drive Permit, to be held Thursday, October 6th, Friday, October 7th, Saturday, October 8th, and Sunday, October 9th, 2016, to be held at Roche Brothers Supermarket, 175 Mansfield Avenue, Norton, MA 02766

. Map - Leonard Street/Houghton Farm- Proposed Development by Condylne/Mr. Jeff O'Neill

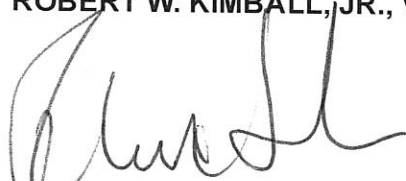
SEPTEMBER 7, 2016



TIMOTHY R. GIBLIN, CHAIRMAN



ROBERT W. KIMBALL, JR., VICE-CHAIR



ROBERT S. SALVO, SR., CLERK

BRADFORD K. BRAMWELL



MARY T. STEELE

Dated: 11/10/16