

**Norton Planning Board Minutes of Meeting  
For  
May 1, 2012**

**Call to Order**

The May 1, 2012 meeting of the Norton Planning Board, held in the first floor Selectmen's Conference Room in the Municipal Center, was called to order at 7:15 P.M., by Mrs. Haracz, Chairman. Members Present: Mrs. Joanne Haracz, Chairman; Mr. David Miller, Vice-Chair; Mr. Mr. Patrick Daly; Mr. Joseph Fernandes; and Mr. Alec Rich. Absent: Mr. George Burgess and Mr. Scott Nichols. Town Planner, Mr. Charles Gabriel, was also present.

**Report of the Planning Board**

**Reorganization:**

**MOTION was made by Mr. Miller to nominate Mrs. Haracz as Chairman of the Planning Board. Second by Mr. Fernandes. Vote: Unanimous. MOTION CARRIES.**

**MOTION was made by Mr. Fernandes to nominate Mr. Miller as Vice-Chair of the Planning Board. Second by Mr. Daly. Vote: Unanimous. MOTION CARRIES.**

**MOTION was made by Mr. Rich to nominate Mr. Daly as Clerk of the Planning Board. Second by Mr. Fernandes. Vote: Unanimous. MOTION CARRIES.**

**Request from Ron Turowetz for release of \$15,000 surety being held toward the completion of the River Oaks subdivision**

Attorney Jack Jacobi of Attleboro was representing Mr. Turowetz/Easecat and copies of letter from Sitek regarding how much money they need.

Attorney Jacobi said \$25,000 was held for completion of subdivision. They finished paving today; as-builts and bounds at \$11,500 by Sitek and obtaining \$13,500 at least is request. Reason for holding original money was for plow damage, however, not a lot of snow occurred this winter. Sitek needs \$11,500 to complete their work. Discussion followed.

As-builts and bounds work remaining was discussed.

Driveway was also discussed. Mr. Silver, Highway Superintendent, was concerned homeowner could

sue, however that issue was fixed today. Two stormseptors intact, etc., and all appeared to be completed.

\$13,500 is request to release.

\$25,000 in account total currently.

**MOTION was made by Mr. Fernandes to release \$13,500 to River Oaks. Second by Mr Daly. Vote: Unanimous. MOTION CARRIES.**

**7:30 Public Hearing: Application of Robert Galloway for a Special Permit to allow the construction of a common drive to serve three (3) homes off Lincoln Street**

Mr. Yarworth of Yarworth Engineering was present on behalf of Mr. Galloway.

Mr. Miller stated he had a business relationship with Mr. Yarworth which he needed to disclose.

Mr. Yarworth said Planning Board would need to sign Form A plan. It is a large site with approximately 70 acres with the sixth lot in the town of Easton. Plan is to build three houses and bypass wetlands. Planned is an 18 foot gravel pitched driveway and has legal documents for use of common driveway. These are low-impact, low-density lots and this was further explained by Mr. Yarworth. Discussion ensued.

Discussion on easement and Mr. Yarworth stated he could change if needed.

Ms. Carol Caras, a resident who resides across street for this land said all land is wetlands and all swamp is her land and this evening the water was up to her knees.

Mr. Yarworth said wetlands have been flagged a number of times and referenced plan. This land had been perked already a few years ago.

Ms. Caras said it must have been perked during a dry spell.

Ms. Caras said the water will go into her stream.

Mr. Yarworth said the water flows down toward stream; it won't be adding water. House is 400' behind her residence and will have a gravel driveway.

Ms. Caras explained drains were to be installed by highway dept., and Mr. Silver, Highway Superintendent, said it is always too wet.

Mrs. Haracz responded to Ms. Caras that this sounded like a "town" issue.

Linda Ellisen of 117 Lincoln Street said she did not receive a notice of this issue and said it is a natural habitation and a vernal pool at that location. Traffic on Lincoln Street will increase and basins/drain-offs are mosquito breeders. She asked Board to consider this before vernal pools destroyed.

Ms. Carol Caras said she believed it will start with five lots and then increase.

Mr. Yarworth said there are five front lots with back lot to Easton and spoke of a donation and an agreement with Conservation Commission.

Mrs. Haracz said they can put orders of conditions in special permit.

Linda Ellisen said there is also all slate in that area.

Mr. Daly spoke of concern with gravel driveway; slopes need to work and they should work. Slopes do change. A possible long-term maintenance concern.

Mr. Yarworth said the slopes will change and need to be maintained. To live in seclusion is the tradeoff.

Mr. Yarworth explained the drainage easement.

Ms. Caras said the water ends up in her cellar.

Mrs. Fox, an abutter on Washington Street, stated she lived in the middle of the area and asked where she abutted this project. She asked if they would get further landlocked/accessibility. She asked where does she live in relation to this?

Mr. Yarworth explained to her utilizing plan.

Ms. Ellisen said she lived there for 30 years and knows there is a problem with water.

Mr. Fernandes spoke of the 674' driveway not being a problem compared to a 500' driveway for public safety. It states on plan "cul de sac"?

Mr. Yarworth said the word "cul de sac" is a typo; there is no cul de sac. Firetruck would turn around in driveway.

Mr. Fernandes asked for the definitive way to turn around in driveway.

Mr. Yarworth said he could add a "T" on plan for turnaround purposes.

Mr. Fernandes said he would defer this item to Fire Chief. If it is a wooded lot, pulling up and turning around on lawn, should not be an option.

Mr. Yarworth said he can add a "T" and do an easement.

Mrs. Haracz said revised plans should show that.

Mr. Yarworth said he could do so or Planning Board could make it a condition. Discussion ensued.

Mr. Gabriel asked Mr. Yarworth to speak to Fire Chief.

Mr. Fernandes spoke of constructing and maintaining a turnaround. Where is driveway going?

Resident of 117 Lincoln Street referenced driveway, and said when it rains she has a driveway full of water.

Mrs. Haracz said driveway is pitching into property.

It was noted by a neighbor that Ms. Caras' land has West Nile and Ms. Caras gets sprayed each year.

Ms. Caras added her stream does not flow anymore.

Mrs. Haracz recommended to continue this Hearing and Planning Board member to visit this site.

**MOTION was made by Mr. Daly to continue Public Hearing to 7:30 p.m. on May 15, 2012.  
Second by Mr. Fernandes. Vote: Unanimous. MOTION CARRIES.**

A five minute recess was called.

#### **Report of Planning Board**

Waste Management was referenced. Mr. Gabriel said he will call Mark Dibb, the engineer, tomorrow and will advise Planning Board of this discussion.

Mr. Miller said a medical building and a retail type business is in that location also.

#### **Approval of Minutes**

Will review April 3, 2012 Planning Board Minutes at the next meeting.

#### **Report of the Town Planner**

Mr. Gabriel said Mr. Mark Dibb (Horizon Beverage engineer) contact him. Partial occupancy permit from Building Inspector they are looking for. Mr. Gabriel said he sent Mr. Dibb a copy of bylaw and told him cash or letter of credit from a bank was needed. This is for Horizon Beverage and he asked him to estimate the cost.

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Mr. Gabriel said he spoke to Leon Dumont, Board of Health Agent, and there are basically no regulations according to Mr. Dumont regarding hair salon at Red Mill Village. In Mr. Dumont's opinion, it is going into sewer system and it is diluted and State has no problem with that. If it was not going into sewer system, it may have required a tite tank.

#### **Planning Board Business and Policies**

Planning Board meetings for June to be June 5 and June 19; meetings for July to be July 10 and July 24, 2012.

**Bills and Warrants**

**MOTION was made by Mr. Miller to approve Planning Board Bills and Warrants, dated May 1, 2012 in the amount of \$1,930.08. Second by Mr. Daly. Vote: Unanimous. MOTION CARRIES.**

**Approval Not Required Plans Pending:**

Applicant Name Date Filed with Town Clerk

No ANR's were reviewed.

**Adjournment**

**MOTION was made by Mr. Rich to adjourn at 8:27 p.m. Second by Mr. Fernandes. Vote: Unanimous. MOTION CARRIES.**

**Minutes Approved by Committee on:** \_\_\_\_\_  
(Date)

**Signature:** \_\_\_\_\_

**Chairman:** \_\_\_\_\_

Respectfully Submitted by:

Janet A. Sweeney  
Planning Board – Recording Secretary

**Documents Reviewed/Distributed at Planning Board Meeting of May 1, 2012**

. Draft April 3, 2012 Minutes

. Norton Planning Board Payables (Bills and Warrants) dated May 1, 2012 – Total Amount of \$1,930.08

. Plan of common drive to serve three (3) homes off Lincoln Street, drawn by Yarworth Engineering for Robert Galloway