

Norton Planning Board Minutes of Meeting
For
OCTOBER 9, 2012

Call to Order

The October 9, 2012, meeting of the Norton Planning Board, held in the first floor Selectmen's Conference Room, was called to order at 7:23 P.M., by Mrs. Haracz, Chairman. Members Present: Mrs. Joanne Haracz, Chairman; Mr. David Miller, Vice-Chair; Mr. Patrick Daly; Mr. Scott Nichols; and Mr. Alec Rich. Absent: Mr. George Burgess and Mr. Joseph Fernandes. Also present was Mr. Charles Gabriel, Town Planner.

Report of the Planning Board

Mrs. Haracz indicated she took a tour of Horizon Beverage facility with some Planning Board members. It was a good tour.

Bills and Warrants

MOTION was made by Mr. Rich to approve Planning Board Bills and Warrants, dated October 9, 2012, in the amount of \$2056.67. Second by Mr. Daly. Vote: Unanimous. MOTION CARRIES.

Approval Not Required Plans Pending:

<u>Applicant Name</u>	<u>Date Filed with Town Clerk</u>
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Robert Galloway	September 19, 2012
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Mr. Gabriel said Mr. Yarworth of Yarworth Engineering will not be present this evening regarding this ANR. It was noted the frontage for lot 1 circles all around. Unusual lots, but technically meets criteria.

MOTION was made by Mr. Miller to approve Plans of lots 1-4 and Parcel A-Lincoln Street, prepared for Robert Galloway, dated 9/18/12. Second by Mr. Rich. Vote: Unanimous

Vote on recommendation to accept Goff and Allen Street

Attorney Jack Jacobi was present representing Mr. Ron Turewetz of Easecat. First he wanted to ask Board's endorsement for town meeting to accept the streets; and 2) \$6500 release request so Mr. Turewetz can pay Sitek Engineering.

Mr. Gabriel stated Mr. Silver, Highway Superintendent, has been out to visit area and as far as he is aware all is ok. It was discussed that Conservation Commission Agent, Ms. Carlino, said she will be going out to site also.

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Mr. Turewetz inquired if he also had snowplow bond money in account?

Mr. Gabriel said he will check on this.

Mr. Gabriel said as of April 2012, there was \$25,000 total.

Mr. Daly suggested to hold off on this until the Planning Board receives Conservation Commission/Mr. Silver 's final ok.

Attorney Jacobi spoke of Town of Norton coming out for inspection; Certificate of Final Compliance should occur.

Mr. Gabriel said if there was a real problem, the warrant article does not need to be moved at Town Meeting.

MOTION was made by Mr. Miller to approve acceptance of Goff Drive. Second by Mr. Rich. Vote: Unanimous. MOTION CARRIES.

MOTION was made by Mr. Miller to release \$6500 in surety to Mr. Turewetz/Easecat. Second by Mr. Rich. Vote: Unanimous. MOTION CARRIES.

The Board noted there were some misspellings on document/plan and need to get those corrected.

Site Plan Approval: Sprint modification to antennas at 250 East Main Street

Mr. David Doyers, representative from Sprint was present.

Mr. rich said he was affiliated with Rich Realty property and asked Board if this was or was not a conflict of interest.

It was discussed there was no financial impact/no contractual impact/no financial gain. Mr. Rich did not recuse himself.

It was noted Sprint would be updating their equipment and combining multiple spectrums on one antenna. No change to footprint, to height of tower. Discussion ensued.

Plan was reviewed by Board.

MOTION was made by Mr. Daly to accept specific plan as provided. Second by Mr. Miller. Vote: Unanimous. MOTION CARRIES.

Approval of Minutes

MOTION was made by Mr. Daly to approve the Planning Board Minutes of Meeting, dated August 21, 2012 as amended. Second by Mr. Rich. Vote: Unanimous, except for Mr. Miller voting "present". MOTION CARRIES.

Report of Town Planner

It was noted at the next meeting, it was planned the Waitkus public hearing would occur.

Mr. Gabriel stated VHB said they would respond to Planning Board's request, but never did so (Mr. Gabriel is assuming VHB does not want to review). So there is no response from any consultant but hearing is still scheduled.

Mr. Daly asked Mr. Gabriel to consider possibly calling Mr. Waitkus' attorney and send out to another consultant? Discussion ensued.

Mr. Daly suggested possibly placing a phone call to VHB to ask if they are interested in doing work or not (a good faith effort).

Mr. Gabriel said he will call VHB the next day and advise Planning Board.

Mr. Rich said he will not be present for the October 23 Planning Board meeting.

Mr. Gabriel said he believed Mr. Burgess missed a Planning Board meeting with Mr. Waitkus on agenda and possibly another member may have also been absent.

Mr. Daly said he missed one meeting; however, he could watch video.

Mrs. Haracz suggested to follow-up on this and see if members have any potential conflicts (quorum issues, etc.), and will need to advise applicant accordingly.

Mr. Rich said it is a financial penalty (per day) to someone who does not comply with zoning.

Mr. Gabriel said \$300/day regarding fines; building inspector could issue fines which are in bylaws.

Mrs. Haracz said they need to make decision on modification (yes or no) regarding Mr. Waitkus.

Adjournment

**MOTION was made by Mr. Daly to adjourn at 8:05 p.m. Second by Mr. Rich. Vote: Unanimous.
MOTION CARRIES.**

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Respectfully Submitted by:

Janet A. Sweeney
Board of Selectmen – Recording Secretary

Minutes Approved by Committee on: _____
(Date)

Signature: _____

Chairman: _____

Documents Reviewed/Distributed at Planning Board Meeting of October 9, 2012

. Approval Not Required (ANR) for Robert Galloway (applicant); date filed with town clerk-9/18/12

. Draft Planning Board Minutes of August 21, 2012

. Site Plan - Sprint modification to antennas at 250 East Main Street