

Norton Planning Board Minutes of Meeting
For
DECEMBER 4, 2012

Call to Order

The December 4, 2012, meeting of the Norton Planning Board, held in the first floor Selectmen's Conference Room, was called to order at 7:18 P.M., by Mrs. Haracz, Chairman. Members Present: Mrs. Joanne Haracz, Chairman; Mr. David Miller, Vice-Chair; Mr. Patrick Daly; Mr. Joseph Fernandes; Mr. Scott Nichols; and Mr. Alec Rich. Absent: Mr. George Burgess. Also present was Mr. Charles Gabriel, Town Planner.

Report of Planning Board

Mr. Miller said he would not be able to attend the December 18, 2012 Planning Board meeting.

Bills and Warrants

There were no bills and warrants for review/approval at this meeting.

Approval Not Required Plans Pending:

<u>Applicant Name</u>	<u>Date Filed with Town Clerk</u>
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No ANR's were reviewed/approved.

Approval of Minutes

MOTION was made by Mr. Daly to approve the Planning Board Minutes of Meeting, dated October 9, 2012 as amended. Second by Mr. Rich. Vote: Unanimous. MOTION CARRIES.

MOTION was made by Mr. Daly to approve the Planning Board Minutes of Meeting, dated October 23, 2012 as amended. Second by Mr. Nichols. Vote: Unanimous. MOTION CARRIES.

Report of Town Planner

Mr. Gabriel referenced the Campanelli-Thorndike proposed project and said there was not enough information (re: Zoning Board of Appeals) for drainage; road building; and no sewerage treatment on plan.

Planning Board Business and Policies

Mrs. Haracz indicated the Water and Sewer Commission is preparing a master plan and asked Mr. Gabriel to invite Mr. Knapp, Water and Sewer Superintendent, in to update Planning Board.

Review draft decision for John Waitkus

Mr. Gabriel said he spoke to town counsel earlier that day and comments provided. Basically comments on form/some legalize, but nothing substantive. He said he will send this out to the Planning Board soon as he did not have additional copies with him this evening.

Mr. Gabriel said he did have questions for town counsel. He noted detention basin on plan is on R-80 district and questioned if that was legal. Accessory uses to industrial uses generally are not allowed. Mr. Gabriel said he tried to represent concerns of Board in this draft.

Mr. Gabriel referenced review fee that the Board/he asked for regarding consulting engineer and he was told he did not recite language in bylaw. The filing fee was paid by applicant/Mr. Waitkus. Procedurally, Mr. Waitkus never filed anything with town clerk. Mr. Waitkus did not file application with town clerk, and said he put this in document.

Mrs. Haracz stated possibly that should be a Finding. Item #14 states in the letter the plans were stamped by town clerk. As long as statement is in document.

Mr. Fernandes referenced R-80 zone; detention pond. Possibly they should note some legality. The plan notes a detention basin in R-80 district and permit denied this, rendering it moot, therefore documenting it more specifically is important.

Mr. Gabriel said mentioned was R-80 district but not detention basin.

He will also add in the detention basin issue (#1 Finding on page 5).

Mr. Nichols referenced in Item #3, it is mentioned already in document.

Mr. Gabriel said he can discuss more with town counsel, etc. regarding legality, etc.

Mrs. Haracz mentioned fuel storage; she believed it was to be outside, and Mr. Gabriel referenced plan to clarify this.

Mr. Miller referenced page 5, second paragraph, #3, says "inside". It was a bit confusing as it was two tanks.

Mr. Miller said page 2, Item #8, "remove 25' x 30' structure". He thought it was same structure; just permitted.

Mr. Gabriel said he took 25' x 30' dimension by cease and desist order.

Mr. Miller said 30' x 100' it is referred to (in a different section).

Mrs. Haracz asked Mr. Gabriel to just clarify dimensions.

Mrs. Haracz referenced Finding #1, "a very small-quantity hazardous waste generator" it should state, and should also state "maintenance work on property". It says only "stored" on property. Discussion ensued.

Discussion on washing and maintaining vehicles on this property. Another activity is what Board would be concerned about.

Mr. Daly stated he believed applicant/applicant's rep spoke of washing off-site.

Mrs. Haracz said there was nothing in Planning Board's Findings stating maintenance on-site. Applicant represents that he has and will continue to maintain these vehicles on site.

Mr. Daly said it should state maintenance "in" building. Mr. Gabriel will add this language: "Applicant represents that he maintains vehicles in building".

Mrs. Haracz said "very small quantity hazardous waste generator" should also be noted. Mr. Gabriel agreed to ensure this is noted.

Mr. Gabriel spoke of two different lists of hazardous materials; the original dated July 26, 2011 and the revised list dated January 2012.

Mrs. Haracz referenced page 7, Finding #8, states "Planning Board finds Applicant...gravel surface..." and said "permeable" is a concern.

Mr. Nichols referenced page 8, closing paragraph, second to last sentence, "The Board finds...aquifer regarding leak or spill...common sense test". He inquired if "common sense test" would apply here where it is a legal document?

Mrs. Haracz referenced Finding #9, second to last sentence, it should be "multi-disciplinary". Also "Mr. Applicant" is not correct; it should be "Applicant" or "Mr. Waitkus".

Mr. Nichols commented it was a good summary and put together well.

Mr. Gabriel said he will send town counsel's draft to Planning Board and they will have it for the next meeting and should be ready for vote. It was discussed Mr. Miller won't be present for the next meeting on December 18th.

Mr. Fernandes said remote participation can be done by vote of Board of Selectmen; however, vote would need to be real time. Discussion followed.

It was discussed this does not need to be voted on at the December 18 meeting. January 8, 2013 is the next meeting (after December 18, 2012 meeting).

Mrs. Haracz stated she would rather have more members than not vote and it would be fine to wait until January 8th to vote.

It was discussed two edits to be merged. Discussion ensued.

Adjournment

MOTION was made by Mr. Daly to adjourn at 8:15 p.m. Second by Mr. Rich. Vote: Unanimous. MOTION CARRIES.

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 December 4, 2012

Draft Planning Board Minutes of Meeting, dated October 9, 2012

Draft Planning Board Minutes of Meeting, dated October 23, 2012

Draft decision for John Waitkus