

Norton Planning Board Minutes of Meeting  
For  
September 2, 2014

**Call to Order**

The September 2, 2014, meeting of the Norton Planning Board, held in the first floor Selectmen's Conference Room, 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. Edward T. Beatty, Jr.; Mr. Patrick Daly; and Mr. Joseph Fernandes. Absent: Mr. Scott Nichols. Mr. George Burgess arrived at 7:35 P.M. Also present was Mr. Charles Gabriel, Town Planner.

**Report of the Planning Board**

There was discussion on the many trees being cut down at the former American Legion on Route 123.

**Approval of Minutes**

June 17, 2014

**MOTION was made by Mr. Fernandes to approve the Planning Board Minutes of Meeting, dated June 17, 2014, as amended. Second by Mr. Daly. Vote: Unanimous. MOTION CARRIES.**

It was decided these Minutes will be reviewed at end of the meeting to accommodate other agenda items.

**Bills and Warrants**

**MOTION was made by Mr. Beatty to approve Bills and Warrants in the amount of \$3,674.94. Second by Mr. Daly. Vote: Unanimous. MOTION CARRIES.**

**7:30 P.M. Public Hearing, continued from August 12, 2014: Norton Solar (Wheaton/Clapp Street) for two independent 650 Kw solar projects located off Clapp Street. Site is shown on Assessor's Map 23, Lots 52, 53 & 70**

Mrs. Haracz stated visual impacts of abutting properties was a major concern.

Representative/engineer of VHB was present and stated they walked site with Conservation Agent and walked through wetlands. Rendering on easel was shown to Board: "Proposed Solar Farm, Norton, MA-Aerial Exhibit ". He noted there were significant pull backs from street and increased buffer and limited view. He explained further to Board.

July 8, 2014

Access road has moved back approximately 12 feet.

Mr. Gabriel said he spoke to Fire Department regarding access road. Location of arrays were also discussed.

Mr. Burgess arrived at 7:35 p.m.

VHB engineer stated brush fires appeared to be a concern of Fire Department.

Mr. Brett Chapman, owner of the project, said they need the shade buffer also; not just the road. Discussion ensued.

Mr. Gabriel spoke of eliminating trees in certain sections.

Attorney David Manoogian, representing Wheaton College, asked Mr. Gabriel if Fire Prevention Officer was willing to get rid of the roadway(eliminate road). Minimum of 18 feet was noted.

Mr. Gabriel said Fire Prevention Officer is willing to talk about eliminating part of roadway toward back/rear.

Mrs. Haracz noted there was no buffer at front along the access road. It appears funeral home would have full view of it. She commented it is still a visibility issue.

Mr. Chapman spoke of visual screening on fence; slats in fencing or low-growth trees as long as no higher than 20 feet.

Screening and proposed tree heights were discussed, etc.

Shade buffer discussed. VHB engineer said desired is 75 feet east and west and 100' on the side.

Mr. Gabriel discussed panels; possibly move nine panels to back.

VHB engineer spoke of wetlands in certain areas.

Mr. Gabriel said it appeared this had not been looked into enough.

Mrs. Haracz noted the access road and fence were fairly close to Clapp Street. She asked why they could not enter via the other driveway, and not fence it until they got to their access road? There was a lot of road area on Clapp Street.

VHB engineer spoke of the brush fire concern per Fire Department.

The “No disturb zone” was discussed; which is the Conservation Commission buffer.

Mr. Gabriel said it is not a local regulation; it is just a policy. Discussion ensued.

Mrs. Haracz said she believed the height of the buffer was the issue.

Mrs. Haracz said it is a limited resource area and why cannot some panels go there?

VHB engineer said Conservation Commission labeled to have them plant new trees.

VHB engineer said he can take a look at the shade buffers; possibly eliminate two of them, but not sure if they can eliminate more than that.

One panel is basically a rack of 22 panels.

Mrs. Haracz said issue is southwest corner of site and needs to be pushed back.

Mr. Fernandes said it appears they have room to put other arrays in this area; he suggested to just put them in slanted.

VHB engineer stated he could certainly take a look at it; may be able to move some.

Mr. Daly referenced the elevations to residents’ houses so they don’t see these things.

Mrs. Haracz commented whatever plant material they have in mind, they need to be aware there are deer in Norton; arborvitaes and yews are not feasible.

It was discussed berm would be five feet higher than ground.

Mr. Gabriel stated granting of special permit is based on a number of conditions and one condition says the advantages of the proposal should outweigh any detrimental effects. He said clearly in his mind it is a negative impact on the environment, and given that condition, they need to do whatever they can to protect the neighborhood or environment. Please take a close look at project to overcome that burden.

Mr. Cummings, resident of 37 Clapp Street stated existing buffers are not present. The view is clear; the trees lose their leaves during the fall/winter season and his house is the one with the highest elevation.

He said the residential impact of this project has no public good. A public outreach is important and residents want to provide their input; and there was only one meeting at Wheaton College. He said his living room window faces north and does not think there is a glare, but that will be difficult for him. He said he has been asking Wheaton to provide the residents with a 3-d model. He said they are seeing changes of density/height, etc. Mr. Cummings has concerns with esthetics and safety concerns and their property values. He said he sees "System B" from his house. He also has concerns with no engineering standards indicating height of berm should be "x", etc. He also stated he had notes he wanted to leave with Planning Board for the file.

A resident of 39 Clapp Street, said he was moving to 39 Clapp Street shortly. He suggested information from Google Earth would be an excellent resource and helpful to residents. He said green solar power is excellent, however, he referenced the high tension wires and was uncertain if they were dangerous for children to play near. He said there is also other land near tennis courts that could possibly be utilized. He asked why the dorm rooms and classrooms were not considered (to put them on the actual buildings). He said the residents are getting an eyesore with possible hazards; and possibly brush fires from solar panels into brush. He asked why this is the only option; have other options been considered? If it is an eyesore for Wheaton, why isn't it considered an eyesore for residents in the Clapp Street area.

Mr. Chapman said he cannot address Wheaton, however, that can be addressed by Wheaton representative. Regarding safety, there are tens of thousands built in the State, including on school buildings, and there have been no issues at all. Esthetic-wise, he wants to do what will make the Planning Board happy. He said they tried to have a meeting and get people/residents incorporated. They will go back to drawing board and take a look at it. He said it would be beneficial to obtain contact info from those who spoke, etc.

Resident of 14 Clapp Street said she has never been invited to a meeting, except at Wheaton. She had concerns with the buffer. Resident was also concerned Conservation Commission will not allow plantings, etc., even though it was on map at the last meeting, it was not addressed. Six foot tree was referenced and she said she will look right over it, especially with leaves falling. It is offensive to say to the neighbors it would be too expensive to put up a 20' tree as was mentioned earlier by VHB.

Resident of 32 Clapp Street said there should be a buffer in other area toward Bowser House. Also plantings in/near brook would help.

Attorney Manoogian said they will get residents' contact info and approach on a home by home basis.

VHB engineer said they can add screening. They will look at how they can do crossing per abutter's question. Some requirements of height, depth, etc., can be reviewed.

Attorney Manoogian indicated they would need more than two weeks to be ready.

**MOTION was made by Mr. Burgess to continue Public Hearing: Norton Solar (Wheaton/Clapp Street) for two independent 650 Kw solar projects located off Clapp Street, to October 7 at 7:30 P.M. . Second by Mr. Beatty. Vote: Unanimous. MOTION CARRIES.**

Mr. Fernandes referenced trees and said from his perspective he would rather see natural growth along Clapp Street alone.

Some residents felt some of the trees were old and ready to be taken down, while other residents disagreed and said many should be saved.

Attorney Manoogian said it is a valid concern and will keep that in the forethought of their endeavors. He wanted neighbors to understand they will work their hardest, however, they cannot guarantee they can cover every aspect. They will try to provide a reasonable balance.  
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**Site plan Approval, continued from August 12, 2014: JLW, LLC (John Waitkus) for construction of a 7,400 square foot building located within the Water Resource Protection District off Lopes Drive**

It was noted Mr. Waitkus requested a continuance.

**MOTION was made by Mr. Burgess to continue Site plan Approval, continued from August 12, 2014: JLW, LLC (John Waitkus) for construction of a 7,400 square foot building located within the Water Resource Protection District off Lopes Drive, to September 16 at 7:30 P.M. . Second by Mr. Beatty. Vote: Unanimous. MOTION CARRIES.**

Minutes for July 8, 2014:

(continued from earlier in meeting)

**MOTION was made by Mr. Burgess to approve the Planning Board Minutes of Meeting, dated July 8, 2014, as amended. Second by Mr. Daly. Vote: Unanimous. MOTION CARRIES.**

**Report of the Town Planner**

Mr. Gabriel noted there is another solar project coming before the Board in another month or so, and needs to be approved before end of year; this project involves Joe Kennedy.

**Planning Board Business and Policies**

Next scheduled Planning Board meetings are scheduled for October 7 and 21; November 18 and November 25 (may not need to meet on November 25); and December 2 and 16.

**Adjournment**

**MOTION was made by Mr. Fernandes to Adjourn at 8:55 p.m. Second by Mr. Beatty. Vote: Unanimous. MOTION CARRIES.**

Respectfully Submitted:

Janet A. Sweeney  
Planning Board – Recording Secretary

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

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

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

Documents Reviewed/Distributed at Planning Board Meeting of September 2, 2014

. Draft Planning Board Minutes, dated June 17, 2014 and July 8, 2014

“Proposed Solar Farm, Norton, MA-Aerial Exhibit “ presented by VHB

. Site Plan-Proposed Solar Farm, Clapp Street, Norton, MA, Dated Issued – July 10, 2014; Latest Issue-August 21, 2014, drawn by VHB, Watertown, MA