

Norton Planning Board Minutes of Meeting  
For  
December 16, 2014

**Call to Order**

The December 16, 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. Edward T. Beatty, Jr.; Mr. George Burgess; Mr. Patrick Daly; and Mr. Joseph Fernandes. Mr. Fernandes will arrive late. Absent: Mr. David Miller, Vice-Chair, and Mr. Scott Nichols. Also present was Mr. Charles Gabriel, Town Planner.

**Approval of Minutes**

December 2, 2014

**MOTION was made by Mr. Beatty to approve the Planning Board Minutes, dated December, 2, 2014, as written. Second by Mr. Burgess. Vote: Mrs. Haracz voted "present" while all the other Board members voted In Favor of Motion. MOTION CARRIES.**

**Report of the Planning Board**

Mr. Burgess spoke of his concern of the dim lighting near Wheaton College and noted there was an accident in that location the previous night. They need to talk to Board of Selectmen about this.

Mrs. Haracz said Mass DOT does community safety audits and they would look at safety issues. It may be worth looking into. Mrs. Haracz asked Mr. Gabriel to look into this.

**Report of Town Planner**

Mr. Gabriel spoke of Mr. Azanow/Harvest Farms proposed project. He had two people visit him yesterday to write an extension request and permit expires on 12/21/14 (State's Permit Act brings it to 12/21/14). If not extended, then they need to reapply. Unless Planning Board grants them another

extension, it will expire. This is a 26 unit proposed project off of South Worcester Street. They would need to wait for Mr. Fernandes to arrive as the Board needs five members to grant extension.

**Planning Board Business and Policies**

Nothing was discussed.

**Bills and Warrants**

**MOTION was made by Mr. Beatty to approve Bills and Warrants in the amount of \$1,820.27, dated December 16, 2014. Second by Mr. Burgess. Vote: Unanimous. MOTION CARRIES.**

A recess was called at 7:43 P.M. as the Board awaited for a fifth member of Planning Board for a quorum.

Mr. Fernandes arrived at 7:47 p.m.

**7:30 P.M. – Public Hearing - Norton Solar**

Public Hearing was opened at 7:48 p.m.

The engineer from VHB was present along with Mr. Chapman. They presented a photo/slide presentation. Photo simulations were taken from various properties (14 Clapp Street, 32 Clapp Street, 37 Clapp Street, and proposed a line of taller trees between 18'-20'. Their surveyors took elevations from first and second floor levels. It was noted view will now be cut off from 14 Clapp Street. 19 Clapp is the funeral home. They added trees and planted at 8-10' will cut off views of first floor windows for various residents. They have screened all yards and first floor windows and most second floor windows. Trees will be native, non-invasive deer tolerant and a mix of trees.

Mr. Daly asked whose second floor are they not currently screening?

The VHB engineer responded it was 9 Clapp Street.

Mr. Gabriel referenced diagrams and asked if the Board can have paper/hard copies of these diagrams?

The VHB engineer responded, yes, they can submit paper copies.

Mr. Gabriel stated if plan is approved, it will be under assumption views will be blocked; if hypothetically views are not blocked, would the developer be amendable to a condition to address problem should it occur?

Mr. Chapman responded a certificate of completion from Town is needed. Planning Board can visit site and take a look and decided to issue certificate or not. In the language he said it will be "within reason".

Mr. Chapman said they feel they addressed concerns and when project is complete they will put up \$100,000 bond; if within a two year period from once construction is done, and homeowners wish to sell their dwelling, they will buy house or make up difference and this can be a condition of approval.

Mr. Fernandes spoke of extending bond over a ten year life because if trees get diseased there is no recourse. Some type of deposit needed.

Mr. Chapman said they can post something; similar to a third party escrow account.

Mrs. Haracz opened this up to audience for their comments or questions.

Mr. Bruce Cummings of 37 Clapp Street thanked the Planning Board and residents and appreciated efforts of the taking of photographs. He believed project was too large scale to be on Clapp Street. The residents are terribly uneasy about the outcome of the project. He displayed a photo from his sideyard and said his neighbor's home helps to block his view but had concern if her house was ever torn down. Mr. Cummings noted he reviewed meeting minutes of the town of Palmer and they speak of a vegetative buffer zone around their project. Also, he said Mr. Chapman said there would be trees around project in Palmer but Palmer did not receive trees.

Mr. Chapman described construction phasing. They would start in early spring and site work and landscaping with plantings/fencing would be done. It may take about three months to possibly six months. The town of Palmer is a totally different project. Residents wanted to look at solar farm; these two projects cannot be compared.

The size of project was discussed. Mr. Chapman said Norton is 1.3 megawatts and the town of Palmer was 2.6 megawatts. Norton is half as large.

Engineer of VHB said if Mr. Cummings' neighbor house was taken down, it is not all that screens his house from this.

Discussion if Wheaton College would assume a financial burden?

Mr. Brian Douglas of Wheaton College said they have a contract but would hold them accountable.

Mr. Chapman said they have a Decommissioning Plan and he discussed it. It is a fund set up to take entire project down if something went terribly wrong.

Mr. Douglas said this has been a long process. Wheaton College wants to be good neighbors. Wheaton will be here for at least 180 more years.

Mr. Cumming noted July 14, 2014 was the first time plans for this project were submitted. He encouraged Planning Board to go back and look at those plans. He said the residents/neighbors worked hard together regarding this project.

Resident of 14 Clapp Street said she agreed with Mr. Cummings and said if none of the neighbors protested they would not have gotten any needed improvements.

She noted the \$100,000 token for fund. She said she indicated at a previous meeting, she has a child that could not read and explained this child has a developmental delay and is on the autism spectrum with sensory integration issues. They want to retain the value in their home and need to provide for her after her and her husband's deaths. She noted an inverter is next to their property and her child can hear at all decibels and is even exempt from all music and assemblies at school due to this. Also she has concerns with the glare issue.

Resident said there was no mention of sound or glare studies and thinks they will see it from their yards. She encouraged them to contact the National Autism Association and has telephone number with her and they can answer any questions. She was asking to not have an industrial plant in her daughter's backyard.

Mr. Chapman spoke of the heavy gauge steel and a person would need to be an electrician to get into boxes and noted there has not been one reported incidence of this ever being a danger to anyone. He said it was a very slight sound and cannot be heard more than 40' away; it would be zero sound. No one from street will hear anything.

Resident of 14 Clapp Street referenced sound and said no sound study was conducted at all and her daughter has hearing that is hypersensitive and she can hear things that others cannot. She noted they had also taken photographs themselves.

Mr. Chapman spoke of sound studies and said they are the same inverters as used everywhere. They can bring a meter and spec sheet to say "x" amount of feet and "x" amount of decibels.

Resident of 9 and 15 Clapp Street, Mr. Zwicker, said a few of them from second floor will still be seeing panels.

Resident of 14 Clapp Street showed his own photographs via slideshow. Resident also hung pink balloons from 12' up showing relation of balloons to property, etc. He noted the corner of his backyard is not truly 150'. He also indicated they did submit photos to VHB engineer along with other neighbors' photos and this evening they did not see those particular photos. The safety of children is a huge

concern and is very dangerous to have in their backyards with children/teenagers, etc. This should not be in a residential area.

This resident of 14 Clapp Street also noted Stonehill College has a solar farm. From 50' away he could hear the hum and his daughter will probably will hear it too. He stated the fence goes down to ground at this facility and is not lifted as will be in the Norton project.

The VHB engineer said they can request Conservation Commission not to have fence lifted up 6". It is being lifted so critters can cross wetlands.

**MOTION was made by Daly to close the Public Hearing. Second by Mr. Beatty. Vote: Unanimous. MOTION CARRIES.**

It was noted the Planning Board's next meeting will be January 6, 2015, and may take a vote at that time.

Mr. Gabriel said he will receive all info from developer of solar project and put all conditions in it. They could possibly vote that night.

Mrs. Haracz said it appears the applicant has made a conscious effort to address issues compared to the initial plan. It will be important to document what was discussed.

Mr. Beatty said he believed there was significant progress made.

Mr. Gabriel said he will speak to Conservation Commission regarding this.

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Mrs. Haracz referenced Mr. Azanow's proposed project which has been ongoing for about seven years and stated it appears he was relinquishing ownership and Board needs to decide to extend or not. Site is for sale. Discussion ensued. It is now village commercial in the front and R-60 in the rear.

**MOTION was made by Mr. Burgess to deny request for extension for Mr. Azanow's proposed project. Second by Mr. Beatty. Vote: All In Favor, except Mr. Fernandes who voted Not In Favor of Motion (4:1 vote).**

**Adjournment**

**MOTION was made by Mr. Beatty to Adjourn at 8:53 P.M. Second by Mr. Burgess. 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 December 16, 2014

- . Draft Planning Board Minutes dated December 2, 2014
  
- . Norton Solar – photo/slide presentation (photo simulations taken from various properties (including, but not limited to, 14 Clapp Street, 32 Clapp Street, 37 Clapp Street)
  
- . Photographs via slideshow from resident of 14 Clapp Street (photographs of area of proposed solar project)