

Norton Planning Board Minutes of Meeting
For
July 14, 2015

Call to Order

The July 14, 2015, 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 Beatty; Mr. George Burgess; Mr. Pat Daly; Mr. Joseph Fernandes; Mr. David Miller; and Ms. Cheryll-Ann Senior. Also present was Mr. Charles Gabriel, Town Planner.

Report of the Town Planner

Mrs. Haracz noted that Mr. Gabriel resigned as Town Planner as of last Thursday, July 9. The Town Manager indicated he is working on a job description for the hiring of a new Town Planner. A committee is being formed for this hiring process. Mr. Fernandes and Mrs. Haracz both volunteered to both be on this Committee.

Mr. Miller arrived at 7:20 P.M.

Planning Board Business and Policies

After discussion on Planning Board members' schedules, it was noted planned future Planning Board meetings will be held on August 4 and 25; and September 15 and 29.

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Mr. Miller discussed the status of EMC (electronic messaging signs).

Mrs. Haracz said there were two issues with this: 1) billboards are defined as an off-premise sign and off-premise signs not allowed. If allowed, they are to be 12' in height etc., and the proposals before the Town do not meet this criteria. It must be a hardship to raise height requirement and if this was done, an amendment to zoning bylaw would most likely be needed. Originally, it appears, the Town of Norton did not want billboards.

Approval of Minutes

June 16, 2015:

MOTION was made by Mr. Beatty to approve the Planning Board Minutes of Meeting, dated June 16, 2015, as written. Second by Mr. Daly. All Members voted in the Affirmative with Mrs. Haracz and Ms. Senior voting "Present". MOTION CARRIES.

Bills and Warrants

MOTION was made by Mr. Beatty to approve Planning Board Bills and Warrants in the amount of \$1,933.79. Second by Mr. Daly. Vote: Unanimous. MOTION CARRIES.

Approval Not Required Plan:

Applicant Name

Date Filed with Town Clerk

DKW Builders

July 6, 2015

Mrs. Haracz stated this has 150' of frontage on each lot.

MOTION was made by Mr. Beatty to approve Plan of Land of DKW Builders, filed with Town Clerk on July 6, 2015. Second by Ms. Senior. Vote: Unanimous. MOTION CARRIES.

7:30 Public Hearing: continued from June 16, 2015: Condyne Capital Partners for a Special Permit to allow construction of a 100,000 square foot industrial building at 60 Commerce Way

Mrs. Haracz said she received an email late today from Mr. Dibb, engineer for Condyne Capital Partners, indicating Conservation Commission (ConCom) was currently working on review and Mr. Dibb asked to continue this to 7/28/15 at 7:15 P.M.

MOTION was made by Mr. Fernandes to continue Public Hearing: Condyne Capital Partners for a Special Permit to allow construction of a 100,000 square foot industrial building at 60 Commerce Way, to July 28 at 7:15 p.m. Second by Mr. Beatty. Vote: Unanimous. MOTION CARRIES.

Dan DeFeo re: Mulberry Brook Drive

It was noted this has been withdrawn.

Executive Session

Pending Legal Issues

DECLARATION BY THE CHAIRMAN:

I declare, under General Laws Chapter 30A, Section 21A(a)(3), that the purpose of the executive session will be to discuss strategy with respect to pending legal issues, because a discussion of this strategy in open session could compromise the purpose of the executive session and with the Board to not return to open session at the conclusion of the executive session.

MOTION BY MEMBER:

MOTION was made by Mr. Beatty at 8:40 P.M.:

I move that the Board go into executive session under G.L. c.30A, Section 21A(a)(3) for the purposes and reasons declared by the Chairman and with the Board to not return to open session thereafter. Second by Mr. Daly. Vote: Unanimous. MOTION CARRIES.

Respectfully Submitted by:

Janet A. Sweeney
Planning Board – Recording Secretary

Minutes Approved by Committee on: _____
(Date)

Signature: _____

Chairman: _____

Documents Distributed/Reviewed at July 14, 2015, Planning Board Meeting

- . Draft Planning Board Minutes of Meeting, dated June 16, 2015

- . Planning Board Bills and Warrants in the amount of \$1,933.79

- . ANR (Approval Not Required) Plan of DKW Builders, filed with Town Clerk on July 6, 2015

**CONFIDENTIAL
DRAFT
PLANNING BOARD
MINUTES OF MEETING
OF EXECUTIVE SESSION
JULY 14, 2015**

I. CALL TO ORDER BY CHAIRMAN

The July 14, 2015 Meeting of the Executive Session of the Planning Board was called to Order by Mrs. Haracz, Chairman, at 8:44 p.m., held in a First Floor Conference Room.

ROLL CALL: Mrs. Joanne Haracz, Chairman; Mr. David Miller, Vice-Chair; Mr. Joseph Fernandes; Mr. Pat Daly; Ms. Cheryll-Ann Senior; and Mr. Edward Beatty were present.

Mrs. Haracz discussed and read aloud the letter received from Kopelman & Paige.

Planning Board had previously voted 4:2 and denied Special Permit for solar company at Wheaton College and applicants filed an appeal to Bristol Superior Court.

It was noted Planning Board membership has changed since this application. Mrs. Haracz said question is if Board wants to allow a remand and rehearing? Abutters could restate issues, etc., or could go back to court. Discussion ensued on abutters' concerns, etc.

Planning Board unanimously agreed to a remand and agreed to have Mrs. Haracz have Town Counsel offer a remand.

MOTION was made by Mr. Daly that Planning Board agrees to authorize Town Counsel to communicate remand regarding this issue. Second by Mr. Beatty. Vote: Unanimous. MOTION CARRIES.

Adjournment

MOTION was made by Mr. Fernandes to Adjourn Executive Session at 7:58 p.m. Second by Ms. Senior. Vote: Unanimous. MOTION CARRIES.

Respectfully Submitted by:

Janet A. Sweeney
Planning Board – Recording Secretary

Minutes Approved by Committee on: _____
(Date)

Signature: _____

Chairman: _____

Documents Distributed/Reviewed at July 14, 2015, Executive Session of Planning Board Meeting

- . Letter from Kopelman & Paige read aloud by Chairman Haracz, dated July 14, 2015