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Town of Norton Planning Board Meeting Minutes January 10, 2017

7:15 P.M. Call to Order

The January 10, 2017, meeting of the Norton Planning Board was held in the first floor Selectmen's Conference Room, of the Norton Town Hall and was called to order at 7:15 P.M., by Joanne Haracz, Chairman. Member(s) Present: Joanne Haracz, Chairman; Mr. Edward Beatty; Mr. Patrick Daly; Mr. Frank Durant; Mr. Joseph Fernandes; and Mr. Stephen Jurczyk. Absent: Mr. Christopher Barrows.

General Business

Mrs. Haracz introduced the new Director of Planning & Economic Development, Ms. Tabitha Harkin.

Ms. Harkin stated she was pleased to be here and has a background in public and private engineering in the city and state level as well, as construction industry experience, so this is her first time working for a municipality. She said she also has a great assistant to the Planning Department who recently started as well.

A. Site Plan & Special Permit Modification: 60 Commerce Way - Ryder Truck

B. Approval of Minutes

Mrs. Haracz recommended to put minutes of meeting to the end and the Board agreed with this.

C. Bills and Warrants

Mrs. Haracz noted there were no Bills and Warrants for review/vote this evening.

D. Planning Board Business and Policies

• 2017 Meeting Dates - January, February, March

Ms. Harkin noted there was a draft of upcoming meeting dates in the Board's binders. The next scheduled 2017 meetings will be held January 24; February 7 and 21; and March 7 and 21.

Mrs. Haracz said those dates were approved, therefore, the agendas will need to be posted.

Mr. Beatty said he advised the Town Clerk of those dates also.

E. Report of the Planning Board

Mr. Jurczyk referenced an article in the Sun Chronicle newspaper regarding Turtle Crossing and was not sure if the Planning Board's will be involved with this proposed project at some point.

Mrs. Haracz noted this was a Ch40B project so regulatory authority lies with ZBA. Therefore, if there are questions or comments, they should contact the ZBA.
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Mrs. Haracz said they did receive an update from Ms. Harkin that the Norton Self Storage will be coming in before the Planning Board for a modification of the special permit.

Ms. Harkin stated they tentatively scheduled this for February 7, 2017.

Mrs. Haracz advised she may want to confirm this and they would need to get public notice advertised.

7:20 P.M. Public Hearing - (Continued from the December 6, 2016 meeting)

48 Island Road - Nicholas Bellavance

Special Permit #467: Proposed plans to construct a 4' x 6' chicken coop and to keep chickens on a R60-zoned lot

Documents Provided to Planning Board:

1. *Norton Planning Board Town of Norton, Massachusetts - Application for Special Permit (Name of Applicant: Nicholas Bellavance, dated October 31, 2016)*
2. *Town of Norton, Board of Assessors "Certified Abutters List", dated October 24, 2016 - Owner of Record: Nicholas Bellavance, 48 Island Road, Norton, MA 02766*

Mr. Bellavance noted the chicken coop does exist today therefore, he was not planning to construct one and there are currently chickens on property. There are 17 chickens and temporarily will be 13 in a few weeks. The adults are all hens and he believed there would be four (4) roosters. They are not free range; he has a 25 x 32 foot run. The existing coop is 4 x 8 feet and is located in the back corner right up to the fence line of property; approximately 20' from property line. He has had chickens for about four years.

Mrs. Haracz asked what is done with the manure?

Mr. Bellavance replied it is composted within the run; nothing leaves the run.

Mr. Durant asked about the design of the chicken coop.

Mr. Bellavance said it was designed to accommodate 20 chickens with one square foot of space.

Mr. Fernandes asked what caused Mr. Bellavance to apply now?

Mr. Bellavance responded he was unaware at the time there were guidelines. About two or three months ago, he heard from the zoning enforcement officer. At that time, he had some adult roosters and some neighbors must have called about the roosters and the zoning enforcement officer made him aware of this regulation.

Mr. Jurczyk asked what the primary purpose for having chickens was for?

Mr. Bellavance responded it was for eggs.

Mr. Bellavance said he has been living at his house for five years.

Mr. Beatty asked if he will be done with roosters?

Mr. Bellavance replied, yes.

It appeared there were no abutters in the audience.

Mr. Beatty asked if there were any issues with manure, etc., in the past?

Mr. Bellavance replied there have not been any issues.

Mr. Beatty said the odor can be bad.

Mr. Bellavance said it is composted with other organic materials.

Mrs. Haracz referenced the special permit and said they have allowed for chickens but not roosters and sets limits on the number. If 13 is feasible they will set a limit on permit.

Mrs. Haracz said the Planning Board will take a vote and issue a special permit and then issue conditions and typically involve the number/limitation of chickens, etc.

Mrs. Haracz said if there was an issue with odor they would have had other neighbors here.

Mr. Bellavance said during spring he has meat hens for eight weeks in springtime; 25 at maximum.

Mrs. Haracz asked what ages would the meat hens be?

Mr. Bellavance responded they would be a day old when they arrived and would last about eight weeks. They would live under temporary shelter; they are not strong enough to climb to the coop.

Mr. Durant said as long as it is per the code then that is fine.

Mr. Beatty and Mr. Jurczyk had no objections.

Mr. Fernandes noted 8900 square feet is small. He was not trying to argue this, but when do they say no to anyone at some point? What are they using as criteria moving forward?

Mrs. Haracz said they are placing a limit on number of chickens, etc. The meat chickens issue may need to have some parameters.

Mrs. Haracz indicated she has asked Ms. Harkin to look into other towns as a bylaw and not a special permit and it should also be under Board of Health, not Planning Board.

Mrs. Haracz said there should probably be parameters on meat chickens no older than "x" age where they can't keep them past a certain age (i.e., ten weeks).

Crowing of rooster was discussed. Mr. Bellavance said a rooster crows at about six months.

Mr. Bellavance said once per year he would bring in a spring batch of meat chicks.

Mrs. Haracz said there would be no roosters; limit of ten weeks for meat chickens; and number of adult hens at 13.

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

Mrs. Haracz said choice is to vote on this tonight subject to conditions or ask Ms. Harkin to put together a draft of conditions and look at during the next meeting.

Mr. Beatty suggested to vote on it tonight.

MOTION was made by Mr. Beatty to approve request for Special Permit #467 with conditions. Second by Mr. Daly. Vote: Unanimous. MOTION CARRIES.

Mrs. Haracz said Ms. Harkin will write up a special permit of conditions; and then there will be an appeal period, and once appeal done, then special permit granted.

7:25 P.M. PUBLIC HEARING - (Continued from the December 6, 2016 meeting)
46 Commerce Way - NOAA

Special Permit: Section 4.8 Use Regulation: To allow the construction of an industrial building which equals or exceeds 10,000 s.f.

Site Plan: for a 12,000 s.f. Footprint office for the National Oceanic and Atmospheric Administration (NOAA) with lighting, landscaping, parking and infrastructure

Mrs. Haracz said she spoke with Mark Dibb aof Condyne and they met with NOAA and asked to continue this meeting to a future date.

MOTION was made by Mr. Beatty to continue Commerce Way-Condyne to January 24 at 7:20 P.M. Second by Mr. Durant. Vote: Unanimous. MOTION CARRIES.

Mrs. Haracz asked Ms. Harkin to please coordinate that time/date with them.

Approval of Minutes

MOTION was made by Mr. Beatty to approve the Planning Board Minutes, dated October 25, 2016, as amended. Second by Mr. Durant. Vote: All in favor except for Mr. Fernandes and Mr. Daly who voted present.

October 25, 2016 Minutes

Mr. Durant asked about planting of trees at the Wheaton College solar project which were noted in the October 25, 2016 minutes.

Mrs. Haracz said they did receive a letter regarding this, so some trees were not planted and property project was sold to another entity and she mentioned this to Ms. Harkin and she is planning to follow up with that entity and will start working with them.

Mr. Beatty said most or all of the solar tops are on and he was disappointed on how much of the racks are showing.

Mrs. Haracz referenced the Hill Street solar project has black frames which are much less obtrusive.

November 1, 2016 Minutes

MOTION was made by Mr. Beatty to approve the Planning Board minutes, dated November 1, 2016, as amended. Second by Mr. Durant. Vote: Unanimous. MOTION CARRIES.

Mr. Jurczyk referenced New England Ice Cream and wondered if the remaining fence was installed.

Mrs. Haracz said she will ask Ms. Harkin to look into it.

December 6, 2016 Minutes

MOTION was made by Mr. Daly to approve the Planning Board minutes, dated December 6, 2016, as amended. Second by Mr. Jurczyk. Vote: Unanimous. MOTION CARRIES.

Adjournment

MOTION was made by Mr. Daly to Adjourn at 8: 10 P.M. Second by Mr. Beatty. Vote: Unanimous. MOTION CARRIES.

Respectfully Submitted by:

Janet Sweeney
Planning Board - Recording Secretary

Minutes Approved by Committee

on: 3/21/17
(Date)

Signature: Joanne Hwang Chairman: JOANNE HWANG