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**Planning Board  
Meeting Minutes  
July 25, 2017**

**7:15 P.M. Call to Order**

The June 27, 2017 meeting of the Norton Planning Board was held in the Board of Selectman's Meeting Room and was called to order at 7:15 P.M., by Joseph Fernandes, Chairman. Member(s) present: Mr. Edward Beatty; Mr. Joseph Fernandes; Mr. Timothy Griffin, Steven Hornsby and Mr. Stephen Jurczyk. Also present was Tabitha Harkin, Planning and Economic Development Director. Not in attendance: Mr. Frank Durant and Mr. Kevin O'Neil

**General Business**

**A. Approval of Minutes**

Motion was made by Mr. Beatty to approve the Planning Board Minutes of Meeting dated June 27, 2017 as amended. Second by Mr. Griffin Vote: (3-0-1). Mr. Hornsby abstained.  
**MOTION CARRIES**

**B. Bills and Warrants**

Mr. Fernandes presented the accounting sheet. The total is \$ 3,452.03.

**MOVED by Mr. Jurczyk to approve the Bills and Warrants of July 25, 2017 in the amount of \$3,452.03. Second by Mr. Beatty. Vote: Unanimous. MOTION CARRIES**

**C. Planning Board Business & Policies**

**1. Modification and Surety Discussion (Subdivision): Mary Jo Estates**

Ms. Harkin presented the extension request and draft Surety materials and discussed recommendations. Mr. Bray (Atty) came before the Board. Due to significant delays, the applicant is requesting a one-year extension to July 23, 2018 to complete conditional requirements necessary.

Mr. Fernandes commented about the concerns raised by the Fire Department. Mr. Bray commented that he had limited understanding of the matter and stated the Planning Board held a hearing in 2014 where the engineer working on the property had properly notified all appropriate parties, and the Planning Board had approved. Mr. Bray stated these items cannot be re-opened. Mr. Fred Bottomley, Manager of WLFB, LLC. came before the Board and stated he spoke with the Fire Chief, Mr. Paul Schliecher, and he was comfortable with the hydrant location proposed in the plan provided.

A discussion ensued regarding the current lots on the property and the distance to the fire hydrant from the rear lots. Mr. Bottomley stated that the Deputy Fire Chief was comfortable if these rear lots were sprinklered, so they have received prices for the cost of sprinklering all lots and lots three and four are under agreement with Norton residents. They plan on just selling the lots, not building out. All members of the Board received copies of the septic plans. Mr. Bray distributed draft costs to insert into a surety agreement, including \$98,000 in work to be completed. Ms. Harkin indicated that she would follow up with the applicant to finalize and notarize the surety agreement administratively.

**MOTION was made by Mr. Beatty to grant a one-year extension to July 23, 2018 on July 25, 2017. Second by Mr. Hornsby. Vote: unanimous MOTION CARRIES**

**MOTION was made by Mr. Hornsby to substitute the surety agreement for the “Form F” Covenant that is currently in effect on July 25, 2017. Second by Mr. Jurczyk. Vote: unanimous MOTION CARRIES**

2. Draft Warrant Articles for Fall Town Meeting: Recreational Marijuana moratorium, Accessory Dwelling Units

Ms. Harkin provided materials titled: “*Zoning Amendment Process*”; “*Adopting and Amending Zoning Bylaws*”; and draft articles 1 & 2 titled: “*Proposed Zoning Amendment –Temporary Moratorium on Recreational Marijuana Establishments – Fall Town Meeting 2017*” and “*Proposed Zoning Amendment –Non-Conforming Residential Structures – Fall Town Meeting 2017*”. Ms. Harkin stated the language is similar to the language KP Law has used. This version has been tailored for the Town of Norton. Mr. Griffin and Mr. Jurczyk asked for background information on the second article regarding non-conforming structures, finding some issue with the existing language. Ms. Harkin stated the current language does not allow for such projects to be administratively granted by the Building Commissioner and all non-conforming projects (which are many of the lots in town) need to go to the Zoning Board of Appeals for a Section 6 finding. Mr. Fernandes commented he is concerned about doubling the size for an already existing, non-conforming property with no notice to abutters. Mr. Jurczyk would also like clarification on the reasoning behind the ability to increase the size of the structure by 100%. Ms. Harkin will invite Mr. Bryan Butler, Interim Building Inspector in to discuss with the Planning Board.

Ms. Harkin will send the Board of Selectman a letter from the Planning Board regarding the marijuana moratorium.

**D. Report of the Planning & Economic Development Director**

Ms. Harkin presented the document she compiled for the board titled “*Report of the Department of Planning and Economic Development*” dated July 25, 2017. Items discussed were the following:

**Current Applications in Process:**

1. Upcoming – Special Permit: Keeping Horse in R40 Zone – This permit request is for a residential homeowner seeking approval to keep a pony on their property. This is set for the August 8, 2017 meeting.
2. Upcoming – Special Permit/Site Plan Review: 3 Lopes Drive – Since these permits have expired, the applicant seeks approval for a new permit with the same uses as the previous permit that was originally approved in 2013. It is for use of hazardous materials in zone 2. This is set for the August

8, 2017 meeting.

3. Upcoming – Special Permit/Site Plan Review: Woodland Park – This is a request for a 40B permit. The applicant would like to construct seven additional parking spaces.
4. Upcoming – Permit applications, waiting on file
  - Commerce Way: special permit for SPR Manufacturing.
  - 60 West Main: special permit for O'Reilly Auto Parts. This is currently still pending.
  - Wireless Tower at 15 S. Washington: Permitted through the Zoning Board of Appeals.

Active Construction Administration Items/Peer Review for Conditional Requirements:

1. Wheaton Solar – Mr. & Mrs. Heyden are coming in to talk about tree planting. They are drafting landscaping plans and will go in front of the Board seeking approval for release of the surety.
2. Leonard Street/Houghton Land Development – MassDOT and SERPEDD are seeking up to \$2mm for a water sewer line.
3. Norton Self Storage – The landscape planting has been completed and will be getting the final inspection.

Other Planning News:

- By-Laws – The Bylaws are still pending approval from the Secretary of State.
- Two warrant articles approved for Fall Town Meeting:
  - Recreational Marijuana Moratorium
  - Non-Conforming Single and Two Family Residential Structures
- Complete Streets Policy – Jed from SERPDD is planned to talk about the proposal and have it as a component to the September 19, 2017 meeting. This is to be included in the public hearing. The Board is amenable to that.
- Sewer Use Regulations, Land Use Controls – The Town of Norton is putting in place a Land Use Control Policy to designate flow for eleven sewer areas. More information is on Dropbox.
- Norton Center Improvements – The Town has submitted a MassWorks grant request to amend the sewer extension.
- New Transportation Planning Page on the Town website – The new site answers questions and provides additional information. Materials from the July 18, 2017 MASSDOT hearing on Route 123 is on this site.

The following Board members will attend the July 27, 2017 meeting at Wheaton College: Mr. Griffin, Mr. Hornsby, Mr. Beatty, Mr. Fernandes and Mr. O'Neill. Mr. Fernandes commented there may be a concern of this meeting under Open Meeting Laws. Mr. Fernandes distributed the definition of a public meeting and pointed out bullet number two, which is an exemption to Open Meeting Law for 'events' and issued a reminder to not engage in conversation about active projects, such as the Wheaton solar panels. The Board is comfortable with this as an exception.

Mr. Jurczyk inquired about upcoming meeting dates. The Board agreed upon August 8, 2017, August 21, 2017, September 12, 2017 and September 26, 2017.

**Adjournment**

**MOTION was made by Mr. Jurczyk to Adjourn at 8:08p.m. Second by Mr. Hornsby Vote:**

**Unanimous. MOTION CARRIES.**

Respectfully Submitted by:

Kayleigh Correia  
Recording Secretary

Minutes Approved by Committee

on: 8/8/17  
(Date)

Signature: 