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NORTON PLANNING BOARD MEETING
MINUTES OF March 24, 2020

The Planning Board Meeting of March 24, 2020 was called to order at the Norton Media Center at 7:17p.m. by Mr. Steve Hornsby, Chairman. Members present via call in, per the Governors Order on Remote Participation, were, Mr. Oren Sigal, Mr. Kevin O'Neil Mr. Timothy Griffin and Mr. Scott Bichan, Ms. Julie Oakley and Mr. Joe Fernandes. Also in attendance was Paul DiGiuseppe, Planning Director and Amy Kwesell, Town Counselor.

Mr. Hornsby calls the meeting to order at 7:17pm and reads Governor Bakers order on remote meeting policy.

Mr. DiGiuseppe goes over a few requirements, opportunities to participate and other information about muting phones.

Bills: Peer Review for Wading River Estate. Motion to approve made by Mr. Bichan, Second Mr. Fernandes. Roll Call: YES-Mr. Hornsby, Mr. Griffin, Mr. Fernandes, Mrs. Oakley, Mr. Sigal, Mr. O'Neil, Mr. Bichan

Minutes: Motion to approve 2/25/2020 Minutes made by Mr. Bichan Second Mr. Griffin. Roll Call: YES-Mr. Hornsby, Mr. Griffin, Mr. Fernandes, Mrs. Oakley, Mr. Sigal, Mr. O'Neil, Mr. Bichan

Motion to approve, with edits, the 2/27/2020 Minutes, made by Mr. Sigal, Second Mr. Bichan. Roll Call: YES-Mr. Hornsby, Mr. Griffin, Mr. Fernandes, Mrs. Oakley, Mr. Sigal, Mr. O'Neil, Mr. Bichan

Motion to approve, with edits, the 3/10/2020 Minutes, made by Mr. Griffin, Second Mr. Sigal. Roll Call: YES-Mr. Hornsby, Mr. Griffin, Mr. Fernandes, Mrs. Oakley, Mr. Sigal, Mr. O'Neil, Mr. Bichan

ANR- 60 West Main Street : Cumberland Farms

Attorney Tom Reidy, present via conference call.

Begins discussion informing the board this is an ANR for a perimeter plan, they are requesting an endorsement.

Mr. Sigal questions if this plan is creating any new lot lines or ownership.

Board notes that the plan before them does not contain the language stating “Endorsement is not a determination as to the conformance with zoning and other local regulations.”

Attorney Reidy suggests board write on the plans to correct.

Motion to endorse as conditioned made by Mr. Bichan, Second by Mr. Griffin. Roll Call: YES-Mr. Hornsby, Mr. Griffin, Mr. Fernandes, Mrs. Oakley, Mr. O’Neil, Mr. Bichan NO-Mr. Sigal

SP/SITE 493- 10 Commerce Way: Application for a Special Permit and Site Plan proposal of two building additions to the existing facility as well as a small new building at the rear of the property, totaling 31,500sqft.

Applicant agreed to the request for a 90-day extension. Board will continue to June 23, 2020.

Motion to continue made by Mr. Bichan, second Mr. Sigal. Discussion: in the mean time they would like the peer review to be working on the project. Roll Call: YES-Mr. Hornsby, Mr. Griffin, Mr. Fernandes, Mrs. Oakley, Mr. Sigal, Mr. O’Neil, Mr. Bichan

Public hearing- Continued: SP-486: 60 West Main Street/Cumberland Farms, Inc. Application for Site Plan and Special Permits for a convenience store and filling station. Continued from June 4, August 20, 2019, September 10, 2019, November 12, 2019 and December 3, 2019, December 17, 2019, January 7 & 28, 2020. & SP-491: 60 West Main Street/Cumberland Farms, Inc. Application for Special Permit for underground fuel and diesel storage tanks in a Water Resource Protection District, Zone III. Continued from December 3, 2019, December 17, 2019, January 7 & 28, 2020.

The board begins the discussion of the proposed conditions for the project.

Alcohol sales, this would have to go through the Select Board.

Comments on 24/7 operations

Findings of Fact- Discussion ensues and the board make changes and comments on what they want to see in this section. The following motions were made.

Motion to change “and through....the applicant resolved some of the issues” made by Mr. Fernandes, Second Mr. Bichan. ROLL CALL- YES-Mr. Hornsby, Mr. Griffin, Mr. Fernandes, Mr. O’Neil, Mr. Bichan NO-Mrs. Oakley, Mr. Sigal

Motion to remove #22 made by Mr. Sigal, Second Mr. Bichan. YES-Mr. Hornsby, Mr. Griffin, Mr. Fernandes, Mrs. Oakley, Mr. Sigal, Mr. O’Neil, Mr. Bichan

Conditions: Discussion ensues and the board makes changes and comments on what they want to see in this section. The following motions were made.

Motion to share the draft decision #715557 with the public, made by Mr. Fernandes, Second Mr. Bichan. ROLL CALL YES- Mr. Griffin, Mr. Fernandes, Mr. O’Neil, Mr. Bichan NO- Mrs. Oakley, Mr. Sigal, Mr. Hornsby.

Prior to construction: Discussion ensues and the board make changes and comments on what they want to see in this section. The following motions were made.

Motion to remove #12 made by Mr. Griffin, Second Mr. Fernandes. ROLL CALL YES-Mr. Hornsby, Mr. Griffin, Mr. Fernandes, Mrs. Oakley, Mr. O'Neil, Mr. Bichan. NO- Mr. Sigal.

Prior to final occupancy: Discussion ensues and the Board makes changes and comments on what they want to see in this section. The following motions were made.

Motion made by Mr. Griffin that the overall height of sign shall not exceed 12 feet tall, second ? ROLL CALL: YES-Mr. Hornsby, Mr. Griffin, Mr. Fernandes, Mrs. Oakley, Mr. Sigal, Mr. O'Neil, Mr. Bichan

Motion to add language to #11 regarding installation compliance, made by Mr. Sigal, Second Mr. Griffin. Roll Call: YES-Mr. Hornsby, Mr. Griffin, Mr. Fernandes, Mrs. Oakley, Mr. Sigal, Mr. O'Neil, Mr. Bichan

Motion to remove #12 made by Mr. Griffin, Second Mr. Fernandes. ROLL CALL YES-Mr. Hornsby, Mr. Griffin, Mr. Fernandes, Mrs. Oakley, Mr. O'Neil, Mr. Bichan NO- Mr. Sigal

Post Occupancy: Discussion ensues and the board makes changes and comments on what they want to see in this section. The following motions were made.

Motion to change hours of operation to 5am-12pm made by Mr. Sigal, Second Mrs. Oakley. ROLL CALL YES-Mrs. Oakley, Mr. Sigal, Mr. O'Neil. NO, Mr. Fernandes, Mr. Bichan, Mr. Griffin, Mr. Hornsby.

Motion to add language about light and noise made by Mr. Fernandes, Second Mr. Sigal. Roll Call: YES-Mr. Hornsby, Mr. Griffin, Mr. Fernandes, Mrs. Oakley, Mr. Sigal, Mr. O'Neil, Mr. Bichan

Motion to strike #8 made by Mr. Griffin, Second Mr. Fernandes. ROLL CALL: YES-Mr. Hornsby, Mr. Griffin, Mr. Fernandes, Mr. O'Neil, Mr. Bichan NO Mrs. Oakley, Mr. Sigal.

Motion to remove #9 made by Mr. Fernandes, Second Mr. Bichan. Roll Call: YES-Mr. Hornsby, Mr. Griffin, Mr. Fernandes, Mrs. Oakley, Mr. Sigal, Mr. O'Neil, Mr. Bichan

Motion to remove #10 made by Mr. Fernandes, Second Mr. Griffin. ROLL CALL: YES-Mr. Hornsby, Mr. Griffin, Mr. Fernandes, Mrs. Oakley, Mr. O'Neil, Mr. Bichan. NO Mr. Sigal

Motion to amend #7 to include language on snow removal on site, as outlined on the March 2nd landscape plan, made by Mr. Bichan, Second Mrs. Oakley. Roll call: YES-Mr. Hornsby, Mr. Griffin, Mr. Fernandes, Mrs. Oakley, Mr. Sigal, Mr. O'Neil, Mr. Bichan

Motion to include the time of truck deliveries as 8:30am-9pm on weekends and 7am-9pm on weekdays, made by Mr. Bichan, second Mr. Fernandes. ROLL CALL: YES-Mr.

Hornsby, Mr. Griffin, Mr. Fernandes, Mr. Sigal, Mr. O'Neil, Mr. Bichan. NO- Mrs. Oakley

VOTES:

Motion to consolidate first three (3) special permit applications into one vote, made by Mr. Bichan, Second Mr. Griffin. ROLL CALL

Member	YES	NO	ABSTAIN	ABSENT
Steve Hornsby		x		
Timothy Griffin	x			
Oren Sigal		x		
Julie Oakley		x		
Scott Bichan	x			
Joe Fernandes	x			
Kevin O'Neil		x		

MOTION FAILS

Prior to vote, members discussed concerns regarding health and traffic impacts to the residential area and Yelle Elementary School as well as concern about lack of need for a gas station in this area.

Motion to approve Special Permit to allow a gas station in Village Commercial made by Mr. Fernandes, Second Mr. Griffin. ROLL CALL

Member	YES	NO	ABSTAIN	ABSENT
Steve Hornsby	x			
Timothy Griffin	x			
Oren Sigal		x		
Julie Oakley		x		
Scott Bichan	x			
Joe Fernandes	x			
Kevin O'Neil		x		

MOTION FAILS

Motion to approve Special Permit for an Electronic Message Center, made by Mr. Bichan, Second Mr. Griffin. ROLL CALL

Member	YES	NO	ABSTAIN	ABSENT
Steve Hornsby	x			
Timothy Griffin	x			
Oren Sigal		x		
Julie Oakley		x		
Scott Bichan		x		
Joe Fernandes	X			
Kevin O'Neil	X			

MOTION FAILS.

Motion to approve a Special Permit for a project located 15% or 2500sqft in the Water Resource Protection District, made by Mr. Griffin, Second Mr. O'Neil. ROLL CALL

Member	YES	NO	ABSTAIN	ABSENT
Steve Hornsby	x			
Timothy Griffin	x			
Oren Sigal	X			
Julie Oakley	x			
Scott Bichan	x			
Joe Fernandes	x			
Kevin O'Neil	x			

MOTION PASSES.

Motion to approve Special Permit for a Gas Station in a Zone III Water Resource Protection District, made by Mr. Bichan, Second Mr. O'Neil. ROLL CALL

Member	YES	NO	ABSTAIN	ABSENT
Steve Hornsby	x			
Timothy Griffin	x			
Oren Sigal		x		
Julie Oakley		x		
Scott Bichan	x			
Joe Fernandes	x			
Kevin O'Neil	x			

MOTION PASSES.

Motion to approve the Site Plan as Submitted by Mr. Griffin, Second Mr. O'Neil. ROLL CALL

Member	YES	NO	ABSTAIN	ABSENT
Steve Hornsby	x			
Timothy Griffin	x			
Oren Sigal	x			
Julie Oakley	x			
Scott Bichan	x			
Joe Fernandes	x			
Kevin O'Neil	x			

MOTION PASSES.

10:20PM

Marijuana By-Law Discussion Item

The Board, along with members of the Industrial Development Commission review the language and maps submitted and updated for the Town Meeting Warrant Article.

Some topics discussed involved permitting process, how many licenses can be granted and what that is based on. To hear the rest of the discussion you can find the audio on the Norton Cable Access YouTube page.

Motion to add proposed by-law and maps to the Town Website made by Mr. Griffin second Mrs. Oakley. ROLL CALL YES- Mr. Hornsby, Mr. Griffin, Mr. Fernandes, Mrs. Oakley, Mr. Sigal, Mr. O'Neil, Mr. Bichan

Motion to adjourn at 11:45pm made by Mrs. Oakley second Mr. Sigal. ROLL CALL YES- Mr. Hornsby, Mr. Griffin, Mr. Fernandes, Mrs. Oakley, Mr. Sigal, Mr. O'Neil, Mr. Bichan

Minutes prepared and submitted by Nicole Salvo, Department of Planning and Economic Development Administrative Assistant.

Minutes Approved on: April 7, 2020

Signature Paul DiGiuseppe