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NORTON PLANNING BOARD MEETING
MINUTES OF MARCH 23, 2021

The Planning Board Meeting of MARCH 23, 2021 was called to order at Via Remote Participation on ZOOM at 7:15 p.m. by Mr. Timothy Griffin, Chairman. Members present via call in, per the Governors Order on Remote Participation, were, Mr. Steve Hornsby, Mr. Oren Sigal, Julie Oakley, Mr. Kevin O'Neil, Mr. Joe Fernandes and Mr. Scott Bichan. Also in attendance was Paul DiGiuseppe.

Mr. Griffin summarizes Governor Bakers order on remote meeting policy, along with a reminder of guidelines for the public chat in the meeting.

Minutes:

Motion to approve the February 23rd minutes, with edits, made by Mrs. Oakley, Second Mr. Hornsby. Roll Call- Yes, Mr. Griffin, Mr. Bichan, Mrs. Oakley, Mr. Sigal, Mr. O'Neil, Mr. Hornsby, Mr. Fernandes.

Motion to approve the March 9th minutes made by Mrs. Oakley, Second Mr. Hornsby. Roll Call- Yes, Mr. Griffin, Mr. Bichan, Mrs. Oakley, Mr. Sigal, Mr. O'Neil, Mr. Hornsby, Mr. Fernandes.

ANR ENDORSEMENT-(8325)-0 Harvey, Owner/Applicant: Lorraine Leroux Trustee
Applicant is looking to split her lot in order to create buildable lots for her family.

Motion to endorse made by Mr. Hornsby, Second Mrs. Oakley. Roll Call- Yes, Mr. Griffin, Mr. Bichan, Mrs. Oakley, Mr. Sigal, Mr. O'Neil, Mr. Hornsby, Mr. Fernandes.

Issuance of a Floodplain Special Permit to Applicant, NextSun Energy and Owner, Fairland Farms, LLC to build a Large-scale, ground-mounted solar photovoltaic installation consisting of solar panels, inverters, battery storage and conduits located at 210 Bay Road (Assessor's Map 6, Lots 11 & 25) and 21 Fairlee Lane (Assessor's Map 6, Lot 6) pursuant to the Separate and Final Judgment entered by the Land Court (Foster, J.) on March 8, 2021 in 19 MISC 000230 and 19 MISC 000564.

Chairman Mr. Timothy Griffin informs the Board and the public on the above matter. He shares the purpose of this hearing is to do as the court has order the board to do a this time.

Mr. Bichan recuses himself, as he is an abutter to the project.

Mr. Sigal asks Town Counsle a logistical question.

Motion for the Issuance of a Floodplain Special Permit to Applicant, NextSun Energy and Owner, Fairland Farms, LLC to build a Large-scale, ground-mounted solar photovoltaic installation consisting of solar panels, inverters, battery storage and conduits located at 210

Bay Road (Assessor's Map 6, Lots 11 & 25) and 21 Fairlee Lane (Assessor's Map 6, Lot 6) pursuant to the Separate and Final Judgment entered by the Land Court (Foster, J.) on March 8, 2021 in 19 MISC 000230 and 19 MISC 000564 made by Mr. Hornsby, second Mr. Fernandes. Discussion: Town counsel confirms plans submitted by the applicant to support this approval. Roll Call- Yes, Mr. Griffin, Mrs. Oakley, Mr. Sigal, Mr. O'Neil, Mr. Hornsby, Mr. Fernandes. (6-0-1) Mr. Bichan abstains.

Proposed rezoning of O Rear E. Main Street, Map 11, Parcels 14-01, 15 & 16; 238 E. Main Street, Map 11, Parcel 17 from Residential 80 to Industrial Zoning District.

Director, Mr. Paul DiGiuseppe, leads the discussion as to share that this property has been among town discussions for many years and that the town agree to get this onto the Warrant for MADOT.

Mr. Tom Cox, to represent MADOT, shares the current use of the premises is a salt shed mainly used in snow and ice season, as well as use of the district office on site. He shares his screen to show the property lines of the properties they are looking to change the zoning of, as well as the proximity to wetlands and the canoe river. Mr. Cox shares that many of the surrounding properties are non-residential zonings and that there is a tree buffer of 281 ft from rear of Red Mill Village.

Mr. Sigal recuses himself as an abutter to the properties.

Mr. O'Neil asks why they chose industrial over commercial as they share similar opportunities to build. He would like to take more time to consider the choice of zoning.

Director, Mr. DiGiuseppe shares that he recently did inventory of vacant land in Norton and there is not much left for commercial or industrial development opportunities.

Some of the public's concerns were as follows:

- Traffic
- Commercial vs industrial
- Wetlands
- Tree removal in buffer zone

For the full public discussion, please view the video at Norton Media Center's YouTube page.

Mr. Craig Mckowen, MADOT, responds to comments on the Wetlands and their process with MEPA.

Mr. O'Neil lists some ideal uses in commercial zones and some uses not allowed in commercial zones.

Mr. Fernandes feels that they would be narrowing viable options for this site by switching to commercial zoning over Industrial.

Motion to continue to the April 6th meeting made by Mr. Fernandes, second Mrs. Oakley. Roll Call- Yes, Mr. Griffin, Mrs. Oakley, Mr. Bichan, Mr. O'Neil, Mr. Hornsby, Mr. Fernandes. (6-0-1) Mr. Sigal abstains.

Proposed rezoning of O White Street, Map 5, Parcels 33 & 33-01 from Residential 80 to Commercial Zoning District.

Mr. Sigal recuses himself as an abutter to the properties.

Mr. Jim Riley is representing the applicant and discloses he is the Chairman of the Board of Assessors.

Mr. Riley begins with an overview of the location of the parcels and a review of the history of the zoning maps and plans. He shares their belief that this is a scrivener's error and there is no proposed project for the site at this time.

Mrs. Oakley says they may want to label this petition as a scrivener's error as its misleading otherwise.

Mr. Fernandes questions if the zoning is on the property cards.

Public comments:

- Traffic in this area
- Noise concerns
- Possible business going on the site
- Residents signed petition in opposition of this change
- Truck noise
- Can a gas station go here?
- Suggesting a no truck sign

Mr. Riley will send maps to Mr. DiGiuseppe and look into changing the wording for the warrant.

Motion to continue to April 6th made by Mr. Hornsby, second Mr. Bichan.

Roll Call- Yes, Mr. Griffin, Mrs. Oakley, Mr. Bichan, Mr. O'Neil, Mr. Hornsby, Mr. Fernandes. (6-0-1) Mr. Sigal abstains.

Proposal to amend the Norton Zoning By-Law § 2.2 Definitions to amend the Marijuana Establishment definition; Article XXI Marijuana Establishments and Medical Marijuana Treatment Centers, to amend definitions (§21.3) and allow an applicant for a marijuana facility to apply for building permits after approval of a special permit and site plan or commence operation only after receipt of all required permits ((§21.5(a)); and delete the temporary moratorium on recreational marijuana establishments in §4.9.

Mrs. Renee Deley, here to speak about the Marijuana by law from the EDC. She shares the updates they are looking to make regarding language.

These are changes from the CCC in terms of language and definitions.

Mrs. Deley shares that there is interest from some businesses to locate here in Norton and where they are in the process and coming in front of the planning board.

Motion to close the Public hearing made by Mr. Hornsby second Mr. Bichan. Roll Call- Yes, Mr. Griffin, Mrs. Oakley, Mr. Bichan, Mr. O'Neil, Mr. Hornsby, Mr. Fernandes, Mr. Sigal.

SP-494: 0 Rear Eddy Street. Application for a Special Permit for a common driveway, duplexes, and development in Wetland Protection District. Owner/Applicant: Sharlene Widak-Smith. Continued from July 14, 2020, July 28, August 25, 2020, September 15, 2020, September 29, 2020, October 6, 2020, October 27, 2020, November 17, 2020, December 1, 2020, December 15, 2020, January 5, 2021, February 2, 2021, February 23, 2021 and March 23, 2021. Applicant is seeking a continuance to April 6, 2021.

Motion to continue made by Mr. Hornsby, Second Mrs. Oakley. Roll Call- Yes, Mr. Griffin, Mr. Bichan, Mrs. Oakley, Mr. Sigal, Mr. O'Neil, Mr. Hornsby, Mr. Fernandes. Applicant is aware if election coming up and how that will affect this application and the process.

General Business

Mr. DiGiuseppe, Director of Planning and Economic Development reminds the board of the Master Plan Workshop coming up on March 31st

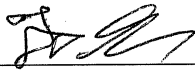
Adjournment

Motion to adjourn at 10:05pm made by Mrs. Oakley, Second Mr. Sigal. Roll Call- Yes, Mr. Griffin, Mr. Bichan, Mrs. Oakley, Mr. Sigal, Mr. O'Neil, Mr. Hornsby, Mr. Fernandes.

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

Minutes Approved on: April 6, 2021

Signature

A handwritten signature in black ink, appearing to be "J. A.", written over a horizontal line.