



TOWN OF NORTON
SELECT BOARD
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**Select Board
Meeting Minutes
April 12, 2021**

I. Call to Order by Chair

The April 12, 2021 joint meeting of the Norton Select Board and Finance Committee was held remotely (Web: <https://us02web.zoom.us/j/6391519600>; Phone: 646-558-8656; Meeting ID: 639 151 9600, and the Finance Committee meeting was called to order at 7:00 P.M., by Mr. Stephen Evans, Chair of the Finance Committee. Finance Committee member(s) present: Ms. Aimee Sawyer, Mr. Peter Carignan, Ms. Paula Daniels, Mr. William Rotondi, Mr. Aaron Smith, Mr. Kevin Snyder, and Mr. Zack Tsilis. Ms. Bonnie Yezukevich joined the meeting at approximately 7:03 P.M. The Select Board meeting was called to order by Mr. John Conway, Chair of the Select Board, at 7:00 P.M. Members Present: Ms. Renee Deley, Mr. Michael Toole, Ms. Megan Artz, and Ms. Christine Deveau. Also in attendance: Mr. Michael D. Yunits, Town Manager.

Mr. Evans advised that Mr. Richard Dorney was elected to the Board of Assessors, which means he is required to resign from the Finance Committee. Mr. Evans thanked Mr. Dorney for his years of service on the Finance Committee and recognized him as an important member.

2. New Business

- Review, Discuss, and/or Vote Town Meeting and/or Operating Budget Requests, to include but not limited to:

- Norton Public Schools

a.) FY22 Budget and FY21 Operating Budget Supplement Request – Norton Public Schools.

Dr. Joseph Baeta, Superintendent of Schools, was in attendance to present to the Finance Committee. He mentioned that the Finance Committee has been hearing a lot about ESSER III and when those funds will be coming in, which is somewhere upwards of \$3 million between the Schools and Town side and mentioned that that there is already talk of ESSER IV for the Biden Budget because there are significant funds around poverty (not necessarily Norton). Dr. Baeta stated that these funds are very specific as to how they can be used and the Town has to show that they are going above and beyond what you are doing for those students. Dr. Baeta stated that that is usually staff hiring, so that is something they will need to talk about long-term because this will have an impact on the Town side as well because of the potential health benefit costs. He provided a rough figure of \$1.6 million for the ESSER III funds, which have not yet been received by Norton Public Schools. Dr. Baeta emphasized that these funds are

very specific whereas 20% has to be used for recovery and acceleration of students and learning with another 10% around mental health.

Dr. Baeta explained that when they prepared their budget with a 5.5% overall increase, they were already utilizing \$1.7 million in School Choice funds and \$721,000 in ESSER II funds. He pointed out from previous meetings that it appears the figure they are working with is around 2.2%. Dr. Baeta stated that they need an additional \$250,000 added to their operating budget for FY22. The School Superintendent mentioned some cost savings including the healthcare holiday and questioned what the plans of the Town Manager and Finance Committee were to use those funds once they become free cash. Dr. Baeta stated that at the October Town Meeting, they are going to have to be around \$500,000 in order to keep themselves (i.e. the School Department) balanced. He advised that the biggest issue here is discrepancies from the Commonwealth as to what September will look like; so far, they have heard it will be full in-person learning yet they have also heard that districts should prepare for students who are going to stay home because of family or individual medical issues. He mentioned that the School Committee will be receiving from his office on Thursday a virtual academy program that school districts can startup on their own or with another district, both with no extra funding; however, you need extra people do so and questioned what happens if there isn't the funding. Dr. Baeta continued his presentation with discussing the School Department's budget and described it as more fluent than how the Town side is done due to regulations. He added that as far as COVID-19, the School Department has plenty of PPE.

Mr. Evans asked what the enrollment differential is from this year to last year. He also asked what the maximum availability is for each school for the students. Dr. Baeta replied that their biggest enrollment factor is they doubled their number of School Choice students (was approximately 20 students per year and now is somewhere in the 30's to 40's every year). Dr. Baeta added that one of the biggest things is the pre-school requirement within the Commonwealth for students who have special education services that are needed to be delivered at the school. He advised that the model is to have a tuition charge for peer students that don't need the services, but are "model" students (that number decreased). Dr. Baeta stated that they provided the data for Norton Public Schools for the past 5 years. The School Superintendent pointed out that over the last 5 years they have cut 11 general education teachers, but on the other side they have hired 10 paraprofessionals in the last couple of years for Special Education and 4 Special Education teachers. Dr. Baeta further stated that they added a Psychologist this year to the budget and an Adjustment Counselor to the budget 2 years ago all because of the delivery service for students. He advised that a 9-year veteran and an 11-year veteran lost their jobs last year because of the way the licenses played out; Dr. Baeta commented that they were able to recall those teachers back for this current year because of the "luck of the draw."

In response, Mr. Evans asked if the trend continues with declining enrollment how many years it would be before there is availability in any of the schools to maybe downsize or close a building (if remotely possible). Dr. Baeta stated that they were asked to look into this a few years ago and at the end of the day, they will go through that process again. He pointed out that the Town has a non-traditional model. Dr. Baeta emphasized that if the decision is made to close a school that they better be right in that recommendation. Dr. Baeta mentioned that other towns have done this and then years later they realize they don't have enough space. Mr. Evans asked if they should be expecting any turn-backs or potential savings for conferences, seminars, and things like that because of COVID-19. Dr. Baeta stated that if there were any it

would be limited and provided examples of contractual obligations where they were still providing the services, but collecting less fees in result of lack of use or participation including bus fees and athletic fees.

Ms. Sawyer asked in regard to the e-mail from Dr. Baeta that the School Department needs to be at two and a half before town meeting and then come back for more of the five and a half in the Fall how they get there because they are not there right now. Mr. Yunits stated that they still have time because the House is coming up with their budget by April 14th, so hopefully with what they are anticipating for federal stimulus funds they will increase State aid too. Mr. Yunits added that they are also looking at the guidelines on how the Town can use the federal funds to supplement lost revenue from the restaurants and service industry due to anticipated cuts resulting from COVID-19. The Town Manager stated that they will have to look budgets again in the Fall. Dr. Baeta said his biggest issue is they are just making this a bigger hole and wants to tighten this as much as possible. Mr. Toole asked what the figure is between the 2.19% and the 2.5% and Mr. Yunits answered about \$94,816. Mr. Conway asked where the \$94,816 would be coming from. Mr. Yunits said hopefully it comes from more State aids and then use the federal stimulus funds to replace some of the costs that they anticipated in some of the revenue sources. Dr. Baeta emphasized the importance of once Mr. Yunits and himself know what their stimulus funds will be that they sit down and have the really difficult conversations about what to do with those funds over the next three years. Dr. Baeta pointed out that the School Department is already using this year's and next year's School Choice funds. Mr. Toole expressed a concern because they were all in at this point when looking at the School Department's budget, especially with 5 mandated positions. Dr. Baeta agreed and stated that FY23 is their biggest concern and it is statewide. Dr. Baeta pointed out that technology is the new way and it is here to stay; so, they are looking at these one-time costs to purchase technology using the federal stimulus money to not have them in their operating budget or School Choice. He stated that this could get them through 3-6 years. The School Superintendent expressed a concern with the social/emotional learning because he has seen a real and significant increase. Mr. Evans asked in regard to the social/emotional learning if that is something that will eventually be taken over by the health insurance or if it will always be a burden on the schools. Dr. Baeta clarified that he meant as far as providing the services to students, which Mr. Evans confirmed. Dr. Baeta advised that State Representative Steven Howitt actually has signed on to a bill to take a look at students' tuitions that are significant and they would be paid for by the Commonwealth at a higher percentage than they are currently.

Mr. Conway stated that if they were to move forward with the proposed budget increase of 2.19% what that would mean and if cuts would need to be made before town meeting. Dr. Baeta answered no and that he would go to the School Committee via the School Business Manager to see where the next \$100,000 comes from between the 2.5% and the 2.19%. Mr. Conway clarified that this means that if they move forward with the 2.19% the \$100,000 will get kicked to the Fall Town Meeting and the goal would be somewhere around that 3% mark, which would be an additional \$250,000 from where the Town is now, which Dr. Baeta confirmed. Ms. Deley expressed that after the debacle they had last year between what was committed to the School Department and what actually happened to them at that Fall Town Meeting they shouldn't be kicking any cans down the road and it should be done at this town meeting. Mr. Evans emphasized that there is no department that is more important than another and they need the Town to be able to operate properly. Mr. Yunits clarified that what Ms. Deley was referring to happened two years ago. Mr. Evans stated that they will do their

best and emphasized that they cannot promise a number because they do not know what the future holds, but they are committed to coming to an equitable solution throughout the Town as they always do.

Mr. Tsilis asked if there is a fixed number, such as a 70/30 split, that Mr. Yunits and Dr. Baeta can use to plan on year in and year out since there is only "x" amount of money to go around. Mr. Yunits answered that from the conversations him and Dr. Baeta have had, there has always been an understanding of a 70/30 split, but it is not a fixed figure. Mr. Tsilis asked if that is what is used/seen in other communities. Mr. Yunits said he was unsure and that Dr. Baeta may know and commented that it probably varies everywhere. Dr. Baeta confirmed Mr. Yunits' statement and mentioned that the Town of Arlington started the conversation of mandated budgets, such as contracts and they came up with their own ten-year minimum that needs to go into the budget because it is a mandated cost. The School Superintendent stated that he and Mr. Yunits both work towards a number that will at least give the Town a balanced budget.

Ms. Deley referred to an e-mail Dr. Baeta advised that he sent out on Friday and stated that the Select Board never received that e-mail. Dr. Baeta stated that he could send that to the Board. Ms. Deley mentioned past conversations that there were had to use any State funds, such as the CARES Act to fund their budgets and asked if there were any remaining funds like these left to supplement the reduced busing and sports fees to pay the additional difference that they pay normally. Dr. Baeta stated that this was not a reimbursable item and they utilized the School Department a lot more strictly. Mr. Matthew Wells, the School Business Manager, emphasized that the School Department was made very aware that they could not use CARES Act funds or any stimulus funds for anything that was already budgeted for including transportation and food services.

b.) Sewer Line Connections – H.A. Yelle Elementary School and Norton High School

Dr. Baeta explained that the article on the sewer line connections is a hold item for borrowing based on the Town question that was passed at the last Town Election, that will go before the Town Meeting in May. He advised that their quo pro for the complex includes that they will move their sewer line because they still have to pump the High School; so, what they want to do since of the High School project wasn't able to at the time because there was no sewer line on Route 123, is move the sewer line directly from the High School to the sewer connection on Route 123 and they will do the same thing at the Yelle School. Dr. Baeta informed the Finance Committee and the Select Board that this project would cost around \$570,000 and is embedded in the Athletic Complex cost; so, if that article passes at Town Meeting, this article will be silent and not acted upon.

c.) Energy Management Services Contract and Contractor

Mr. Wells explained that the energy services contract they have is with TRANE and Phase 1 has been completed, which was the energy assessment of the schools. He advised that \$12,000,000 worth of projects were identified and the project will be funded by the savings (energy savings and/or state and federal reimbursements as well as cost savings of energy created) that they generate over the next 20 years. Mr. Wells stated that this article will be moved forward.

Mr. Evans said with looking down the road with possibly two new buildings that should be energy efficient and some of the energy initiatives they have done what happens with this contract for any of those projects that the Town would potentially be getting savings on now. He further questioned if that money would go to TRANE or how that would work. Mr. Wells replied that the savings are used to pay for the bond payment on an annual basis. Mr. Wells addressed the question about the new buildings and advised that TRANE said they can consult on energy saving initiatives that could be in the building(s). Mr. Evans asked if there was a collaborative put into place with the TRANE representatives as the plans for the new buildings are drawn up to make sure they are at least compatible so they aren't potentially changing something down the line. Mr. Wells replied that they are willing to do that, but it all depends on how the projects are bid. Mr. Wells stated that TRANE is now in Phase 2, which is the Town buildings and have so far visited the Town Hall, Police Station, and possibly the Fire Station.

- All Zoning Articles, Including Lucile Drane

Mr. Yunits advised that the Director of Planning and Economic Development, Mr. Paul DiGiuseppe, was in attendance and the Town Manager gave an overview of the articles as follows:

Article 12 (Vote to Expand the Purpose of Article 13 of the October 2019 Annual Town Meeting to Also Include the So-Called Reed & Barton Lots on Elm Street [Map 17, Lot 32-01, and Map 17, Lot 36]).

This is for an expansion of the purposes for the money that was set aside for the Reed & Barton demolition of the building on the corner of Elm Street and Cross Street. Mr. Evans asked for a high-level update of this project. Mr. Yunits stated that right now the EPA has finished cleaning up any oil that they found on site. He stated that the EPA did tear down quite a bit of the buildings on the north side of the factory and the Town tore down the buildings on the south side that were threatening to fall onto Cross Street. Mr. Yunits advised that right now they just want to secure the site and the Town as always applying for any funds they can get to finish demoing the buildings.

Mr. DiGiuseppe restated that they are continuing to look at funds to finish the demolition of the remainder of the building, but unfortunately, he found out that morning that one of the funds they were expecting to come out this year originally was pushed back another year (until December). He explained that this was a federal fund that was supposed to be issued through the State. He emphasized that the good news is that they are still funding it. Mr. DiGiuseppe advised that they are in conversation with the State about other funds that the Town could potentially use for demolition. He informed the Committee and the Board that the estimated cost to finish the demolition would be between \$450,000 and \$500,000. Mr. DiGiuseppe assured everyone that they are looking into additional funds for contamination assessment work. He mentioned that the Town's licensed site professional issued a report at the end of February that showed some moderate level of contamination on site, but additional testing was done. Mr. DiGiuseppe wanted to emphasize that this really isn't a very dirty site as sites can go with mills. He added that they are working with residents as well. Mr. DiGiuseppe lastly mentioned that there is a debris pile on the Elm Street side and when the EPA leaves the site, the Town does have a contractor who will be coming in and removing that debris pile.

Mr. Conway emphasized that the Town needs to be careful with the actions it takes to make sure it does not do anything to accept ownership of the property. Mr. Toole stated with reaching out to the Congressman, he spoke with his District Director and they have two tentative dates to meet that haven't been finalized yet, but will happen within the next month.

Mr. Yunits advised that there is about \$63,000 left from the previous article, but it was specific to the demolition of that building. He continued explaining that these funds would be used to maintain security at the site, fencing, enclosures and things of this nature.

Mr. Conway referred back to a previous meeting that the neighborhood group were very concerned with the well testing and mentioned that some time after that meeting there was an additional well testing report that was made available. He asked if there has been any further testing done. A resident named Michael Barron of 3 Mill Lane informed the Board that there is a chemical known to cause liver and kidney issues that is also linked to cancer and mentioned that this chemical tested higher in his well than the other wells and is actually higher than the allowed limit. Mr. Yunits said he would look into the reports and asked what the name of the chemical was. Mr. Barron stated it read "1,4 dioxane" and his levels came in as 0.452 and the limit is 0.3. Mr. Rotondi asked if they knew how many wells are down-gradient that may be impacted by this. Mr. Yunits stated that the EPA tested a number of wells approaching somewhere around 10.

Ms. Deley asked what the exact amounts are for the security measures Mr. Yunits mentioned for this article. She also wanted to know what potential mitigants are available for the downstream impact. She stated that the reason she asked these two questions is because if she had to decide between the security measures and putting something in place to provide better water, she would choose the latter. Mr. Evans pointed out that the article doesn't seem very specific as to how the funds will be used. Mr. Yunits replied that they really don't know what they are going to end up needing to spend the money on, which is why it is phrased the way it is, so it will allow the Town to spend the money on the other building on the other site when necessary. Mr. Rotondi asked how much it is to rent the fence for the year. Mr. Yunits and Mr. DiGiuseppe said they could not recall and would have to check. Mr. Rotondi supported Ms. Deley's statement about using the funds to mitigate the properties that have water issues resulting from this. Mr. Tsilis asked if there was Town water on these streets and if they could use some of these funds to connect the residents to the Town water rather than the wells, which members of the Board and Committee agreed was a good idea. Mr. Dorney pointed out that 8 of the 23 properties in this area have contaminated wells, but the water runs downstream and emphasized that there could be risk they are unaware of because they have not been studying where this water goes.

Mr. Yunits advised that the original article was for the abatement, demolition, and temporary fencing of all buildings along Cross Street, so this new article would also include the buildings along Elm Street. Mr. Rotondi expressed his opinion that this article is very specific to this site and not the other concerns raised during the meeting. Ms. Sawyer asked what happens in the event that they start down a path where they start and then realize it is going to cost more than they were told or anticipated. Mr. Yunits stated that this was a valid point and understood where Ms. Sawyer is coming from. He explained that this is exactly why they are not planning on demoing the buildings and is just to maintain what is there. Ms. Sawyer asked if they did a cost analysis too see if there was any benefit to buying a fence rather than renting a fence. Mr. Yunits stated that the Building Commissioner has looked at that. Mr. Tsilis asked the

Water/Sewer Superintendent, Mr. Francis Fournier, what it costs to tie a house into Town water as long as a line is running in front of the house. Mr. Fournier answered that there is a flat fee for the water service connection that is dependent on the size that is required (3/4" to 1" is what is typically seen on a residential home) and there are additional costs that are very hard to calculate depending on the location of the water main in the road.

Ms. Deley expressed that she wasn't entirely comfortable voting on the language of the article as presented this evening and would rather it be more specific to maintaining security to include fencing or enclosing the building. Ms. Deley referred to commentary made about asbestos removal and she said personally she thinks that should be a separate article showing what the cost would be and what the future costs would be and run it by town counsel. She continued by emphasizing the importance of knowing not only what the current liability is, but the future liability as well. Ms. Deley suggested as part of the article that if there are funds available of the \$63,000 to do additional testing of the wells for the residents and to possibly bring the water dispenser back for those who know their wells have some level of contamination. Ms. Deley referred to Mr. DiGiuseppe's comments about two possible grants the Town could obtain for demolition and asked what the ballpark figures were on them. She lastly emphasized that the article needs to be clearer that these funds are not for the demolition of the building. Mr. DiGiuseppe answered that the one grant that is being pushed back could be as high as \$800,000, which they anticipate being the remaining amount needed to complete the demolition. He clarified that for the other grant he would have to get in touch with the representative from Mass Development.

Mr. Yunits referred to the section of Article 12 that reads, "to expand the purpose for which funds appropriated under Article 13 may be expended to now also include the areas and buildings along Elm Street." He explained that they are expanding the use of the funds and in Article 13, the funds were appropriated for the purposes of abatement, demolition, temporary fencing of buildings along Cross Street." The Town Manager pointed out that Article 13 even stated "excluding from the purposes of this article the buildings along Elm Street." The Finance Committee and Select Board agreed to vote on this at a future meeting after the article language is rewritten.

Article 17 (Zoning Bylaw Amendment to allow an applicant for a marijuana facility to apply for building permits after approval of a special permit and site plan. 175-21.5 [Additional Requirements/Conditions] Section a. iv [Use]).

Mr. DiGiuseppe explained that for each of the articles, the Planning Board recommended the language as seen in the warrant. He advised that Ms. Deley will explain this article because this was recommended by the Economic Development Commission (EDC). Mr. DiGiuseppe refreshed everyone's memory that back at the October Town Meeting, a significantly revised marijuana bylaw was passed and this article seeks to make some improvements and fix that bylaw, including for definitions and other things that happened after the passage of the original article.

Ms. Deley spoke to the specific changes of the marijuana bylaw. She advised that shortly after this was passed at town meeting, the Cannabis Control Commission (CCC) put forth new legislation in respect to delivery operators and delivery couriers; so, they went back to not only look at the definitions of those, but also how that impacted the bylaw. Ms. Deley pointed out that Article II – Definitions, § 175-2.2 completely replaces the definition of the "marijuana

establishment” and is from the CCC. She advised that as far as the marijuana bylaw itself, they went in and did the same thing with the definition for ease of reference and also added in the definition for “delivery license,” “marijuana courier,” “delivery operator,” “marijuana delivery operator or delivery operator,” “microbusiness,” and “warehouse.”

Ms. Deley moved on to discuss an oversight discovered after the passage of the marijuana bylaw that makes it impossible for an applicant to open a marijuana establishment. She explained that the previous language mentioned that a marijuana establishment or medical treatment center could not commence operation or apply for a building permit prior to receipt of all required permits and approval, including its final license from the appropriate commission; however, in order to get the final license from the CCC, they do an on-site inspection, so they have to do the inspection of the completed building. Ms. Deley stated that they needed to remove this section in order for the applicant to be able to apply for a building permit. She advised that what the EDC did instead is they listed that the marijuana establishment or marijuana treatment facility couldn't apply for a building permit prior to the receipt of the special permit and site plan approval; so, they are making sure that the process within the Town is followed the way it was designed (i.e. they get their license from the CCC, they can then apply to receive a special permit and site plan approval, that process will take place, they could then apply for a building permit [as needed], and then the CCC would give its final license before they open).

Ms. Deley explained the last change to Article IV: Use Regulations, specifically to the temporary moratorium on recreational marijuana establishments. She pointed out that it is dated from 2016 and has an expiration date within the language of 2018, so this is a whole deletion from the bylaw to just remove it as it is no longer applicable.

Mr. Evans questioned the language that references the number of retail marijuana establishments are capped at 20% of the number of licenses issued within the Town for the retail sale of alcoholic beverages not to be drunk on the premises where sold under MGL Chapter 138, §15. Ms. Deley clarified that this is the minimum requirement within Massachusetts. Mr. Evans asked how many this translates into for the town at this time and Ms. Deley answered two because the Town currently has nine retail package store licenses. Ms. Deley pointed out that this is only specific to retail marijuana establishments, not to any other marijuana establishments. Mr. Evans clarified that these are just housekeeping items and not changing the intent of the article, which Ms. Deley and Mr. DiGiuseppe answered was correct.

Mr. Evans stated that the Finance Committee will vote on this at their meeting on Wednesday to allow everyone more time to review it.

Because representatives of the petition article were on the call, the Finance Committee and Select Board moved on to discuss Article 19.

Article 19: Petition of Lucile Drane to Amend Norton Zoning By-Law, Article III-Zoning Map and Districts and the Zoning Map: Changing from Residential Eighty (R-80) Zoning District to Commercial (C) on an Area of Land Along white Street, East Main Street and Newland Streets Containing the Following Parcels of Land as Shown on Norton Assessor's Map: Map 5, Parcel 33, and Map 5, Parcel 33-01.

Mr. DiGiuseppe explained that with this matter described in the article, it has to go before town meeting. He stated that if there was an error, town counsel advised that there is a period of time by which the property owner has the ability to appeal it, but that has long expired. Mr. DiGiuseppe advised that the Planning Board did vote to support this article as written particularly because of the error that might have occurred. He restated that the Planning Board did support the rezoning from R-80 to Commercial.

Attorney Henry Sousa stated that he represents Lucile Drane and explained that Ms. Drane is looking to correct what she believes to be a mistaken change in the zoning. Attorney Sousa reiterated that the Planning Board voted in support of this article and presumed that the Finance Committee would see that a property zoned commercial would contribute more in taxes while using less if a residential building was there with 2.3 children in the school system that they wouldn't have with a commercial property. Attorney Sousa emphasized that this property is only 33,000 square feet and there is a smaller adjacent parcel that is only 4,000 square feet. He expressed that they think it would be more appropriately zoned commercial as it was in the past.

Mr. Toole advised that he sent an e-mail to the Board sharing a petition against this article from the Residents of Red Mill Village.

Mr. Oren Sigal stated that the question right now is basically town counsel has eradicated the question of an error. He stated that in 1998, there was a Master Plan and the Planning Board's notes from that report suggests that they were adopting a town-wide revision of the zoning based upon in part the Master Plan; so, the question about being an error that happened 44 years ago is really a misnomer in terms of what the Planning Board did and how it reacted. Mr. Sigal stated that the question of notice is also a non-starter because it was a general application and the only notice that was required was a publication and a posting, which was done for the entire town; so, if that was off, the zoning for the entire town was off. Mr. Sigal pointed out that all of the residential lots along Route 123 are approximately 30,000 square feet. He further stated that from Leonard Street to Newland Street there is probably about a half of a mile of 400 residential units, which he assumed were an average of about two per unit (so about 800 residents) in that strip of land. He added that Red Mill Village is zoned commercial, yet its current use is specifically as residential and the surrounding areas of this property are zoned Residential Eight (R-80). Mr. Sigal expressed that this would be scenario of spot-zoning if they were to vote in support of this article and suggested contacting town counsel to verify this.

MOTION was made by Ms. Deley that the Board accept Article 19 as written. Seconded by Ms. Artz. Vote: Ms. Deveau – Yes; Ms. Artz – Yes; Mr. Toole – No; Ms. Deley – Yes; and Mr. Conway – Yes. MOTION CARRIES.

Ms. Deley thanked Mr. Sigal for providing that information and context and Mr. Conway did as well.

Mr. Evans asked Mr. DiGiuseppe before the Finance Committee took their vote if he agreed with Mr. Sigal's comment about this being a case of spot-zoning. Mr. DiGiuseppe replied that he does not agree with it and that neither would qualify as spot zoning because on one side of the street you have Commercial and the other side you have Residential 80, but he emphasized that this is just his opinion and that he is not an attorney.

MOTION was made by Ms. Sawyer to recommend Article 19 as written. Seconded by Mr. Smith. Vote: Ms. Sawyer – Yes; Mr. Carignan – Yes; Ms. Daniels – Yes; Mr. Rotondi – Yes; Mr. Smith – Yes; Mr. Snyder – Yes; Mr. Tsilis – Yes; Ms. Yezukevich – Yes; and Mr. Evans – Yes. MOTION CARRIES.

Article 18: Zoning Map Amendment: Amend Norton Zoning By-Law, Article III-Zoning Map and Districts and the Zoning Map: Rezoning of Parcels 11_16, 11_14-01, 11_15 and 11_17 from Residential 80 to Industrial.

Mr. DiGiuseppe informed the Committee and Board that these are the parcels right across from the Blue Star Business Park (right at Route 123 and I-495). He advised that this is the land owned by MassDOT and is where part of the salt shed is located. Mr. DiGiuseppe stated that these parcels are currently zoned Residential 80 and MassDOT has submitted a request to rezone these parcels Industrial. He further stated that at the Planning Board's meeting on April 6th, the Board recommended the language as written in the warrant and supported rezoning from Residential 80 to Industrial.

Mr. Craig McKeown, Deputy Director of the Office of Real Estate and Mass Development at MassDOT, introduced himself Mr. Tom Cox of Greystone. Mr. Cox advised that Greystone provides real estate services to MassDOT. Mr. Cox mentioned that MassDOT owns approximately 3.7 acres of land on East Main Street/Route 123 and also has frontage along I-495. Mr. Cox pointed out a parcel of land that is approximately 10 acres of land that the Town owns, which was formerly owned by MassDOT. Mr. Cox gave a brief overview of the property location and composition. Mr. Cox advised that they have ultimately sought to rezone the property to Industrial rather than Commercial because of the allowed uses that existed within the Industrial district and one of those uses is life science. He stated that in Massachusetts, there are two primary uses which includes logistics, such as Amazon activity (or other shipping and receiving type of uses), and life sciences, such as Moderna. Mr. Cox pointed out the tax opportunity for the Town is substantially higher with an industry such as life sciences (like ALNYLUM) and that the manufacturing use is 70 times higher than the standard industrial logistic building, although that it is a good alternative. Mr. Cox pointed out that if they went with the Commercial zoning, this type of manufacturing component does not fit within it, limiting the Town to primarily warehouse uses. Mr. Cox emphasized that prior to this property ever going out to bid, they will work closely with the Town Manager (and other departments as well). He lastly stated that the future development on MassDOT's property will likely require discretionary special permits.

Mr. Evans asked in regard to the zoning map where the property is on the northwest end and who the abutter would be there. Mr. Cox answered that it is residential houses (single-family development). Mr. Toole clarified that it is the Wilbur Street area. Mr. DiGiuseppe stated that it was important to point out that with the Canoe River there are setbacks that are a State requirement that would be in addition to these setbacks. Mr. Evans asked if any abutters have been notified yet. Mr. DiGiuseppe advised that they were notified and there was a very large turnout for both Planning Board meetings. He stated that the issues discussed were traffic, concerns of the type of industrial uses, and noise. Mr. Carignan asked what MassDOT wants to put there that is causing the desire to change the zoning. Mr. Cox replied that they do not have a developer nor an intended use at this time and are simply trying to find the biggest opportunity underneath the zoning with the least amount of impact. Mr. Cox informed the Committee and the Board that any time MassDOT sells a property, they have to do a public

procurement process. Mr. Cox added that because this is a state-owned property, they are bound by MEPA (Massachusetts Environmental Policy Act); so, MassDOT cannot sell the property until MEPA occurs. He explained that MEPA is a state permitting process that takes into consideration impacts to wetlands, traffic impacts, and things of that nature.

Mr. Toole responded that State Representative Jay Barrows and former Select Board members have approached the State to try and free this piece of property for development anywhere from commercial to industrial for well over ten years and businesses have expressed an interest in this property as well. Mr. Yunits confirmed this and added that years ago they went into Boston and met with the State because they have this piece of property right near the highway that wasn't generating any tax revenue for the Town. The Town Manager advised that they want to work with their State Representatives and MassDOT to try and get this land and put it on the market. Mr. Yunits lastly pointed out that the zoning would be exactly what it is across the street for the Blue Star Business Park. Mr. Tsilis questioned if this was the same property that was looked at for the proposed new Town Hall and Community Support Center and if so, what happened to that. Mr. Yunits confirmed it was and explained that it was taken off the list because of the cost to put a road in there to develop. Mr. Rotondi raised a concern about the set of lights near Leonard Street for the Blue Star Business Park and asked if it would be possible to take a left at that light if it were to be developed. Mr. Yunits answered that they had this in mind when the project was being developed, so the roadway coming out of this project will line up with Leonard Street and be able to utilize the same light.

Ms. Deley commented that the EDC heard this presentation a couple of months ago and it was supported by the EDC as well. Mr. Toole noted that this was supported by the Planning Board too.

MOTION was made by Ms. Deley to approve Article 18 as presented. Seconded by Ms. Deveau. Vote: Ms. Deveau – Yes; Ms. Artz – Yes; Mr. Toole – Yes; Ms. Deley – Yes; and Mr. Conway – Yes. MOTION CARRIES.

MOTION was made by Ms. Sawyer that the Finance Committee recommend Article 18 as written. Seconded by Mr. Smith. Vote: Ms. Sawyer – Yes; Mr. Carignan; Ms. Daniels – Yes; Mr. Rotondi – Yes; Mr. Smith – Yes; Mr. Snyder – Yes; Mr. Tsilis – Yes; Ms. Yezukevich – Yes; and Mr. Evans – Yes. MOTION CARRIES.

- FY22 Operating Budgets

a.) Water Enterprise Budget

Mr. Yunits stated that Article 4 is the FY22 Water Enterprise Budget. Mr. Evans asked if this budget was updated with the actual numbers since the last presentation that had placeholders, which Mr. Yunits answered that it had.

MOTION was made by Mr. Toole to approve Article 4 as written. Seconded by Ms. Deley. Vote: Ms. Deveau – Yes; Ms. Artz – Yes; Mr. Toole – Yes; Ms. Deley – Yes; and Mr. Conway – Yes. MOTION CARRIES.

MOTION was made by Ms. Sawyer to recommend Article 4, the Water Enterprise Budget, as presented. Seconded by Mr. Smith. Vote: Ms. Sawyer – Yes; Mr. Carignan;

Ms. Daniels – Yes; Mr. Rotondi – Yes; Mr. Smith – Yes; Mr. Snyder – Yes; Mr. Tsilis – Yes; Ms. Yezukevich – Yes; and Mr. Evans – Yes. MOTION CARRIES.

b.) Sewer Enterprise Budget

Mr. Yunits advised that Article 5 is the FY22 Sewer Enterprise Budget. Ms. Deley asked why the debt service was so much higher. Ms. Sawyer questioned if it was because of the increased borrowing for the sewer project on West Main Street. Mr. Yunits said he believed Ms. Sawyer was correct. Mr. Toole asked if they would have known what that would have been when they began the project and Mr. Yunits said he would have to look back and see. Mr. Yunits received a text message from Mr. Fournier stating that the debt service increase was in result of the West Main Street project. Mr. Conway asked Mr. Yunits how long this project is bonded for and Mr. Yunits answered 20 years.

MOTION was made by Ms. Deley to approve Article 5 as written. Seconded by Ms. Deveau. Vote: Ms. Deveau – Yes; Ms. Artz – Yes; Mr. Toole – Yes; Ms. Deley – Yes; and Mr. Conway – Yes. MOTION CARRIES.

MOTION was made by Ms. Sawyer to recommend Article 5, the Sewer Enterprise Budget, as presented. Seconded by Mr. Smith. Vote: Ms. Sawyer – Yes; Mr. Carignan; Ms. Daniels – Yes; Mr. Rotondi – Yes; Mr. Smith – Yes; Mr. Snyder – Yes; Mr. Tsilis – Yes; Ms. Yezukevich – Yes; and Mr. Evans – Yes. MOTION CARRIES.

3. Adjournment.

MOTION was made by Ms. Sawyer to adjourn at 9:57 P.M. Seconded by Mr. Smith. Vote: Ms. Sawyer – Yes; Mr. Carignan; Ms. Daniels – Yes; Mr. Rotondi – Yes; Mr. Smith – Yes; Mr. Snyder – Yes; Mr. Tsilis – Yes; Ms. Yezukevich – Yes; and Mr. Evans – Yes. MOTION CARRIES.

Mr. Conway noted that for the first time in Norton's history, they have a majority of female members on the Select Board.

MOTION was made by Ms. Deley to adjourn at 10:59 P.M. Seconded by Ms. Artz. Vote: Ms. Deveau – Yes; Ms. Artz – Yes; Mr. Toole – Yes; Ms. Deley – Yes; and Mr. Conway – Yes. MOTION CARRIES.

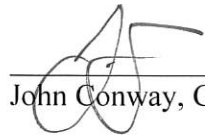
URL Link: <https://www.youtube.com/watch?v=JRbIGtQwHiQ>

Respectfully Submitted by:



Jennifer Reid, Office Administrator

**SELECT BOARD
MINUTES OF MEETING
APRIL 12, 2021**



John Conway, Chair

Michael Toole, Vice-Chair

Christine Deveau, Clerk

Renee Deley, Member

Megan Artz, Member

Minutes Approved by Board on: May 27, 2021

**SELECT BOARD
MINUTES OF MEETING
APRIL 12, 2021**

John Conway, Chair

Michael Toole, Vice-Chair



Christine Deveau, Clerk

Renee Deley, Member



Megan Artz, Member

Minutes Approved by Board on: May 27, 2021

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Sent for signature to John Conway (jconway@nortonmaus.com), Michael Toole (mtoole@nortonmaus.com), Christine Deveau (cdeveau@nortonmaus.com), Renee Deley (rdeley@nortonmaus.com) and Megan Artz (martz@nortonmaus.com) from jreid@nortonmaus.com
IP: 173.162.149.1



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18:11:38 UTC

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18:14:48 UTC

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16:16:20 UTC

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