



TOWN OF NORTON
BOARD OF SELECTMEN
MUNICIPAL CENTER,
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**BOARD OF SELECTMEN
MINUTES OF MEETING
OF
EXECUTIVE SESSION
JULY 14, 2016**

I. CALL TO ORDER

The July 14, 2016 Meeting of the Board of Selectmen's Executive Session was called to Order by Mr. Giblin, Chairman, at 8:15 P.M., held in the First Floor Conference Room.

A. ROLL CALL: Mr. Timothy R. Giblin, Chairman; Mr. Robert W. Kimball, Jr., Vice-Chair; Mr. Robert S. Salvo, Jr., Clerk; and Mr. Bradford K. Bramwell. Absent: Mrs. Mary T. Steele. Mr. Michael Yunits, Town Manager, and Attorney Ilana Quirk of Kopelman & Paige were also present.

Attorney Quirk provided an update to the Board of Selectmen regarding Island Brook, which dates back to 2012 and many decades prior to that.

Attorney Quirk referenced the draft Decision where the other party did not respond to it. Then in 2014, they hired an attorney, Attorney Peter Freeman, as their counsel.

Some of the Board's concerns were the legal fees and the sidewalk. Developer went to Fire Department and it was decided by the Department the second means of egress was not needed. A peer review was also conducted. Concerns: gas pipeline would be abandoned, seasonal high groundwater and to be witnessed/inspected, etc., before any foundation is poured. For dead end there was concern about density as houses are very close together. ZBA had concerns with the wetlands; the 25 foot buffer. It was noted wetlands will be moved out of lots that will be sold to people and ZBA was offended when half of them were wetlands. In end, the

developer agreed to take wetlands out of lots and put in a delineation. The sidewalk contribution is up to \$70,000.

Mr. Yunits asked if the contribution is to go into Town's sidewalk fund only?

Attorney Quirk responded it is required to be used for this.

Mr. Yunits referenced the \$70,000 for sidewalks placed into a fund, and stated his issue with that is the Town is paying engineering fees for Ch90 for this.

Attorney Quirk responded that is a place to put it; they can add building and design, etc., of sidewalk.

Attorney Quirk said the other party has now agreed to the amount of \$22,500 for legal fees.

Attorney Quirk referenced the driveway lengths which was a concern for the Board; they went from 24' to 20'.

Mr. Yunits said sidewalk states it will be 4 feet-6 inches, but it must be five feet for ADA compliance.

Mr. Kimball asked how it can be called an affordable housing project by State where people will be paying a couple thousand dollars per year for insurance where it is located in a flood plain/wetlands?

Attorney Quirk responded insurance companies also do their due diligence.

Attorney Quirk stated the developer does not want to pay for engineering review; they are asking if Health Agent would do it. She said she indicated to them she would inquire of Town if Health Agent would do this.

Attorney Quirk stated they will pay whatever water fees will apply and bought capacity from Red Mill Village.

Attorney Quirk referenced flood insurance being important and this was a good point. She said she will think about that and try to work something into the agreement. Discussion ensued.

Fencing was discussed and Attorney Quirk stated it is usually post and rail.

Mr. Kimball stated he was concerned about shrubbery being planted and not fencing.

Attorney Quirk responded shrubbery is not an appropriate demarcation.

Subsidizing Agency was discussed; they protect the owners.

Attorney Quirk said there should be a notice placed in the offer for sale if a particular unit is located in the flood plain.

Attorney Quirk said the ZBA is still negotiating the island and she signaled to the other side that she did not think the ZBA would be willing to go with a solar project; she was not sure about a telecommunications tower hidden by woods.

Attorney Quirk referenced the Regulatory Agreement and said the other side is arguing with her regarding this Agreement.

Attorney Quirk stated she will address those four things discussed: ADA compliance with sidewalks; the \$70,000 amount including engineering fees; confirm they are selling lots; and flood insurance issue, and will bring those to the ZBA's attention and noted they were meeting the following week.

MOTION was made by Mr. Kimball to Adjourn at 8:45 P.M. Second by Mr. Salvo.

Roll Call:

Mr. Bramwell: In Favor of Motion


Mr. Salvo: In Favor of Motion

Mr. Kimball: In Favor of Motion

Mr. Giblin: In Favor of Motion

Vote: Unanimous. MOTION CARRIES.

Respectfully Submitted by:

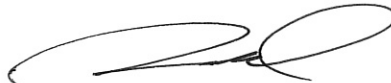

Janet Sweeney
Board of Selectmen - Recording Secretary

Documents Presented

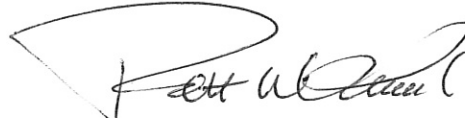
July 14, 2016 Board of Selectmen Executive Session Meeting

No documents were presented/reviewed

BOARD OF SELECTMEN
EXECUTIVE SESSION
JULY 14, 2016



TIMOTHY R. GIBLIN, CHAIRMAN



ROBERT W. KIMBALL, JR., VICE-CHAIR



ROBERT S. SALVO, Sr., CLERK

MARY T. STEELE

BRADFORD K. BRAMWELL

Dated: 07/28/16