



Michael D. Yunits  
Town Manager

# TOWN OF NORTON

MUNICIPAL CENTER

70 EAST MAIN STREET, NORTON, MA 02766

Telephone: (508) 285-0210 Fax: (508) 285-0297

E-mail: myunits@nortonmaus.com

NORTON TOWN CLERK

OCT - 6 2022  
1:50 AM PM  
RECEIVED

TO: LUCIA LONGHURST, TOWN CLERK

FROM: MICHAEL D. YUNITS, TOWN MANAGER

DATE: OCTOBER 6, 2022

RE: TOWN MEETING ARTICLES

The Select Board voted at its September 7, 2022, meeting to refer the following matter to the Planning Board for its non-binding report (see attached letter from Michael D. Yunits, Town Manager, dated September 8, 2022):

Petitioned proposal to allow large-scale, ground-mounted solar photovoltaic installations in the Residential 40 Zoning District by special permit by amending the Norton Zoning By-Law Article XXII, §175-22.2 and §175-22.3.

Based upon the September 27, 2022, recommendation of the Norton Planning Board (see letter from Bryan Carmichael, Administrative Secretary of Planning and Zoning, dated September 28, 2022, attached hereto), the Select Board voted on the petitioned article and authorized the Town Manager to submit the following record of the Select Board's recommendations:

**Voted: October 5, 2022**

**Motion to recommend failed (1-3).**

**Recommended:** Michael Toole

**Not Recommended:** Megan Artz, Kevin Snyder, and Steven Hornsby

mtb

Attachments: 2



**NORTON PLANNING BOARD**  
70 East Main Street  
Norton, Massachusetts 02766-2320  
Office: 508-285-0279 Fax: 508-285-0277

September 28, 2022

Re: Planning Board Report to Select Board

Please accept this letter as the **Planning Board Report to the Town Meeting** on the proposed amendment to the Zoning Bylaw.

A proper and complete public hearing notice was published in the Sun Chronicle on Tuesday, September 13, 2022 and again on Tuesday, September 20, 2022, posted in the Town Hall, social media, town website, and a proper and complete notice was sent to all the parties required by law to receive such notice and a public hearing was held within 65 days of the date of filing the application. The public hearing for the article was opened on September 27, 2022 and closed that evening.

1. Amendment to Zoning Bylaw Article XXII: Proposed change to bylaw 175-22.3&175-22.4 to allow Solar Panels in R-40 zone by special permit. The Planning Board voted on September 27, 2022, upon motion duly made and seconded. **The Planning Board failed to grant the motion (1-6), to recommend the Warrant Article as published.**

**Summary of Issues heard at Public Meeting September 27, 2022.**

Regarding the Solar article, the concerns were noise that comes from the solar panels, most of developable R-40 zoned areas are smaller lots, most of Norton allows solar or have to apply for a special permit, R-40 is designed for residential development, density of R-40 zone, and the difficulty of being able to deny a solar facility in R-40 if it was approved at Town Meeting.

Please contact me with any questions.

Sincerely,

*Bryan Carmichael*

Bryan Carmichael  
Administrative Secretary of Planning and Zoning  
CC: Select Board  
Michael Yunits, Town Manager



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Michael D. Yunits  
Town Manager

TO: TIMOTHY M. GRIFFIN, CHAIR, PLANNING BOARD

FROM: MICHAEL D. YUNITS, TOWN MANAGER

DATE: SEPTEMBER 8, 2022

RE: PROPOSED WARRANT ARTICLES

At its meeting of September 7, 2022, the Select Board voted to refer the following matter to the Planning Board for its non-binding recommendation:

Petitioned proposal to allow large-scale, ground-mounted solar photovoltaic installations in the Residential 40 Zoning District by special permit by amending the Norton Zoning By-Law Article XXII, §175-22.2 and §175-22.3.

Due to timelines, would you kindly provide the Select Board with the Planning Board's recommendations at your earliest opportunity and advise me of the date this matter will be on the Planning Board's agenda?

Thank you for your assistance.

mtb

Attachment

The Town of Norton  
CITIZEN PETITION

Annual Town Meeting Article

In accordance with M.G.L. c. 39 § 10

NORTON TOWN CLERK  
2022 AUG -3 AM 10:53

INSTRUCTION TO PETITIONER

1. The Petitioner will be the contact name listed in the Warrant and should be the first registered voter to sign this petition form.
2. Before gathering signatures, please consult the Board of Selectmen's office to confirm that the language of your article is actionable. It will be voted at Town Meeting Exactly as worded in your typed submission.
3. Return this citizen petition to the Town Manager's Office when complete. A minimum of 10 signatures is required for an Annual Town Meeting article. It is suggested you obtain more than that for verification.

DEADLINE: 5 PM, -

- Citizen petitions must be **FIRST** submitted to the Town Manager's Office. The Town Manager's office will submit document to Town Clerk/Registrar of Voters for certification of names.

Name of  
Petitioner:

Randy Fogarty

Address:

97 Oak St

Norton MA

02766

Street & number

apartment/unit

Chelmsford

zip code

Phone:

508 285 7440

Work/Cell:

508 400 0647

Email:

Fogarty@Aol.com

Proposed Warrant Article:

See Attached

## TAXPAYER PETITION

RECEIVED  
NORTON TOWN CLERK

The undersigned registered voters of the Town of Norton hereby request that the Board of Selectmen place an article on the Warrant for the next regular Town Meeting as follows:

To see if the Town will vote to allow large-scale, ground-mounted solar photovoltaic installations in the Residential 40 Zoning District by special permit by amending the Norton Zoning By-Law Article XXII §175-22.3(A) as follows:

By the addition of the words "Residential 40" after the words "within the" and before the words "Residential 60" in line two of said §175-22.3(A);

And by amending § 175-22.2 (E) by adding the words "Residential 40" after the words "within the" and before the words "Residential 80" in line one of said section;

And by amending Subsection (B) of said §175-22.3 by adding a subsection "(B)(1)(e) Residential 40 Zoning District; 75 feet"; by adding a subsection "(B)(2)(e) Residential 40 Zoning District; 50 feet"; and by adding a subsection "(B)(3)(e) Residential 40 Zoning District; 50 feet".

NAME:

PRECINCT

1. Randy Fogarty	95 Oak St	2
2. Elizabeth Fogarty	97 Oak St	2
3. Brian G. Dand	112 Oak St.	2
4. D.N.	86 Oak St	2
5. Robert Ryan	86 Oak St	2
6. Grinette Ryan	86 Oak St	2
7. Jean Ryan	86 Oak St	2
8. Kathleen Tuttle	1 Erin Ln	2
9. Robert Tuttle	1 Erin Ln	2
10. [Signature]	[Address]	2
11. [Signature]	83 Oak Street	2
12. Dion Cugale	83 Oak Street	2
13. [Signature]	87 Oak Street	2
14. [Signature]	125 Oak St.	2
15. [Signature]	125 Oak St.	2
16. [Signature]	127 Oak St.	2
17. [Signature]	128 East Hedges St	1
18. LeRoy L. Stearns Jr	10 Briggs St	5
19. [Signature]	132 Oak St	2
20. Billy Park	132 Oak St.	2

over

(16) Sixteen

Norton

Kathleen R. Ego  
Misty Ego  
Dorothy MacFerson  
Lucia Longhurst