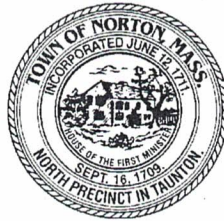


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Town of Norton Planning Board Meeting Minutes November 24, 2015

Call to Order/General Business

The November 24, 2015, meeting of the Norton Planning Board, was held in the first floor Selectmen's Conference Room, of the Norton Town Hall and was called to order at 7:15 P.M., by Joanne Haracz, Chairman. Members Present: Joanne Haracz, Chairman; Mr. David Miller, Vice-Chair; Mr. Edward Beatty; Mr. Pat Daly; and Mr. Joseph Fernandes. Members Absent: Mr. George Burgess and Ms. Cheryll-Ann Senior. Also present: Beth A. Wierling, Director of Planning & Economic Development and Janet Sweeney, Recording Secretary.

A. Endorsement: ANR – 5 Dean Street, Assessor's Map 27, Lot 180

Documents Presented to Planning Board:

1. *Memorandum dated November 18, 2015, addressed to Planning Board from Beth Wierling, Director of Planning & Economic Development, Re: ANR – Form A: 5 Dean Street*
2. *Form A – Application for Endorsement of Plan Believed Not To Require Approval*

The Department of Planning and Economic Development (DPED) has completed a review of the above-referenced project for the November 24, 2015 Planning Board meeting and offers the following comments:

Background: The existing 942,712 square feet property is located within the R-60 & Village Commercial Zoning District.

R60 Zoning District: Lot Size is 60,000 square feet; frontage is 150 feet.

Village Commercial Zoning District: Lot size 18,000 square feet.

Comments: The applicant is proposing to create two (2) building lots: Lot1 (53,429 square feet), and Lot 2 (889,284 square feet). Lot 2 is primarily located in the R60 Zoning District; *frontage is gained from the R60 zoning district under Article VI Dimensional Regulations: 6.10 Minimum Street Frontage Exceptions for Large Lots in R-80, R-60, and R-40.

Recommendation: All lots shown on the plan meet the requirements for the endorsement as an ANR plan: front on a public way, have minimum frontage and have sufficient access. DPED recommends the Planning Board endorse the Plan as submitted.

MOTION was made by Mr. Beatty to approve the ANR – 5 Dean Street, Assessor's Map 27, Lot 180. Second by Mr. Fernandes. Vote: (5-0-0) Unanimous. MOTION CARRIES.

B. Report of the Planning Board

No report given.

C. Planning Board Business and Policies

- It was noted the next scheduled meeting of the Planning Board will be, December 1, 2016
- The Special Town Meeting will take place on December 9, 2015.
- Ms. Wierling noted she is working with SRPEDD to update the Zoning Map.

D. Approval of Minutes – October 13, 2015

No Action was taken on the Minutes. Ms. Wierling said that there are multiple draft Minutes of Meeting ready for Board's review, however, she would like to work with Recording Secretary to adjust format/content on the Minutes of Meeting.

E. Bills and Warrants

MOTION was made by Mr. Beatty to approve Planning Board Bills and Warrants in the amount of \$5,236.72. Second by Mr. Miller. Vote: Unanimous (5-0-0). MOTION CARRIES.

7:30 P.M. PUBLIC HEARING

316 Main Street – Norton Self Storage

Electronic Message Center Sign

Special Permit: Article IV-Use Regulations

(4.4 Commercial Uses, Electronic Message Center)

Initial Hearing

Adv.: November 10, 2015 & November 16, 2015

Abut: November 9, 2015

Documents Presented to Planning Board:

1. *Letter dated November 4, 2015, addressed to Planning Board, from Bill Gavigan, Jr., Sales Executive, Poyant Signs, Inc., Re: approval for the use of a small EMC sign for Norton Self Storage located at 316 East Main Street, Norton, MA*
2. *Drawing: Norton Self Storage, 316 East Main Street, Norton, MA: Design Development, dated September 18, 2015*
3. *Memorandum dated November 18, 2015, addressed to Planning Board, from Beth Wierling, Director of Planning & Economic Development, Re: Special Permit: Electronic Messaging Center (EMC) – 316 East Main Street – Norton Self Storage, File # SP-461*

Mr. Bill Gavigan, Sales Executive of Poyant Signs, Inc., of New Bedford, referenced a double faced EMC for Norton Self Storage. Drawing/Plan was shown of sign. It would be approximately 1' x 5'. Also, he noted hours of operation of sign would be from 6 P.M. to 10/11 P.M. (from 10/11 P.M. to 6 A.M. sign would be shut off).

Mr. Daly asked where the hardware cell was located? Applicant responded that temperature cell configures ambient light level. It was also noted it would be lit from inside.

Mrs. Haracz noted there is a Town Bylaw regarding when these types of signs could be lit and referenced the bylaw; sign must be shut off between the hours of 11 P.M. to 6 A.M. (it was noted business was not opened within those particular hours).

Mrs. Haracz recommended the applicant review this bylaw with the Planning Director, Ms. Wierling.

Mrs. Haracz stated across the street from sign are residents and they have concerns.

Applicant said sign is small in nature and is not a bright sign at night. Professionally, they do not see it as a nuisance where black shades would be needed.

Ms. Marilyn Benaski, who resides on East Main Street, stated she lives across street from where this is being proposed. It appears to be on the end of property near 100' building.

Applicant said it is on the opposite side.

Ms. Benaski asked if it will interfere with line of site from the driveway, as this is a dangerous area.

Mr. Gavigan responded from property line it is about 23' behind street.

Mrs. Haracz noted the sign does comply with the zoning bylaw.

Mrs. Haracz stated Ms. Wierling provided comments regarding the signs compliance with the Zoning Bylaw and discussed proposed conditions of approval:

8.2 Definitions: Electronic Message Center: An EMC may be allowed only upon grant of a Special Permit from the Planning Board and shall be subject to all of the following standards:

The applicant has provided the following information pertaining to the following EMC sign standards:

1. The EMC Sign shall contain messages using only letters, numbers and symbols (as punctuation marks and mathematical symbols) and static image, but shall not contain moving images.
 - The proposed sign can be configured to eliminate the possibility of displaying graphics and animations.
2. Each Message on the EMC sign shall be displayed for a minimum of ten (10) seconds.
 - The proposed sign can be configured for hold times not less than ten (10) seconds.
3. The change of the message shall be accomplished immediately (no dissolved, fade, scrolling or travel of the message).
 - The proposed sign can be configured for instantaneous changes between frames (no special effects)
4. No more than one EMC shall be allowed per lot.
 - Only one EMC sign is proposed.
5. The maximum size for an electronic message center shall not exceed 16 square feet in area.
6. The proposed EMC sign is approximately 7.44 square feet.
7. Each EMC shall have a default mechanism that freezes the sign in one position if a malfunction occurs.
 - Proposed sign is designed to go black until a malfunction is corrected.
8. Notwithstanding any other section of the Zoning Bylaw, an EMC sign shall not be lit between the hours of 11 p.m. and 6:00 a.m. except as special emergency messages (for example, an Amber Alert, major road hazard, etc.).
 - No comment provided.
9. The EMC shall have a light detector which will automatically adjust the brightness according to ambient light conditions.
 - A photocell will be provided to control brightness which will measure ambient light levels and adjust the signs brightness accordingly.
10. The EMC sign shall contain a brightness regulator which does not allow the sign to register more than .3 foot candles over ambient light levels and be accompanied by a manufacturer's certification of such compliance.

- Proposed sign will be factory preset not to exceed 0.3 foot-candles above ambient light when measured at night at the specified distance.

Suggested conditions of approval:

1. The EMC sign shall be erected within the freestanding sign as shown page 1A.1, of the rendering dated September 18, 2015, titled “Norton Self Storage, 316 East Main Street, Norton, MA” prepared by Poyant.
2. The freestanding sign which will encase the EMC sign shall be constructed on or in close proximity to the location shown on the plan submitted with the Special Permit application for an EMC sign dated November 3, 2015, and shall have a setback of 10 feet from any vehicular public right-of-way.
3. Location and set back of freestanding sign shall be confirmed by the Building Commissioner prior to construction.
4. The freestanding sign in which the EMC is enclosed shall be setback no less than 10 feet from any vehicular public right-of-way; the location to be confirmed by the Building Commissioner prior to construction.
5. The EMC sign shall comply with all standards as outlined in Article VIII – Signs, 8.2 Definitions, Electronic Message Center
6. The EMC sign shall not be lit between the hours of 11 p.m. and 6:00 a.m. except as special emergency messages (for example, an Amber Alert, major road hazard, etc.).

Mrs. Haracz said for clarification the Planning Board should say entire sign should comply with regulations.

Mr. Fernandes said there should be more specificity on location of sign.

It was noted there should be some type of landscaping in the island area. Mr. Daly said it would be nice to know what it would look like with landscaping. Will sign go in first before landscaping?

Mr. Gavigan responded it is a three-foot base, so can landscape around that base.

Mrs. Haracz thought the original site plan require a berm where the sign is proposed to be installed, noting it would be beneficial to review the previously approved landscape plan before the hearing is closed. Ms. Haracz indicated she did not have a problem with the sign, but had concerns with location of sign. She said there was no clear indication as to where berm would be placed or where landscaping is located?

Ms. Wierling said the hearing could be continued or considered for approval and she could work with applicant and Building Inspector to ensure an appropriate location for the sign is determined.

Mr. Fernandes does not have a problem with the proposal, in general. Mr. Fernandes indicated the abutters should know where the sign will be located; his issue is not with the EMC but its location.

Ms. Wierling said sign placement could be made a “condition”; if the location changes within “x” number of feet then they would need to return to Planning Board.

Mr. Daly said they should also include if height changes with berm, as well.

Ms. Wierling said they could have public safety review it also for concerns with site distance, etc.

Ms. Wierling said where it will be on berm, it could go up to 2’ and still be within rights of a freestanding sign.

MOTION was made by Mr. Fernandes to close Public Hearing. Second by Mr. Beatty. Vote: (5-0) Unanimous. MOTION CARRIES.

MOTION was made by Mr. Beatty to Approve EMC sign with conditions as noted below:

- 1. The EMC sign shall be erected within the freestanding sign as shown page 1A.1, of the rendering dated September 18, 2015, titled "Norton Self Storage, 316 East Main Street, Norton, MA" prepared by Poyant.**
- 2. The freestanding sign which will encase the EMC sign shall be constructed on or in close proximity to the location shown on the plan submitted with the Special Permit application for an EMC sign dated November 3, 2015, and shall have a setback of 10 feet from any vehicular public right-of-way.**
- 3. Location and set back of freestanding sign shall be confirmed by the Building Commissioner prior to construction.**
- 4. The freestanding sign in which the EMC is enclosed shall be setback no less than 10 feet from any vehicular public right-of-way; the location to be confirmed by the Building Commissioner prior to construction.**
- 5. The EMC sign shall comply with all standards as outlined in Article VIII – Signs, 8.2 Definitions, Electronic Message Center**
- 6. The EMC sign shall not be lit between the hours of 11 p.m. and 6:00 a.m. except as special emergency messages (for example, an Amber Alert, major road hazard, etc.).**

Second by Mr. Daly. Vote: (5-0-0) Unanimous. MOTION CARRIES.

ADJOURNMENT

MOTION made by Mr. Beatty to Adjourn at 8:15 P.M. Second by Mr. Fernandes. Vote: (5-0-0) Unanimous. MOTION CARRIES.

Minutes Approved by Planning Board on: 10/11/14
(Date)

Chairman: Joanne Harney

Signature: JOANNE HARNEY