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NORTON PLANNING BOARD MEETING
DRAFT MINUTES OF April 2, 2019

The Planning Board Meeting of April 2, 2019 was called to order in the Norton Middle School Auditorium at 7:16 p.m. by Mr. Joseph Fernandes, Chair. Members present were Mr. Timothy Griffin, Mrs. Julie Oakley, Mr. Stephen Jurczyk, Mr. Frank Durant, Mr. Oren Sigal and Mr. Steven Hornsby. Town Counsel, Amy Kwesell was also present.

Approval of Minutes

Future Meetings: April 30th

Continued Public hearing SP. 483: 54 Plain Street Solar Facility- Next Grid Redwood, LLC, Application for Site Plan and Special Permits for a large-scale, ground-mounted solar facility.

Daniel Serber and Rich Tabaczynski, give updates regarding board concerns.

Board Questions:

- Have the number of panels changed since last week?
- Sound mitigation
- Megahertz material
- Are you willing to do a baseline before, and after project is installed?
- How many string inverters?
- Do they make sound after dark?
- What are some fixes, enforcements and conditions for sound issues?
 - Town Counsel speaks to this
- Does the school superintendent have any further concerns?
- Has applicant reach PILOT agreement?
- Where is the Conservation Commission with issuing a decision?

Motion to Close Public Hearing for Special Permit and Site Plan 483, made by Mr. Hornsby, second by Mr. Durant, Discussion about changes Conservation Commission could make. All in Favor. Motion PASSES.

Motion to Approve Site Plan and Special Permit 483 made by Mr. Hornsby, second by Mr. Griffin. Discussion, Mr. Sigal suggests conditions that suit this project, and if they should they be made before decision.

Motion to Approve Site Plan:

Vote:

	YES	NO	ABSTAIN	NOT PRESENT
Joe Fernandes,	x			

Chairman				
Stephen J. Jurczyk, Vice Chairman	X			
Steven Hornsby, Clerk	X			
Frank N. Durant		X		
Julie Oakley	X			
Oren Sigal	X			
Timothy Griffin	X			

Motion Passes.

Motion to approve Special Permit:

Vote:

	YES	NO	ABSTAIN	NOT PRESENT
Joe Fernandes, Chairman	x			
Stephen J. Jurczyk, Vice Chairman	x			
Steven Hornsby, Clerk	x			
Frank N. Durant		x		
Julie Oakley	x			
Oren Sigal		x		
Timothy Griffin	x			

Motion Passes.

Review of Findings and Conditions and Execution of Decision

SP. 479 Blue Star Business Park (Leonard Street South and Building 7)-Condyne Engineering Group, LLC

Condyne Delivers red line to board.

Motion to table to later in meeting made by Mr. Hornsby, second by Mr. Jurczyk, all in favor.

Motion Passes.

Continued Public Hearing for SP-482: Fairland Farm Solar-NextSun Energy, LLC. Application for Site Plan and Special Permits for a large-scale, ground mounted solar facility located on a cranberry bog.

8:02 pm

Applicant Adam Schumaker with NextSun Energy present, as well as Stacy Minihane from Beals and Thomas. Landscape Architect, David Lapointe also present to review screening.

Board Questions:

- Why did the meeting with the abutters, scheduled for the Sunday before, not occur?
- What is the AC capacity of your project?
- Give a review of the abutters you did speak to and what they liked or dis-liked about the screening
- Were they new abutters or abutters that have already been spoken with?

Attorney Gaines- Represents 20 or so Abutters:

- Submitted letter to the Board this morning
- Gives the abutters take on why the meeting did not occur the Sunday before
- Questions Mr. Fernandes about his proposal about discernable sound to another project and why that was not asked of here?
- Condition with SMART program and ASTGU
- Asks if NextSun is planning to use easement to install and maintain panels
- Does not feel easement should be for such uses other than harvesting the cranberries

Mr. Fernandes addresses Attorney Gaines.

NextSun's attorney also addresses attorney Gaines.

Board questions:

- Member's note that they take information from other projects and consider them in each project, whether the questions are asked or not.
- Would the applicant do a baseline study?
- Are the abutters on Well Water?
- What happens with the status of the Special Permit?

At this time community members had an opportunity to ask the Applicant and Board questions and raise their concerns. The questions and comments focused on health, visual and noise impacts as well as impacts to property values. For the full detail on what was asked and responded to, please refer to the video recording located on the Norton Media Center webpage.

Mr. Schumaker would like to suggest the board closes the Public Hearing.

Board:

- When is your next Conservation Commission meeting?
- Mr. Sigal suggests waiting till after Conservation Commission delivers their decision to decide on this at the site is wetlands.
- Mr. Sigal suggests a peer review be done for the project
- Mr. Sigal suggests moving the meeting till after April 17th.

Motion to continue to next meeting made by Mr. Sigal, Second by Mr. Jurczyk. WITHDRAWN.

Motion to get a peer review by a sound engineer, made by Mr. Sigal. Discussion: what does this entail? How long will the review take? Would findings and conditions be done once hearing is closed? Not sure if sound would be applicable for flood plan. WITHDRAWN.

NextSuns Attorney believes Conservation Commission is waiting to hear what Planning Board decides.

Applicant requests the withdrawal of Special Permit without Prejudice for Article XXII.

Motion to withdraw Special Permit for Article XXII without prejudice made by Mr. Griffin, Second by Mr. Jurczyk. All in favor. Motion Passes.

At this time NextSun's Attorney and Town Counsel discuss the legality of how to handle the Site Plan, as the bylaw stands currently.

Motion to close the public hearing for the Special Permit and Site Plan made by Mr. Hornsby and seconded by Mr. Griffin. All in favor. Motion Passes.

**Motion to Disapprove the Site Plan as presented made by Mr. Griffin, Second by Mrs. Oakley.
(Vote 7-0). Motion Passes.**

Motion to Deny Special Permit for Floodplain District made by Mr. Jurczyk, Seconded by Mr. Durant (Vote 4-3)

	YES	NO	ABSTAIN	NOT PRESENT
Joe Fernandes, Chairman		X		
Stephen J. Jurczyk, Vice Chairman	X			
Steven Hornsby, Clerk		X		
Frank N. Durant	X			
Julie Oakley	X			
Oren Sigal	X			
Timothy Griffin		X		

Motion Fails

Motion to Approve Special Permit for Floodplain District made by Mr. Griffin, Seconded by Mr. Hornsby (Vote 3-4)

	YES	NO	ABSTAIN	NOT PRESENT
Joe Fernandes, Chairman	X			
Stephen J. Jurczyk, Vice Chairman		X		
Steven Hornsby, Clerk	X			
Frank N. Durant		X		
Julie Oakley		X		
Oren Sigal		X		
Timothy Griffin	X			

Motion Fails

Motion was made by Ms. Oakley to adjourn. Second by Mr. Hornsby. Meeting adjourns at 10:44.

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

Minutes Approved on: 4/16/19

Signature Paul D. Fierse