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NORTON PLANNING BOARD MEETING
DRAFT MINUTES OF SEPTEMBER 17, 2019

The Planning Board Meeting of September 17, 2019 was called to order at Norton Town Hall, Board of Selectmen Chamber, at 7:15 p.m. by Mr. Steven Hornsby, Chair. Members present were Ms. Julie Oakley, Mr. Oren Sigal, Mr. Timothy Griffin, Mr. Scott Bichan, Mr. Joe Fernandes and Mr. Kevin O'Neil. Also in attendance was Amy Kwesell, Town Counsel and Paul DiGiuseppe, Planning Director.

Bills and Warrants

Motion to approve bill made by Mr. Griffin, Second by Mrs. Oakley. All in favor. Motion passes.

Approval of Minutes

Motion to approve August 20, 2019 minutes by Mr. Sigal, Second by Ms. Oakley. Vote 6-0-1 (Mr. Bichan abstained)

Motion to approve September 10, 2019 minutes by Ms. Oakley, Second by Mr. Sigal. Vote 6-0-1 (Mr. Fernandes abstained)

Mr. Bichan recuses himself.

Request for reconsideration & to re-open the REMAND SP-488

At this time the Chairman, Mr. Hornsby, discusses, once again, nothing should be left in the personal mailboxes of members on the board by anyone. He also feels, that mailing something to their home should be considered borderline intimidation. He shares that all contact with any board members should be made through the Planning Department, and he suggests a policy regarding this issue be set in place. The board discusses their ability to even view material being sent to their homes, when the public hearing has been closed. Discussion ensued by Mr. Hornsby, Ms. Kwesell and Mr. DiGiuseppe that the letter provided requesting the re-opening of the hearing contained no new information.

Motion to re-open hearing made by Mr. Fernandes, Second by Mr. Griffin

VOTE:

	YES	NO	ABSTAIN	NOT PRESENT
Steven Hornsby, Chairman		X		
Timothy Griffin, Vice Chairman		X		
Julie Oakley, Clerk		X		
Joe Fernandes		X		
Kevin O'Neil		X		
Oren Sigal		X		

Motion Fails. (0-6-1)

REMAND SP-488: 210 Bay Road and 21 Fairlee Lane Farm Solar- NextSun Energy, LLC

The Board discussed potential conditions and concerns:

- The MA DEP is conducting a site visit on September 18, 2019 as the applicant requested a Superseding Order for the Order of Conditions. The applicant must go back to the Conservation Commission if the floodplain is impacted by the inverters and battery storage equipment area and will be required to provide compensatory storage.
 - Certain conditions in the Order of Conditions should be placed in the Decision.
- Discussion about noise from the inverters focused on:
 - The need to focus on the impacts at the property line.
 - Efficacy of sound barrier must be reviewed by a sound expert.
 - Three stages of review: 1. Background levels; 2. Review of equipment and mitigation to ensure compliance with the standard; and 3. Post-construction study. Base study should be conducted in winter due to loss of vegetation.
 - The Town should hire a consultant and take onus away from applicant. The Town should not allow connection if sound measure isn't met.
 - The State standard of 10 dB is too high and 0 dB is too restrictive. The chosen standard must be somewhere in between.
 - Megahertz must be considered.
 - Sound reduction was discussed including relocating inverters and sound barriers.
 - Concern that proposed plan does not meet State standards.
- Discussion about batteries included:
 - Safety in terms of fire and water pollution.
 - The property is within the Water Resource Protection District.
 - SMART program should determine if batteries are allowable.
 - Are batteries an accessory use.
- Discussion about the Decommissioning Plan included:
 - Condition should be added to update the Decommissioning Plan every 5 years.
 - Decommissioning funds should be placed in escrow.
- Add a condition regarding the maintenance of an appropriate yield of cranberries.
- Add a condition for water monitoring which must be signed off by a PE as well as a Geotechnical Report with a finding that the proposed construction will not adversely impact water in terms of quality and quantity.

Item continued to October 1, 2019.

Mr. Bichan returns.

Motion to adjourn was made by Mrs. Oakley. Second by Mr. Sigal. All in favor. Meeting adjourns at 9:15 pm.

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

Minutes Approved on: 10/1/19

Signature Paul D. Brown