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NORTON PLANNING BOARD MEETING
MINUTES OF APRIL 6, 2021

The Planning Board Meeting of APRIL 6, 2021 was called to order at Via Remote Participation on ZOOM at 7:15 p.m. by Mr. Timothy Griffin, Chairman. Members present via call in, per the Governors Order on Remote Participation, were, Mr. Steve Hornsby, Mr. Oren Sigal, Julie Oakley, Mr. Kevin O'Neil, Mr. Joe Fernandes and Mr. Scott Bichan. Also in attendance was Paul DiGiuseppe.

Mr. Griffin summarizes Governor Bakers order on remote meeting policy, along with a reminder of guidelines for the public chat in the meeting.

Minutes:

Motion to approve the March 23rd minutes made by Mr. Oakley, Second Mr. Hornsby. Roll Call- Yes, Mr. Griffin, Mr. Bichan, Mrs. Oakley, Mr. Sigal, Mr. O'Neil, Mr. Hornsby, Mr. Fernandes.

MODIFICATION TO SPECIAL PERMIT AND SITE PLAN

Blue Star Business Park, Building 7, 0 Leonard Street (Assessor's Map 11, Lot 22).

Applicant seeks determination to proceed with a minor modification to the Special Permit and Site Plan #481.

Mr. Jeff O'Neil, Brandon Carr and Dawn O'Neil present as applicant.

Brandon Carr gives an overview on changes

- Reduction in size- 130k to 100k sqft
- Addition to parking- truck and car
- Slight gain in impervious coverage
- Submitted to MADOT to update permits due to changes
- Looking for the board to determine this is a minor modification and to subsequently take action

Board Comments

- Mr. Sigal discusses the public hearing on building 3 and asks why this will not need the same procedures.
 - Have the contacted the Conservation Commission
- Building Commissioner, Nicholas Iafrate, provides input that he would deem this a minor modification as requested.

Motion to deem this as a minor modification, made by Mr. Hornsby, Second Mrs. Oakley. Discussion on terms of approving as modification, not for an approval or denial. Roll Call- Yes, Mr. Griffin, Mr. Bichan, Mrs. Oakley, Mr. Sigal, Mr. O'Neil, Mr. Hornsby, Mr. Fernandes.

Chairman, Mr. Griffin, asks the applicant if they are looking for the board to take action at this time. Mr. O'Neil shares they would like action now, and they are okay with it being contingent on DEP approval.

Motion to approve the minor modification of the Site Plan, contingent on approval from DEP and keeping the original conditions in place, made by Mr. Hornsby, second Mrs. Oakley. Roll Call- Yes, Mr. Griffin, Mr. Bichan, Mrs. Oakley, Mr. Sigal, Mr. O'Neil, Mr. Hornsby, Mr. Fernandes.

Motion to approve the minor modification of the Special Permits, contingent on approval from DEP and keeping the original conditions in place, made by Mr. Fernande, Second Mr. Hornsby. Roll Call- Yes, Mr. Griffin, Mr. Bichan, Mrs. Oakley, Mr. Sigal, Mr. O'Neil, Mr. Hornsby, Mr. Fernandes.

Proposed rezoning of O Rear E. Main Street, Map 11, Parcels 14-01, 15 & 16; 238 E. Main Street, Map 11, Parcel 17 from Residential 80 to Industrial Zoning District.

Mr. Sigal recuses himself as an abutter.

State rep, Mr. Jay Barrows, shares some history on the parcel and his previous conversations on creating a better use of this property and protecting the Canoe River. As well as the concerns that have circled around as far as lights for that overpass area. He talks about the future for this area and where we are seeing the most growth options for Zoning of this space, along with the job opportunities that could be created with best zoning on this parcel. If we can get a life science company on this site, this would help support the tax revenue for the town.

Mr. Tom Cox, begins to share his screen to give a presentation to the meeting participants about this site and the choice to move forward with the Industrial Zoning choice over that of Commercial. He shares what it would take for relocations of materials on the site, and that they can not fund relocations, thus they need the change/development to support what will be necessary to make these relocations happen. Mr. Cox also outlines some differences in uses and setbacks. He reiterates that Industrial allows for maximum development opportunities for the town and MADOT and they will work with the Town Manager and Mr. DiGiuseppe before they submit for permits.

Mr. O'Neil asks if the move the salt sheds, will the Industrial zone restrict the ability for it to stay there.

Town Manager, Michael Yunits, shares his stance that he thinks the Industrial use would be best for this site. He also talks about that large feels that the town could absorb on this site as an Industrial use.

Mr. Michael Toole, select board member, shares his support for this Zoning to become Industrial, the proximity to the highway for access, and the ECD's goals for the site for life science.

Mr. Gary Perkins, Chairman for board of trustee's at Redmill Village, shares his concern about the 200+ ft buffer and requests they try to keep this buffer in tact and think about remediation.

Mr. Oren Sigal, speaking as an abutter, shares his comments and concerns on the traffic at this site and possible restrictions they may be able to put in to mitigate their concerns. He also asks if there are any plans for the lot between the DOT property and Redmill.

Director, Mr. Paul DiGiuseppe, shares a presentation on the Industrial Land vs Commercial land, the Economic development opportunities in the town and the Vacant land we have, alongside the need.

Chairman, asks if there is any further comment from anyone in the public.

Motion to close the public hearing made by Mr. Hornsby, second Mr. Bichan. Roll Call- Yes, Mr. Griffin, Mr. Bichan, Mrs. Oakley, Mr. O'Neil, Mr. Hornsby, Mr. Fernandes. Mr. Sigal Recused.(6-0-1)

Motion to recommend the article as written made by Mr. Fernandes, second Mr. Bichan. Roll Call- Yes, Mr. Griffin, Mr. Bichan, Mrs. Oakley, Mr. O'Neil, Mr. Hornsby, Mr. Fernandes. Mr. Sigal Recused. (6-0-1)

Proposed rezoning of O White Street, Map 5, Parcels 33 & 33-01 from Residential 80 to Commercial Zoning District.

Mr. Sigal recuses himself as an abutter.

Attorney Henry Souza, representing the application for the petition, and reminds the board their stance that property owner never received notice her parcel was changing in zoning and so they are asking it to be returned to its original commercial zoning. He shares their view of the limitations and possibilities for this site.

Mr. Matt Drain speaks about the history of his dad purchasing this land as commercial and their surprise to find it as residential now.

Mr. DiGiuseppe shares that he worked with Mr. Riley to look through plans and confirms there were changes to this parcel and the zoning maps. He also shares Town counsel's stance that the time frame to claim a scrivener's error has expired.

Mr. O'Neil speaks to his support on this rezoning for all the reasons put in front of the board.

Public comments:

Jerry Murphy-An abutter shares they checked the zoning when he moved in and saw the zoning and would not support the change

Mr. Michael Toole, shares that a letter was sent out regarding this parcel, and the effect on those on white street. He also speaks to share that there was 100+ residents who signed a petition to not support this change.

Mr. Perkins, shares that the owners have had 22 years to fix this, and if they were to change it this will affect many people. He would suggest donating this property to the town and perhaps put a park or playground there, and receive a tax write-off.

Attorney Henry Souza, states he appreciates the abutters concerns about development in the area, but notes those living in Redmill, live in a Commercially zoned district. HE also believes this won't be a high impact use.

Mr. Sigal, as an abutter, shares his screen and his stance on keeping the parcel as residential. A key point from this was that a general notice was provided for the entire town, as he claims is the requirements for a Town wide Zoning change.

Mr. Fernandes, says he can understand how a mistake could have been made anywhere on the maps since he recalls a time where they were coloring the zoning maps with colored pencils. HE also shares that the recreation Dept was looking at the lot that is now Redmill, not the island. Seeing the truck traffic and fronting a busy street, he would not personally ever want to live there and feels no one else would.

Abutter- Jeannine Carmarda- Shares she keeps the noticing for her area and can not find any notice for anything on this parcel. She would like to see the board correct what she sees as a mistake.

Mr. Sigal asks if this is spot zoning.

Mr. O'Neil suggest that Mr. DiGiuseppe share some options for uses on the site if it remains residential, and he reads a few outloud.

Mrs. Oakley shares that she believes the petitioner is taking the right course of action to resolve their issue.

Motion to close the public hearing made by Mrs. Oakley, Second Mr. Bichan. Roll Call- Yes, Mr. Griffin, Mr. Bichan, Mrs. Oakley, Mr. O'Neil, Mr. Hornsby, Mr. Fernandes. Mr. Sigal Recused. (6-0-1)

Motion to recommend article to Town Meeting made by Mrs. Oakley, Second Mr. Bichan. Roll Call- Yes, Mr. Bichan, Mrs. Oakley, Mr. O'Neil, Mr. Hornsby, Mr. Fernandes. No- Mr. Griffin. Mr. Sigal Recused. (5-1-1)

SP-494: 0 Rear Eddy Street. Application for a Special Permit for a common driveway, duplexes, and development in Wetland Protection District. Owner/Applicant: Sharlene Widak-Smith. Continued from July 14, 2020, July 28, August 25, 2020, September 15, 2020, September 29, 2020, October 6, 2020, October 27, 2020, November 17, 2020, December 1, 2020, December 15, 2020, January 5, 2021, February 2, 2021, February 23, 2021 and March 23, 2021.

Applicant is seeking a continuance to April 27, 2021.

Motion to continue to the April 27th meeting made by Mr. Hornsby, Second Mrs. Oakley. Roll Call- Yes, Mr. Griffin, Mr. Bichan, Mrs. Oakley, Mr. Sigal, Mr. O'Neil, Mr. Hornsby, Mr. Fernandes.

General Business

Meeting Dates: May 11, 25

At this time the director and members share their thanks and kind words for those members not continuing on the board, and give them certificates of appreciation.

We are grateful for the service of Mr. Oren Sigal on the board since 2018 as well as the many years of service from Mr. Joseph Fernande, since 2006.

Adjournment

Motion to adjourn at 10:08pm made by Mrs. Oakley, Second Mr. Sigal. Roll Call- Yes, Mr. Griffin, Mr. Bichan, Mrs. Oakley, Mr. Sigal, Mr. O'Neil, Mr. Hornsby, Mr. Fernandes.

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

Minutes Approved on: May 11, 2021

Signature

A handwritten signature in black ink, appearing to be "J. Salvo", is written over a horizontal line.