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NORTON PLANNING BOARD MEETING
MINUTES OF December 28, 2022

The Planning Board Meeting of May 28, 2022 was called to order at the Norton Town Hall via Hybrid means over ZOOM at 7:00 p.m. by Mr. Timothy Griffin, Chairman. Members present in person are Mr. Wayne Graf and Mr. Eric Norris and over Zoom is Mr. Griffin, Mrs. Laura Parker, Mr. Allen Bouley, and Mr. James Artz. Also, in attendance was the Planning Director Maria De La Fuente and Planning Administrative Secretary Bryan Carmichael.

Mr. Griffin calls the meeting to order. Mr. Kevin Snyder is leading the Joint Meeting.

Interview Candidate(s) and/or Vote to Appoint Member to the Planning Board.

There is one opening on the Planning Board with two candidates. The two candidates are Mr. Kevin O'Neil and Mr. Danny Horgan.

Mr. Snyder explains that Mr. O'Neil had offered to join the Planning Board on a temporary basis if no one else showed interest. Mr. Snyder asks Mr. O'Neil if he still feels this way. Mr. O'Neil states he does still feel this way if Mr. Horgan wants to fill in the role and do it for the long term. Mr. Horgan states he intends to go beyond the short term. Mr. Horgan states he moved to Norton in March of 2021 and would like to help contribute to maintaining the standards of Norton for the future. Mr. O'Neil states that the Planning Board requires a super majority to approve a special permit, which for the Planning Board is 5 out of 7 members and the Board currently has six members. This would only allow one member of the Planning Board and it can take multiple meetings to get through a project and if someone misses two meetings they can't vote on a project and then there would be a situation where special permits can't go through due to insufficient number of members. Mr. O'Neil explains that if he were to join the Planning Board, he would only be able to do it for the four months as a three-year term is too long to commit to for right now and could only help out with special permits and not the bigger more long-term projects.

Mr. Michael Toole asks Mr. Griffin if there is room to have alternates on the Planning Board. Mr. Steven Hornsby explains that the Board members are allowed to miss one meeting and they have to sign a form that states they watched the video of the missed meeting to be able to vote. If they miss a second meeting then they are no longer allowed to vote on the matter. Mr. Griffin explains that what allows for this is the Mullen Act which allows for one missed meeting per project and watch the meeting and sign the form then you can participate in the decision. If you miss more than one you are not able to participate in the decision. Mr. Hornsby states that he

believes it is for any public hearing that the Mullen form can be applied. Mr. Toole states that O'Neil has the experience and could be a help to the Planning Board. Mr. O'Neil states the Planning Board is an important Board which does need the seven members and is important to have the members attend every meeting and it would be hard to fill the alternate seats and if there was an opening in the Planning Board in the future, he would fill in the seat until someone was interested.

Mr. Snyder asks Mr. Michael Yunits, the Town Manager what term would be filling with this appointment. Mr. Yunits states it would be until the April election. Mr. Toole asks whose seat would be filled with this appointment. Mr. Griffin states it would be Mr. Bill Marr. Mr. Hornsby asks if it would until the remainder of Mr. Marr's term or until the next election. Mr. O'Neil states it would be for the remainder of the term and the election would be for the rest of Mr. Marr's term.

Mr. Snyder asks Mr. Griffin if he thinks the Boards should move to interview Mr. Horgan for the Planning Board position and put Mr. O'Neil on a list if there is an opening in the future. Mr. Griffin agrees with Mr. Snyder about how the Board's should proceed with. Mr. O'Neil states that he will be on standby.

Mr. Griffin asks Mr. Horgan why he is interested in joining the Planning Board. Mr. Horgan states he has an interest in the future of Norton and wants to have a family in Norton. Mr. Horgan states he is a small business owner and a coach at Mansfield High School for track and field for the past three years. Mr. Horgan continues that he understands the implications of real estate and various zoning laws when it comes to businesses.

Mr. Hornsby states he had his question of did Mr. Horgan intend to run for the office after the appointment. Mr. Horgan states his original intention was to run in the April election and thought the appointment would be a good opportunity to learn.

Mr. Griffin asks if coaching the Mansfield track and field team would conflict with the times of the Planning Board which is 7:15pm on Tuesday nights. Mr. Horgan states that there would be no conflict on Tuesday nights except maybe once or twice a year at most. Mr. Griffin states that the Planning Board has been trying to schedule dates far enough in advance that they can avoid conflicts.

Mrs. Parker asks Mr. Horgan, why the interest in Planning Board specifically. Mr. Horgan states he understands the affect it can have on the town and have been following the meetings, the decisions being made, and the notices for the meetings.

Mr. Bouley makes the motion to endorse the appointment of Mr. Danny Horgan and is seconded by Mr. Graf. Roll Call; Mr. Bouley Yes, Mrs. Parker Yes, Mr. Artz Yes, Mr. Norris Yes, Mr. Graf Yes, and Mr. Griffin Yes.

Mr. Toole makes the motion to endorse the appointment of Mr. Danny Horgan and is seconded by Mr. Hornsby. Roll Call; Mr. Toole Yes, Mr. Hornsby Yes, and Mr. Snyder Yes.

Discussion and/or Vote to Approve the Amended Settlement Agreement with Carroll Advertising.

Mr. Yunits states that since the last settlement agreement American Outdoor Advertising came back and amended the settlement with the same amount of money with the next sign being 250,000 and if there is a third sign it will be 450,000 but the payments will be spread out over ten years instead of a lump sum.

Mr. Hornsby asks if there was a reason for the change. Mr. Yunits states it is a financial change that will make it a funding stream rather than all at once. Mr. Toole asks to confirm the amount for each year. Mr. Yunits states it is 25,000 a year with the first sign and the second sign is 45,000 a year and 150,000 as a final payment.

Mr. Toole asks why Mr. Yunits didn't try to negotiate for five years. Mr. Yunits states that there was no pushback and Town Counsel advised to take what the town can get. Mr. Toole states that after speaking with the Town Accountant that the payments should be taken as donations so the Select Board can put that into a separate account and a letter from Mr. Carroll to address it as a donation.

Mr. Yunits states that if the Boards vote on the agreement to have the chair of the Board sign the settlement.

Mr. Toole motions for the Select Board have acting chair Mr. Snyder sign the amended settlement and is seconded by Mr. Hornsby. The Select Board Vote All in Favor of Mr. Snyder signing the settlement.

Mr. Bouley motions for the Planning Board to sign the amended settlement agreement with Carroll Advertising and is seconded by Mrs. Parker. Roll Call; Mr. Bouley Yes, Mrs. Parker Yes, Mr. Artz Yes, Mr. Graf Yes, Mr. Norris Yes, and Mr. Griffin Yes.


Adjournment

The motion to adjourn the December 28, 2022 meeting was done by Mrs. Parker and seconded by Mr. Graf. Roll Call; Mr. Bouley Yes, Mrs. Parker Yes, Mr. Artz Yes, Mr. Graf Yes, Mr. Norris Yes, and Mr. Griffin Yes. The Planning Board vote in Favor of adjourning the meeting at 7:24 pm.

Minutes prepared and submitted by Bryan Carmichael, Department of Planning and Economic Development Administrative Assistant.

Minutes Approved on: January 17, 2023

Signature

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