

**TOWN OF NORTON  
FALL TOWN MEETING  
MONDAY, OCTOBER 17, 2016**

The Fall Annual Town Meeting was called to order by Moderator William A. Gouveia at 7:03 p.m. at the Norton High School Auditorium. He led the audience in the Pledge of Allegiance.

Moderator Gouveia reviewed some pre-meeting rules:

1. I ask everyone to please find a seat for this meeting. Standing in the back and on the sides creates problems both on a noise level and in counting standing votes. There are plenty of seats, please find one.
2. If you are not a registered voter in the Town of Norton, you are welcome to visit but must sit in the section of seats marked in the rear to my right. If you are a registered voter, please sit anywhere else, because your vote will not be counted if you are sitting in the non-voting section.
3. If you wish to address this meeting, you must do so only after being recognized by the Moderator. There are two microphones located up front here. Please move to one of those if you wish to speak and wait to be recognized. When speaking, please identify yourself by name and address for the record. Please try and keep your remarks brief and to the point, and confine them only to the matter under consideration at the time.
4. All speakers at this meeting will be treated with courtesy by the Moderator and every one else in the room. No speaker will be allowed to use the meeting for personal attacks on any individual. All remarks will be directed towards the Moderator, and while I will allow questions to be asked of individuals, I will not allow cross-examination type discussions from the floor
5. In recognizing people to speak, I will endeavor to call upon those who have not yet spoken on a topic before recognizing those who have already spoken. I will recognize motions to move the question, but if in my opinion there are still people waiting to speak who may add to the discussion, I will exercise my authority to not accept a motion to move the question under those circumstances.
6. If a standing vote is required, you will be instructed to stand at your seats until your vote is counted. If a ballot vote is required, you will be given instructions by the Moderator as to how to proceed.
7. If you wish to make an amendment to any motion, you must do so in writing and present it to the moderator. Please prepare your amendment in writing and bring it to me up here. If you are moving an article that has not been recommended and moved by the Finance Committee, you must also present that motion to the Town Clerk in writing.
8. I remind you all that no motion to reconsider any article will be accepted by the Moderator until at least three articles following the article being reconsidered have been acted upon by this meeting. If the article is one of the last three on the warrant, I will accept any motions to reconsider them at any time prior to adjourning. Please be aware that any article you act upon tonight can be reconsidered as few as three articles later, so keep that in mind before you rush out after your article.

9. There may be requests this evening to allow non-voters to speak on certain articles. This must be done by a motion voted upon by this meeting. While it is the right and the decision of the meeting to allow or not allow non-residents to speak, please keep in mind they may have information to add to the discussion. All non-voters must approach the moderator if they wish to be heard.

The Moderator introduced the first appointed Town Clerk, Lucia Longhurst.

The Moderator recognized State Representative Jay Barrows in the audience.

Town Clerk Lucia B. Longhurst read the call and return of service from the Constable as written in the Warrant.

**FALL ANNUAL TOWN MEETING  
OCTOBER 17, 2016**

**ARTICLE 1**

Motion was made by Michael Fiore that the Town vote to transfer the amount of \$1,149.24 from Free Cash for the following unpaid bills for which obligation was incurred in prior fiscal years:

\$ 520.00	Selectmen	Town of Norton
\$ 609.44	Municipal Building	Boiler Equipment, Inc.
\$ 19.80	Communications	Columbia Gas
<b>\$ 1,149.24</b>	<b>SUBTOTAL</b>	

**PASSES BY UNANIMOUS VOTE AS DECLARED BY THE MODERATOR**

**ARTICLE 2**

Motion was made by Michael Fiore that the Town vote to transfer the amount of \$27,492.12 from Free Cash to pay all outstanding separation expenses associated with the retirement of various employees from the Town of Norton and to authorize the Town Accountant, in consultation with the Town Manager, to allocate amounts to appropriate departments.

**PASSES BY UNANIMOUS VOTE AS DECLARED BY THE MODERATOR**

**FTM 10/17**

**FALL TOWN MEETING  
MONDAY, OCTOBER 17, 2016  
NORTON HIGH SCHOOL AUDITORIUM**

The Special Town Meeting was called to order by Moderator William A. Gouveia at 7:03 PM at the Norton High School Auditorium. He led the crowd in the Pledge of Allegiance and reviewed the pre-meeting rules:

He introduced the first appointed Town Clerk Lucia Longhurst.

The Town Clerk read the call and return of service as written in the warrant.

**MOTIONS FOR THE FALL ANNUAL TOWN MEETING  
OCTOBER 17, 2016**

ARTICLE 1 (4/5)

I MOVE that the Town vote to transfer the amount of \$1,149.24 from Free Cash for the following unpaid bills for which obligation was incurred in prior fiscal years:

\$ 520.00	Selectmen	Town of Norton
\$ 609.44	Municipal Building	Boiler Equipment, Inc.
\$ 19.80	Communications	Columbia Gas
<b>\$ 1,149.24</b>	<b>SUBTOTAL</b>	

**PASSES BY UNANIMOUS VOTE AS DECLARED BY THE MODERATOR**

ARTICLE 2 (Majority)

I MOVE that the Town vote to transfer the amount of \$27,492.12 from Free Cash to pay all outstanding separation expenses associated with the retirement of various employees from the Town of Norton and to authorize the Town Accountant, in consultation with the Town Manager, to allocate amounts to appropriate departments.

**PASSES BY UNANIMOUS VOTE AS DECLARED BY THE MODERATOR**

AARTICLE 3

ARTICLE 3 (MAJORITY)

*(To be revoted 10/17/16 to ONLY include Raise and Appropriate as a funding source)*

I MOVE that the Town vote to amend the vote taken under Article 16 of the May 9, 2016, Annual Town Meeting Warrant by increasing appropriations for certain line items and, as funding therefor, *to raise and appropriate the amount of \$150,000.00 and to transfer the amount of \$557,922.00 from Free Cash for a total of \$707,922.00* as follows:

FY17 OPERATING BUDGET SUPPLEMENTS			
Account	Department	Use	Amount
001-122-510	Selectmen	Salary	\$ 3,798.00
001-122-570		Expense	\$ 710.00
001-123-510	Town Manager	Salary	\$ 5,000.00
001-123-570		Expense	\$ 2,200.00
001-141-570	Assessor	Expense	\$ 2,191.00
001-155-570	Data Processing	Expense	\$ 30,000.00
001-162-570	Elections	Expense	\$ 8,460.00
001-210-510	Police	Salary	\$ 99,802.00
001-210-570		Expense	\$ 12,800.00
001-220-510	Fire	Salary	\$ 142,880.00
001-220-570		Expense	\$ 5,500.00
001-290-510	Communications	Salary	\$ 13,000.00
001-290-570		Expense	\$ 5,250.00
001-292-510	Dog Officer	Salary	\$ 3,000.00
001-300-570	School	Budget Supplement	\$ 225,000.00
001-510-570	Board of Health	Expense	\$ 25,700.00
001-541-510	Council on Aging	Salary	\$ 6,435.00
001-543-510	Veterans	Salary	\$ 1,000.00
001-543-570		Expense	\$ 510.00
001-610-570	Library	Other Charges and Expenditures	\$ 16,686.00
001-750-590	Interest	Expense	\$ 57,000.00
001-910-570	Medicare	Expense	\$ 41,000.00
TOTAL:			\$ 707,922.00

(If revoted 10/17/16 to include Raise and Appropriate as a funding source and to increase the previously voted COA supplement)

I MOVEMotion was made by Michael Fiore that the Town vote to amend the vote taken under Article 16 of the May 9, 2016, Annual Town Meeting Warrant by increasing appropriations for certain line items and, as funding therefor, to raise and appropriate the amount of \$150,000.00 and to transfer the amount of \$564,042.00 from Free Cash for a total of \$714,042.00 as follows:

FY17 OPERATING BUDGET SUPPLEMENTS			
Account	Department	Use	Amount
001-122-510	Selectmen	Salary	\$ 3,798.00
001-122-570		Expense	\$ 710.00
001-123-510	Town Manager	Salary	\$ 5,000.00
001-123-570		Expense	\$ 2,200.00
001-141-570	Assessor	Expense	\$ 2,191.00
001-155-570	Data Processing	Expense	\$ 30,000.00
001-162-570	Elections	Expense	\$ 8,460.00
001-210-510	Police	Salary	\$ 99,802.00
001-210-570		Expense	\$ 12,800.00
001-220-510	Fire	Salary	\$ 142,880.00
001-220-570		Expense	\$ 5,500.00
001-290-510	Communications	Salary	\$ 13,000.00
001-290-570		Expense	\$ 5,250.00
001-292-510	Dog Officer	Salary	\$ 3,000.00
001-300-570	School	Budget Supplement	\$ 225,000.00
001-510-570	Board of Health	Expense	\$ 25,700.00
001-541-510	Council on Aging	Salary	\$ 12,555.00
001-543-510	Veterans	Salary	\$ 1,000.00
001-543-570		Expense	\$ 510.00
001-610-570	Library	Other Charges and Expenditures	\$ 16,686.00
001-750-590	Interest	Expense	\$ 57,000.00
001-910-570	Medicare	Expense	\$ 41,000.00
TOTAL:			\$ 714,042.00

**PASSES BY UNANIMOUS VOTE AS DECLARED BY THE MODERATOR**

**ARTICLE 4**

**No action.**

**DECLARED LOST DUE TO LACK OF MOTION (WATER AND SEWER COMMISSIONERSENTERPRISE  
APPROPRIATION)**

**ARTICLE 5**

**No action.**

**DECLARED LOST DUE TO LACK OF MOTION (WATER AND SEWER COMMISSIONERSSEWER  
ENTERPRISE APPROPRIATION)**

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**ARTICLE 6 (Majority)**

I MOVEMotion was made by Michael Fiore that the Town vote to transfer the amount of \$800,000.00 from Free Cash to the Capital Improvements Fund established by the By-Law entitled "Capital Improvements Fund," from which appropriations may be made by a two-thirds vote at any Town Meeting.

**PASSES BY UNANIMOUS VOTE AS DECLARED BY THE MODERATOR****ARTICLE 7 (2/3 Vote)**

If revoted 10/17/16 to supplement the Board of Health's needs:

I MOVEMotion was made by Michael Fiore that the Town vote to transfer the amount of \$322,683.00 from the Capital Improvements Account and the amount of \$76,000.00 from the Ambulance Reserve Fund, to supplement the Fiscal Year 2017 capital improvements budget appropriated under Article 12 of the May 9, 2016, Annual Town Meeting to pay costs of purchasing, or leasing with an option to purchase for periods of time up to or in excess of three years, new and/or replacement capital items for various Town Departments and for the payment of all costs incidental and related thereto as follows:

POLICE DEPARTMENT (210)	Police Line Cruiser Replacements (Two)	\$ 70,000
POLICE DEPARTMENT (210)	Police Utility Cruiser Replacement (One)	\$ 40,000
POLICE DEPARTMENT (210)	Portable Radios (5/Year)	\$ 15,500
FIRE DEPARTMENT (220)	Special Operations Trailer/Equip. (*50% Ambulance)	\$ 20,000
FIRE DEPARTMENT (220)	Mapping Software (*80% Ambulance) (Year 1 of 3)	\$ 17,500
FIRE DEPARTMENT (220)	Car 3 Replacement (*80% Ambulance)	\$ 65,000
SCHOOLS (300)	(Middle School) Install tile throughout building	\$ 65,000
SCHOOLS (300)	Replace Old Special Ed Mini Buses with Three 8-10 Passenger Vans (Fall) (Year 1 of 3-Yr Lease)	\$ 35,683
HIGHWAY (420)	4 x 4 Pick-Up Truck with Plow	\$ 45,000
BOARD OF HEALTH (510)	3 Plug-In Hybrid Vehicles and 1 All-Electric Vehicle (Lease), Fees, and Electric Vehicles Charging Station (Purchase)	\$ 25,000

**PASSES BY UNANIMOUS VOTE AS DECLARED BY THE MODERATOR**

If not revoted 10/17/16:

I MOVE that the Town vote to transfer the amount of \$312,683.00 from the Capital Improvements Account and the amount of \$76,000.00 from the Ambulance Reserve Fund, to supplement the Fiscal Year 2017 capital improvements budget appropriated under Article 12 of the May 9, 2016, Annual Town Meeting to pay costs of purchasing, or leasing with an option to purchase for periods of time up to or in excess of three years, new and/or replacement capital items for various Town Departments and for the payment of all costs incidental and related thereto as follows:

POLICE DEPARTMENT (210)	Police Line Cruiser Replacements (Two)	\$ 70,000
POLICE DEPARTMENT (210)	Police Utility Cruiser Replacement (One)	\$ 40,000
POLICE DEPARTMENT (210)	Portable Radios (5/Year)	\$ 15,500



FIRE DEPARTMENT (220)	Special Operations Trailer/Equip. (*50% Ambulance)	\$ 20,000
FIRE DEPARTMENT (220)	Mapping Software (*80% Ambulance) (Year 1 of 3)	\$ 17,500
FIRE DEPARTMENT (220)	Car 3 Replacement (*80% Ambulance)	\$ 65,000
SCHOOLS (300)	(Middle School) Install tile throughout building	\$ 65,000
SCHOOLS (300)	Replace Old Special Ed Mini Buses with Three 8-10 Passenger Vans (Fall) (Year 1 of 3-Yr Lease)	\$ 35,683
HIGHWAY (420)	4 x 4 Pick-Up Truck with Plow	\$ 45,000
BOARD OF HEALTH (510)	3 Plug-In Hybrid Vehicles and 1 All-Electric Vehicle (Lease), Fees, and Electric Vehicles Charging Station (Purchase)	\$ 15,000

**PASSES BY UNANIMOUS VOTE AS DECLARED BY THE MODERATOR**

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**ARTICLE 8 (Majority)**

I MOVEMotion was made by Michael Fiore that the Town vote to accept the last paragraph of G.L. c.59, §5, clause Twenty-second F, inserted by St. 1993, Chapter 110, Section 110, reducing the residency requirement from five years to one year for an otherwise eligible person to be granted a tax exemption under clauses Twenty-second, Twenty-second A, Twenty-second B, Twenty-second C, Twenty-second D, Twenty-second E and Twenty-second F of G.L. c.59, §5.

**PASSES BY UNANIMOUS VOTE AS DECLARED BY THE MODERATOR**

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ARTICLE 9 (Majority)

I MOVEMotion was made by Michael Fiore that the Town vote to transfer the amount of \$20,000.00 from Free Cash for the Open Space and Recreation Plan update.

**PASSES BY UNANIMOUS VOTE AS DECLARED BY THE MODERATOR**

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ARTICLE 10 (Majority)

I MOVEMotion was made by Michael Fiore that the Town vote to approve Article 10 as written in the October 17, 2016, Annual Town Meeting Warrant, thereby approving, confirming, and authorizing, pursuant to G.L. c. 59, Section 38H(b), and any other enabling authority, all of the actions set forth therein.

**As written in the Warrant:**

To see if the Town will vote to authorize the Board of Selectmen to negotiate and enter into a Payment in Lieu of Taxes Agreement, also known as a PILOT or “Tax Agreement”, pursuant to the provisions of G.L. Chapter 59, Section 38H(b) and any other enabling authority, in the form substantially as on file with the Town Clerk or in such other form as is acceptable to the Board of Selectmen, between the Town of Norton and Norton Solar I LLC, its successor, assignee, or affiliate, on such terms and conditions and for such term not to exceed twenty (20) years as negotiated by the Board of Selectmen for payment of taxes related to personal and/or real property associated with a solar renewable energy generation facility to be installed, owned, and operated by such entity on land owned by Wheaton College, and described more particularly below, all as set forth in said PILOT; and further, to authorize the Board of Selectmen and Town Manager to take such action as many be necessary to carry out the vote taken hereunder, or take any other action relative thereto:

MAP	LOT	STREET
23	53	20 Clapp Street

(BOARD OF SELECTMEN)

**PASSES BY UNANIMOUS VOTE AS DECLARED BY THE MODERATOR**

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**ARTICLE 11 (Majority)**

I MOVEMotion was made by Michael Fiore that the Town vote to approve Article 11 as written in the October 17, 2016, Annual Town Meeting Warrant, thereby approving, confirming, and authorizing, pursuant to G.L. c. 59, Section 38H(b), and any other enabling authority, all of the actions set forth therein.

**As written in the Warrant:**

To see if the Town will vote to authorize the Board of Selectmen to negotiate and enter into a Payment in Lieu of Taxes Agreement, also known as a PILOT or “Tax Agreement”, pursuant to the provisions of G.L. Chapter 59, Section 38H(b) and any other enabling authority, in the form substantially as on file with the Town Clerk or in such other form as is acceptable to the Board of Selectmen, between the Town of Norton and Norton Solar II LLC, its successor, assignee, or affiliate, on such terms and conditions and for such term not to exceed twenty (20) years as negotiated by the Board of Selectmen for payment of taxes related to personal and/or real property associated with a solar renewable energy generation facility to be installed, owned, and operated by such entity on land owned by Wheaton College, and described more particularly below, all as set forth in said PILOT; and further, to authorize the Board of Selectmen and Town Manager to take such action as many be necessary to carry out the vote taken hereunder, or take any other action relative thereto:

MAP	LOT	STREET
23	70	36 Clapp Street

**PPASSES BY UNANIMOUS VOTE AS DECLARED BY THE MODERATOR**

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**ARTICLE 12 (Majority)**

I MOVEMotion was made by Michael Fiore that the Town vote to amend its Bylaws by deleting the current Bylaw entitled “Motor Boats and Personal Watercraft” in its entirety and adopting a new Bylaw entitled “Boats and Waterways” as written in the October 17, 2016, Annual Town Meeting Warrant.

**As written in the Warrant:**

To see if the Town will vote to amend its Bylaws by deleting the current Bylaw entitled “Motor Boats and Personal Watercraft” in its entirety and adopting, ratifying, and incorporating therein the following new Bylaw entitled “Boats and Waterways”, or take any other action relative thereto:

## **BOATS AND WATERWAYS**

### **Definitions.**

As used in the chapter, the following terms shall have the meanings indicated:

**EXOTIC, INVASIVE PLANTS AND ANIMALS** – Non-native species that have spread into native or minimally managed plant systems in Massachusetts, causing economic or environmental harm by developing self-sustaining populations and becoming dominant and/or disruptive to those systems.

**HEADWAY SPEED** – The slowest speed at which a watercraft may be operated and maintain steerage way, but not to exceed six (6) miles per hour.

**PERSONAL WATERCRAFT (PWC)** – A small vessel which uses an inboard motor powering a water jet pump as its primary source of motive power and which is designed to be operated by persons sitting, standing or kneeling on the vessel. The term includes but is not limited to a jet ski, wet bike, or surf jet so-called, plus motorized or propelled surfboards.

**POWERBOATS** – Any boat powered by an internal combustion engine permanently or temporarily affixed to said boat.

**WATERCRAFT** – Any vessel or object used to navigate the waterways. The term includes but is not limited to a motorboat, row boat, jet boat, sail boat, dinghy, canoe, kayak, inflatable boat or personal watercraft.

**WATERWAYS** – Any body of water upon which watercraft can be used.

### **Regulations Pertaining to Norton’s Lakes and Ponds**

#### **A. General:**

1. No person, while on any inland waters, or on shores thereof, shall annoy or cause annoyance to another person, or utter any profane, threatening or abusive language or loud outcries, or do any obscene or indecent act.
2. No person shall operate any boat or PWC under the influence of alcohol, marijuana, or any mind-altering substances pursuant to MGL. 90 b section 8.
3. No person shall throw, drop or otherwise leave in place in the water, vegetation or on the shore of any of the inland water any paper, rubbish, glass, fishing line, fishing lures, oil, oily waste, gasoline, raw sewage, toxic matter, garbage, rubbish, refuse or any other debris. No person shall discharge swimming pool water into any waterbody, waterway or wetland.
4. Vegetation shall not be altered or removed from any inland water or from along any shore without a valid Order of Conditions from the Conservation Commission. Removal of any vegetation shall be a violation of the Wetland Protection Act (MGL chapter 131, section 40) and shall be punishable by a fine in accordance with the Regulations (310CMR10.00).
5. All power boats and personal watercraft shall be inspected by the operator both before entering any inland waterbody and immediately upon exiting any inland waterbody, for any exotic, invasive plants pursuant to the Massachusetts Invasive Plant Advisory Group (MIPAG). All plants shall be removed and properly disposed as solid waste and shall not be spread to any other Water of the Commonwealth.
6. All power boats operated on any inland waters shall be registered with the Environmental Police Department pursuant to MGL 90 b section 2 and shall bear a number on both sides of not less than four inches in height and one half inch in width, assigned by such department, in a form clearly visible from a distance of not less than 100 yards.

7. No power-propelled boat or PWC shall be operated at a speed creating an excessive wash or wake so as to interfere with the operation of other watercraft, to endanger swimmers, damage property or alter the bank of the pond or wetland vegetation as defined in Massachusetts Wetland Protection Act MGL Chapter 131, Section 40 and its Regulations 310 CMR 10.00.
8. All boating or water-skiing accidents involving personal injury or \$500 property damage must be reported to the Norton Police Department within twenty-four (24) hours of the occurrence.
9. No person shall feed any wild animal including birds, ducks, geese, or similar water fowl in any waterbody or waterway or within its adjoining shores.

**B. Speed restrictions.**

The maximum speed limit for all watercraft in Winnecunnet Pond and Norton Reservoir is 35 miles per hour (MPH) and 15 miles per hour (MPH) for Barrowsville Pond and Chartley Pond, except as approved by the Board of Selectmen for safety or rescue purposes.

**C. Distance restrictions; reduction of speed.**

All watercraft must reduce speed to headway speed (6 MPH) when operating within 150 feet of:

1. The shore, watercraft not underway (for example moored or anchored vessels), and private docking areas; and
2. A public boat launch and a public or private swim area.

**D. Nighttime operation.**

No watercraft shall operate at a speed greater than headway speed (6 MPH) from the hours of dusk to dawn. For the purpose of enforcement, "dusk to dawn" shall mean ½ hour after sunset and ½ hour before sunrise.

1. All watercraft operated from dusk to dawn must be equipped with a light for emergency use.
2. Towing from any watercraft from dusk to dawn operation is prohibited.

**E. PWC operation.**

1. PWC operation shall be allowed from 9am to 4pm only. PWC shall not be operated in less than 30 inches of water; and
2. PWC are not permitted on waterbodies less than 75 acres (Barrowsville Pond and Chartley Pond).

**F. Waterskiing.**

1. Any power-propelled boat towing a person or persons on water-skis shall be occupied by two persons, one of whom shall give full attention to the operation of the boat, and the other shall give full attention to the safety of the person or persons being towed.
2. The maximum length of a ski-rope shall not exceed seventy-five (75) feet.

**G. Seaplanes.**

The operation of seaplanes is prohibited.

**H. Motorized vehicles and frozen conditions.**

No road vehicles, including but not limited to automobiles, trucks, all terrain vehicles (ATVs), or motorcycles shall be allowed onto the waterbody when the lake is frozen, except for emergency purposes only, or by permit of the Selectmen.

1. Snowmobiles may be allowed on frozen waterbodies and shall adhere to Sections B of this bylaw;
2. All structures including ice fishing houses built on or moved onto the ice over waterbodies in the Town of Norton are subject to the following:
  - a. Structures must identify and display the owners name and address with at least two inch block letters;

- b. The Town reserves the right to establish a permit fee of \$20.00 per year per structure;
- c. Structures must be removed prior to ice out, no later than February 15<sup>th</sup> of each year; and
- d. If the structure is not removed the owner will forfeit the privilege for future permits and be subject up to a \$500.00 fine.

**I. Distance restrictions for rafts, floats, moorings.**

No raft, float, mooring or similar device shall be attached to the bottom by anchor or other means at a distance of more than 150 feet from the shore line without a special permit issued by the Police Chief. Anchors are not permitted in Winnecunnet Pond.

**J. Docks.**

1. Any person installing or placing a dock in the Town of Norton shall apply for a wetland permit and construct said dock in compliance with "*Small Docks and Piers: A Guide to Permitting Small, Pile-Supported Docks and Piers, DEP, November 2003*". At a minimum, all deck construction shall consist of material that allows a minimum of 60% light penetration or decking planks spaced a minimum of ¾ inch apart. Motorized vessels shall be moored stern seaward at the end of the dock to prevent "propeller dredging" or "propeller wash". The dock shall be anchored to the shore to prevent it from being dislodged by wind or wave action. The dock shall contain a name plate with the owner's name and phone number in case the dock is dislodged and washed away from its anchor. The owner is responsible for recovering the dock if it is dislodged.
2. All docks must be maintained in a safe structural condition. The Building Inspector may order the repair or removal of any dock or part thereof deemed hazardous by a commissioner or police officer authorized by the commission. The commission may order the repair or removal of said dock. If a dock is deemed a hazard, the owner shall be given 30 days to either repair or remove said dock. The failure of the owner to repair or remove said dock may result in an order by the Building Inspector to remove said dock at the expense of the owner in addition to fines and court fees.

**K. Commercial operation.** No person shall conduct a powerboat rental agency, carrying of passengers for hire, or any other type of commercial business on the waters of the Town of Norton except as prescribed by and specified in an annual license issued by the Norton Conservation Commission. Commercial operations may be subject to an annual fee.

**L. Permits and fees.**

The Board of Selectmen shall establish a fee schedule and issue parking and lease agreements for the use of the Town's land.

**M. Public safety and good order.**

If, in the judgment of the Town, the safety of life and/or property or over use of an area creates a danger, hazard or disturbance of the peace, immediate action may be taken to remedy the situation. Such action may include but not be limited to removing a navigational hazard and removing or redirecting watercraft to another area or off the water.

**N. Enforcement; violations and penalties.**

1. Unless otherwise specified, the provisions of this chapter as well as Chapter 90B of the Massachusetts General Laws shall be enforced by the Police Department.
2. Whoever violates any of the provisions of this chapter may receive a fine of \$150 for each offense or be required to make restitution for damage. Violations of this chapter may be enforced by noncriminal disposition pursuant to MGL c. 40, § 21D.

**O. Effective date.**

This by-law shall take effect in the manner provided in section thirty-two of chapter forty.

**P. Severability.**

If any provision of this by-law is held to be invalid such invalidity shall not affect any other provision of this by-law.

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**PASSES BY MAJORITY VOTE BY TOWN MODERATOR**





ARTICLE 13 (Majority)

I MOVEMotion was made by Michael Fiore that the Town vote to amend its Bylaws by adopting a new By-law entitled "Stormwater Management", as on file with the Town Clerk and as set forth in the handout entitled "Town of Norton Stormwater Management Bylaw", for the purposes as written in the October 17, 2016 Annual Town Meeting Warrant. Article 13 document titled "Town of Norton Stormwater Management Bylaw" referred to in this article is attached to these minutes as part of the minutes and recorded as addendum A.

***MOTION WAS MADE TO AMEND BY DIANE MCELLIGOTT TO ADD EXEMPTIONION "K PROJECTS LESS THAN OR EQUAL TO 1 ACRE" MOTION WAS 2<sup>ND</sup> by Luther Grant. AMENDMENT WAS DEFEATED.***

**PASSES BY MAJORITY VOTE AS DECLARED BY TOWN MODERATOR**

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ARTICLE 14 (2/3 Vote)

I MOVEMotion was made by Michael Fiore that the Town vote to amend the Norton Zoning Bylaws, Article XXII – Large-Scale Ground-Mounted, Solar, Photovoltaic Facilities, by making the revisions, with text to be deleted shown in bold strike-through text, and language to be inserted shown in bold underline text, all as written in the October 17, 2016, Annual Town Meeting Warrant.

Article 14 as printed in the warrant:

To see if the Town will vote to amend the Norton Zoning Bylaws, Article XXII – Large-Scale Ground-Mounted, Solar, Photovoltaic Facilities, by making the following revisions with text to be deleted shown in bold strike-through text, and language to be inserted shown in bold underline text, as follows:

22.2.8 Required Documents

Pursuant to the site plan approval process, the Project Proponent(s) shall provide the following documents:

- (a) A site plan showing:
  - i. Property lines and physical features, including **wetland resource areas and** roads, for the project site;
  - ii. Proposed changes to the landscape of the site, grading, vegetation clearing and planting, exterior lighting, screening vegetation or structures;
  - iii. Blueprints or drawings of the solar photovoltaic installation signed by a Professional Engineer licensed to practice in the Commonwealth of Massachusetts showing the proposed layout of the system and any potential shading from nearby structures
  - iv. One or three-line electrical diagram detailing the solar photovoltaic installation, associated components, and electrical interconnection methods, with all National Electrical Code compliant disconnects and over current devices;

- v. Documentation of the major system components to be used, including the photovoltaic panels, mounting system, and inverter;
  - vi. Name, address, and contact information for the proposed system installer if known at the time of application;
  - vii. Name, address, phone number and signature of the Project Proponent, as well as all co-proponents and property owners, if any;
  - viii. The names, contact information and signature of any agents representing the Project Proponent; and
- (b) Documentation of actual or prospective access and control of the project site (see also section 22.2.9)
  - (c) An operation and maintenance plan (see 22.2.10);
  - (d) Zoning district designation for the parcel(s) of land comprising the project site (submission of a copy of a zoning map with the parcel[s] identified is suitable for this purpose);
  - (e) Proof of liability insurance; the Project Proponent shall be required to provide evidence of liability insurance in an amount sufficient to cover loss or damage to persons and property pursuant to industry standard; and
  - (f) Description of financial surety that satisfies Section 22.7
  - (g) A public outreach plan, including a project development timeline, which indicates how the project proponent will meet the required site plan approval notification procedures and otherwise inform abutters and the community.
  - (h) A Stormwater Management Checklist, Drainage Report and construction-term stormwater management plan. **Solar array projects are subject to Massachusetts DEP Stormwater Standards. The arrays are considered impervious surface and peak rate of runoff control must be provided.**

The Planning Board may waive the above cited documentary requirements as it deems appropriate.

#### 22.3.1 Designated Location:

Large-scale, ground-mounted, solar, photovoltaic installations shall be allowed as follows: on no less than two acres within the Commercial and Industrial zoning districts; and, on no less than five acres within the Residential-60 and Residential-80 zoning districts subject to the provisions of this article. Solar installations shall not be allowed within "bordering vegetated wetland", ~~or~~-bordering land subject to flooding" **or "Riverfront Area", all** as defined in the Massachusetts Wetland Protection Act Regulations, 310 CMR 10.55(2) or CMR 10.57(2) Section 10.57(2), respectively.

#### 22.5.2 Land Clearing and Soil Erosion

Clearing of natural vegetation shall be limited to what is necessary for the construction, operation and maintenance of the large-scale ground-mounted solar photovoltaic installation or otherwise prescribed by applicable laws, regulations, and bylaws. Land alterations exceeding one acre shall comply with Environmental Protection Agency's (EPA's) National ~~Pollution~~ **Pollutant** Discharge Elimination System (NPDES) **Storm Water Discharges from Construction Activities**. ~~requirements and submit a Stormwater. A Storm Water~~ Pollution Prevention Plan (SWPPP) **shall be submitted** to the ~~Building Inspector~~ **Conservation Director** for review **and comment** a minimum of 45 days prior to the commencement of work. Sediment controls shall be properly installed and maintained until the project is stabilized. All disturbed areas shall be permanently stabilized prior to final approval.

or take any other action relative thereto.

(PLANNING BOARD)

Ed Beatty, member of the Planning Board reported that the Planning Board met on this article on September 22, 2016 and unanimously voted in favor of Article 14.

**PASSES BY 2/3 VOTE AS DECLARED BY TOWN MODERATOR**

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**ARTICLE 15 (2/3 Vote)**

I MOVE that the Town vote to amend the Norton Zoning Bylaws, Article XII – Zoning Amendments, with text to be deleted shown in bold strikethrough text, and language to be inserted shown in bold underlined text, all as written in the October 17, 2016, Annual Town Meeting Warrant.

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*ALTERNATE MOTION:*

I MOVE that the Town vote to amend the Norton Zoning Bylaws, Article XII – Zoning Amendments, with text to be deleted shown in bold strike-through, and text to be inserted shown in bold underline, as follows:

- 12.2. b The Planning Board shall hold a public hearing, duly advertised as required by General Laws, Chapter 40A, Section 5, on any proposed amendment referred to it by the Board of Selectmen within ~~60~~ **65** days of such referral. Notice of such hearing shall be mailed to all property owners according to the latest tax record, included within or abutting land subject to amendment, abutting communities, and the Regional Planning Agency. General notice will serve only where the proposed amendment is of universal or wide application in Town; **general notice does not apply to changes in the zoning classification of a parcel(s) of land.**
- 12.4 Whenever an amendment to the Zoning Map proposes that the zoning classification of a parcel of land be changed, the initiators of such amendment, at least three weeks prior to the public hearing, shall submit, **to the Planning Director** an accurate map ~~drawn by a registered land surveyor~~, identifying the extent of the proposed change ~~and shall post the boundaries of land included in such amendment with signs at least two feet square identifying the proposed change, the date, time and place of public hearing thereon.~~

**DECLARED LOST DUE TO LACK OF MOTION (AMEND THE NORTON ZONING BYLAWS, ARTICLE XII)**

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ARTICLE 16 (Majority)

I MOVEMotion made by Michael Fiore that the Town vote to transfer the amount of \$80,000.00 from Free Cash to the “Other Post Employment Benefits Liability Trust Fund” established to cover the unfunded actuarial liability for retirees’ health care and life insurance benefits.

**PASSES BY MAJORITY VOTE AS DECLARED BY TOWN MODERATOR**

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ARTICLE 17 (2/3 Vote)

I MOVEMotion made by Michael Fiore that the Town vote to transfer the amount of \$100,000.00 from Free Cash to the Stabilization Fund in accordance with G.L. c. 40, §5B.

**PASSES BY UNAMIOUS VOTE AS DECLARED BY TOWN MODERATOR**

At 8:15 p.m. the Fall Town Meeting was concluded and Moderator declared the meeting ADJOURNED.

A True record.Record Attest:

Lucia B. Longhurst  
Town Clerk

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