

The regular meeting of the Bridgewater Planning Board convened virtually via zoom at 6:30 pm.

MEMBERS PRESENT: Mr. Driscoll, Mr. Ajemian, Ms. Guarino, Mr. Geller, Mr. MacDonald (arrived at 6:40)

ALSO PRESENT: Associate member, Mr. Akins; Director, Jennifer Burke; Assistant Director, Elijah Romulus and Office Administrator, Leslie Dorr.

Mr. Driscoll, Chairman, read from prepared text on Governor Bakers order of 3/12/2020 and how the meeting will be conducted and how to be able to speak at the meeting.

ZONING RECODIFICATION PUBLIC HEARING CONTINUATION

The public hearing reconvened at 6:34 pm.

Mr. Driscoll advised those in attendance that Attorney Bobrowski has advised us that he will not be able to attend the hearing this evening as he has another commitment in another community. He asked that we continue this meeting to June 3rd. After the last meeting on May 6th, 6 pages of questions were sent to him on comments made at that hearing by the public including questions about dimensional boundaries; disputes thru the ZBA and Planning Board; different types of residential accessory uses; outdoor display and storage of material goods including vehicles, trailers and parts; storage of motor vehicles and the number you can have; prohibited accessory uses; steel garages; home occupations as of right, home occupations by special permit; lots of discussions and concerns about RV's and their restrictions in the front yard setback; fence and hedge height; setbacks; temporary storage of a boat, motorcycle, camper, membrane sheds and pods; prohibited accessory structures; when a variance is required for a non-conforming, single family and two family residential structures; (seems to be a conflict in that section); re-construction after a catastrophic event to demolition; parking for commercial uses in a residential district; lots of discussion on retreat lots; questions on the flexible development and what is done with the open space; why does the manufactured elderly housing communities not allow a clothesline; talked about the PDD and the new PDD; the permit issuance of storage; why do we have the powers of the ZBA listed as it is spelled out in 40A; we asked him to look into reasonable accommodation which seems to be a duplication of MGL 521; sent some definitions over for him to review; asked him to look at the table of uses and provide an explanation at the beginning of the table for the definition of **BNA and BP**?

Mr. Driscoll then opened the discussion to any new comments or information.

Mr. Fred Chase-reminded the Board about comments expressed on the citing of large scale, ground mounted, solar arrays in residential districts. He commented that the Town's experience in the past several years strongly suggests the inadvisability of continuing the practice of special permit allowances for large scale arrays in residential districts. As the Board is aware, there is ongoing litigation on this matter which has incurred considerable legal expense to the Town and he really thinks it is unadvisable to continue the practice of special permit allowance. He said the Table of Uses in that regard should be amended to reflect a simple prohibition against it. Mr. Driscoll questioned Ms. Burke, for clarification, if that issue had been sent to Attorney Bobrowski after the first meeting and she said that is correct. Mr. Driscoll felt then he should be addressing that issue along with the issues raised at the last meeting.

Mr. Ajemian commented that his understanding was that this discussion we are having now on zoning, did not immediately take into account the Table of Uses and asked if we are doing that also or is it being put off to another time. Mr. Driscoll said it does include the table of uses and he felt that after the first meeting that was held in March, we asked for some sort of legal opinion because Attorney Bobrowski had advised us that there was some sort of change with regards to the Dover Amendment. Ms. Burke was unaware of the board asking for a legal opinion, but she could seek one out if the Board would like. Mr. Driscoll said he felt we should know if we can change it and if the board wants to, we should make that recommendation back to the council.

Mr. MacDonald entered the meeting at 6:40 pm.

Janet Hanson-665 Pleasant Street-Expressed concern about the PDD and not understanding why it would be completely re-written; she and others need that addressed and asked that it be put at the top of the list. Mr. Driscoll informed her that the PDD takes up almost one of his pages of questions to Attorney Bobrowski and concerns were clearly indicated. He then read her the notes he sent.

Pat Neary chat read by Mr. Romulus-asking if there will be any discussion on the PDD Zone? I find it confusing; will we be able to discuss the letter she sent with regards to the marijuana odor zoning and she finds that the flexible development is too generous. Ms. Burke explained that the flexible zoning was on the spread sheet that she sent to Attorney Bobrowski and with regards to the letter she sent last week with regards to marijuana, that is a new items that was not being considered at this time and is not part of this discussion. Mr. Driscoll suggested that we ask Attorney Bobrowski while we have him if he has had any experience with that. Ms. Burke said we could ask him. Ms. Neary raised her hand and was unmuted. She stated that she agrees with Janet Hanson on the PDD; it appears, she said, to give regulations for how a landowner could create a PDD zone, not guidelines for someone who is already in the PDD and how they can be controlled or regulated. She felt it was very vague and she hoped at some time before the recodification is finalized, she will understand it or it be eliminated and brought back to where the PDD was initially done. The new zoning, she said, gives a lot of latitude to a developer; she commented that we have a little bit of control now; she expressed concern about the property that is close to her home. As far as the marijuana zoning goes, if it can't be addressed now, maybe we can do an amendment to the zoning so we can get something in place. She felt the flexible zoning had no regulations and she commented that if you give a developer/contractor that much latitude, you will really be in a big mess.

Mr. Ajemian commented that if we are doing a complete overhaul of the zoning, why can't we include marijuana odor? Mr. Driscoll agreed and commented that is why we should submit it to Attorney Bobrowski and if he does have some experience, maybe he can guide us on that. He asked that it be put on the list of things for him.

Warren Minasian-147 Hayward Street-commented that he was curious on how they came up with the setback distances from the street? Mr. Driscoll commented that we did not change any setbacks. Mr. Minasian asked if it was measured from the middle of the road or the edge of the street? Ms. Burke explained that there is a right of way layout and the setback is from that point. She explained to Mr. Minasian what that meant. She told him that it was heard loud and clear that people were not happy with not allowing RV's in the setback area and the attorney will be re-looking at that. He questioned the impetus for all these changes? Ms. Burke explained that 2-3 years ago, the Town appropriated money to a recodification to bring the Zoning up to today's standards and make them adhere to State law and to address some issues that they have found over the years and to help drive some economic development. The council appropriated the money in 2018 and have been working on this ever since.

Comment received from Stephanie Quirk-is there an anticipated timeline that we can expect a response from the attorney? Mr. Driscoll commented that we hope to finalize this at the June 3rd meeting when the attorney will be present to address the comments in person. Mr. Akins noted that he took some time to drive around town and there are quite a lot of RV's and steel garages.

Janet Hanson spoke about signing up with the Town for emails concerning events going on in town.

Robin Thomas-25 Tuckoosa Circle-with reference to Pat Neary's concern about smells; she expressed frustration about a business close to her that produces a lot of noise and smells I(Bridgewater Farm Supply) and nothing is ever done about it; they are actually located on the other side of the river and they shouldn't have to smell it.

Mr. Driscoll asked Ms. Burke to update the list concerning flexible development, PDD, Solar and Marijuana odor.

On a motion by Steve Geller, seconded by Ms. Guarino, it was unanimously voted by roll call vote, to continue the hearing to June 3rd at 6:30 pm.

CERTIFICATE OF VOTE AUTHORIZING SIGNATURES PURSUANT TO M.G.L. c. 110G

"Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §20," issued by Governor Charles D. Baker on March 12, 2020.

Df-

Motion: Ms. Guarino

That: The Town of Bridgewater, Planning Board hereby recognizes and accepts the provisions of M.G.L. c. 110G regarding electronic signatures and that its members will henceforth execute documents either with electronic signatures or with wet ink signatures and that both will carry the same legal weight and effect. Motion was seconded.

Seconded: Mr. MacDonald

Roll Call vote:

Patrick Driscoll – yes

Raymond Ajemian –yes Jean

Guarino –yes

Michael MacDonald – yes

Steven Gellar – yes

Vote was unanimous

Board Business

Minutes needing approval:

4/15/20 and 5/6/20

Ms. Guarino advised the membership that she had read them and emailed some Scribner's errors to Mrs. Dorr.

On a motion by Ms. Guarino, seconded by Mr. MacDonald, it was unanimously voted to approve those minutes with corrections.

There were no director's reports

On a motion by Ms. Guarino, seconded by Mr. Geller, the meeting was adjourned at 7:18 pm.

MINUTES APPROVED: 6/17/2020