



NORTHBRIDGE PLANNING BOARD MINUTES



Tuesday, May 07, 2019

2019 Spring Annual Town Meeting

The following members of the Planning Board attended the 2019 Spring Annual Town Meeting: Chair Brian Massey; James Berkowitz, Vice Chair; Harry Berkowitz; & Rainer Forst. Abdul Kafal was absent. R. Gary Bechtholdt II, Town Planner was also present. One (1) Planning Board vacancy remains (Associate Member).

The Northbridge Zoning Map was displayed at Town Meeting (for Art. #20 & Art. 22), as well as a GIS map showing R2 zoned properties of 12 acres or more (Art. #22 -Petition Article); Handouts for Article(s) 20 & 22 were distributed to Town Meeting attendees (copy attached).

The Planning Board presented/spoke to the following Warrant Articles:

ARTICLE #20 –ZONING AMENDMENT [REZONE PARCELS OF LAND FROM RESIDENTIAL TO BUSINESS]

Brian Massey offered the motion to amend the Town of Northbridge Zoning Bylaw, Chapter 173 of the Code of Northbridge by amending the zoning designation of parcels of land identified as Assessors Map 23 Parcels 6, 10, 12, & 14 located on Providence Road from Residential-Three (R3) to Business-Two (B2) as described in the warrant.

Chair Massey read the Planning Board Report & Recommendation for Article #20: *In accordance with Massachusetts General Law Chapter 40A Section 5, the Planning Board held its public hearing Tuesday, April 16, 2019 to consider Article #20, to AMEND the Northbridge Zoning Map by rezoning parcel(s) of land identified as Assessors Map 23 Parcels 6, 10, 12, & 14 located on Providence Road from Residential-Three (R3) to Business-Two (B2), as described in the warrant. Upon soliciting public testimony, the Planning Board closed its hearing of the same on April 16, 2019 voting unanimously (5-0) to RECOMMEND Article #20. Subject property includes Kearns Collision (1734 Providence Road); Perry's Auto (1702 Providence Road); the former PawSteps Veterinary facility (1700 Providence Road); & Tent Connection/Katalina's Boutique (1682 Providence Road). As part of its consideration the Planning Board reviewed correspondence received by the Inspector of Buildings/Zoning Enforcement Officer, whereas it was determined current uses associated with the subject properties were approved by the Zoning Board of Appeals in the 60's, 70's and early 2000's. Said uses may be considered legal pre-existing or non-conforming which may restrict, or limited future uses within these parcels. In offering its recommendation of support the Planning Board noted absent a zoning change the now vacant PawSteps building may only be utilized as a residential use. Amending the zoning designation from Residential to Business would allow for the existing uses to remain AND allow for new uses consistent with the zoning bylaw as may be allowed within the B2 Zoning District.*

Zoning Amendment Article (Art. #20) passed at Town Meeting (unanimous -2/3 majority required).

ARTICLE #22 –ZONING AMENDMENT [R2 MARIJUANA CULTIVATOR]

Chloe Mawn (main petitioner) offered the motion to amend the Town of Northbridge Zoning Bylaw, Chapter 173 of the Code of Northbridge to allow Marijuana Cultivator, as an accessory use within the Residential-Two

(R2) Zoning District by special permit provided subject property consists of more than 12 acres and associated structures are setback a min. of 100-feet from property line as described in the warrant.

Chair Massey read the Planning Board Report & Recommendation for Article #22: *In accordance with Massachusetts General Law Chapter 40A Section 5, the Planning Board held its public hearing Tuesday, April 16, 2019 to consider petition Article #22, to AMEND the Northbridge Zoning Bylaw [Table of Use Regulations] to allow Marijuana Cultivator, as an accessory use within the Residential-Two (R2) Zoning District where property consists of more than 12-acres and associated structures are setback a minimum of 100-feet from the property line. Upon soliciting public testimony, the Planning Board closed its hearing of the same on April 16, 2019 voting (3-2) to RECOMMEND Article #22; voting in favor were Harry Berkowitz, James Berkowitz and Abdul Kafal with Brain Massey and Rainer Forst casting dissenting votes. As part of its consideration the Planning Board reviewed correspondence received by the Inspector of Buildings/Zoning Enforcement Officer, whereas the proposed zoning would allow the R2 marijuana cultivation as an accessory use by special permit and site plan approval from the Planning Board. Such marijuana cultivation establishment would also need to comply with all local and state regulations regarding marijuana establishments. A marijuana cultivator is defined as an entity that may cultivate, process and/or package marijuana, to transfer and deliver marijuana to other marijuana establishments, but not directly to consumers. Accessory use is defined as a nonresidential use subordinate to the principal use of a structure or lot, not the principal use, which is located on the same lot as the principal structure and where not more than two (2) regularly employed persons, other than residents living on the premises are employed.*

Chair Massey reviewed and explained handout distributed for Art. #22 (attached). Mr. Massey then spoke on his own behalf regarding his position (opposed) as it relates to the proposed zoning bylaw amendment. Finance Committee offered its recommendation to support the zoning amendment. The Board of Selectmen offered its recommendation not to support the petition article. Ms. Mawn presented to Town Meeting offering in support of adopting the zoning amendment article.

Zoning Amendment Article #22 [Petition] failed at Town Meeting as it did not satisfy the 2/3 majority vote required.

Adjournment

Having no additional business, the Planning Board adjourned Town Meeting (May 07, 2019) at or about 9:30PM.

Respectfully submitted,


R. Gary Bechtholdt II
Northbridge Town Planner

Approved by the Planning Board:

05/14/2019

Cc: Town Clerk
/File