



TOWN OF BLANDFORD

Planning Board Meeting and Proposed Zoning By-Law Changes Hearing Minutes

May 5, 2022

Present: Michael Hutchins, Edna Wilander, Paul Martin, Sarah Simpson

Call to Order: Michael Hutchins, Chair

OPEN MEETING –6:02 PM

Motion: Edna moved to accept the April meeting minutes. Paul seconded. Voted unanimously. Motion was made by Paul and seconded by Edna to Close Planning Board Meeting.

MEETING CLOSED: 6:08 PM

TOWN OF BLANDFORD Public Hearing – Zoning By-Law Changes Minutes – May 5, 2022

Present: Michael Hutchins, Edna Wilander, Paul Martin, Sarah Simpson
Attendees were asked to sign in

Call to Order: Michael Hutchins, Chair

OPEN HEARING – 6:10 PM

Michael opened the hearing at 6:10 PM by explaining that most proposed changes are submitted due to resident complaints, or other board/Town Department suggestions and required statute changes. He further explained the process of the public hearing, and processes required for a by-law change to take place.

Edna read the hearing notice.

Michael acknowledged the ground rules and advised that meeting is being recorded.

Michael explained to attendees that the majority of the proposed changes are due to minor changes (renumbering, etc. and removal of unnecessary text from by-laws).

Motion: Edna made a motion to go out of order to address bigger concerns of residents expressed via e-mail, calls etc. Paul seconded. Voted unanimously.

Michael addressed hogs/pigs/fur bearing animals. Michael addressed that the item is mentioned in the Schedule of Uses Table, and also confirmed that there is no actual by-law in town that the schedule represents, the item only exists in the Right To Farm town bylaws. Michael stated that his

recommendation is to remove the item from the Schedule of Uses table as it does not refer to any actual bylaw.

Remainder of Zoning By-Laws were read.

Michael opened hearing up to public comment.

Residents stated that they feel that a lot of confusion could have been contained if the hearing notice was presented differently. Michael agreed and advised that the PB is required by law to notify the public of proposed amendments. Michael went on to advised that Board would be happy to receive support for future communications if anyone has any suggestions.

Chartrand asked for definition of fur bearing animals. Michael explained that the definition is based upon state definitions, but Michael again advised that the information is being removed from the schedule of uses.

Sonja Hutchins of the Zoning Board of Appeals asked Michael to explain the MA Right To Farm by-law. Michael had resident read language of MA RTF.

Dick Gates asked if current active bylaws are on town website. Michael confirmed that they are.

Michael resumed review of amendments in order.

Michael read section 4.4.

Mark Mueller of Hull Forest Products raised a question in regard to section 4.4.3, asking if Town has marked property lines. Discussion ensued and it was determined that this section should not be addressed until it is determined if there are posted property markers.

Michael made a motion to close the public hearing. Edna seconded. Voted unanimously.

HEARNG CLOSED: 8:20 PM.

TOWN OF BLANDFORD - PLANNING BOARD MEETING (continued)
May 5, 2022

Present: Michael Hutchins, Edna Wilander, Paul Martin, Sarah Simpson
Attendees were asked to sign in

Call to Order: Michael Hutchins, Chair

MEETING REOPENED: 8:32 PM.

Motion: Edna moved to remove article 6 (raising of hogs/pigs/fur bearing animals on <5 acres). Sarah seconded. Voted unanimously.

Draft Warrant Articles to send to SelectBoard for Town Meeting:

Article 1: To see if the Town will vote to amend its Zoning By-law SECTION 4.4 LONG POND WATERSHED PROTECTION DISTRICT by clarifying description, permitted uses and criteria for development in the Long Pond Watershed Protection District.

4.4.2 INTENT OF DISTRICT – Amend Section 4.4.2 Intent of District, by clarifying the district boundaries on the Town’s Zoning Map and inserting the following language:

“The Watershed Protection District is an overlay district and shall be superimposed on the other districts established by this by-law. All regulations of the Town of Blandford Zoning By-laws applicable to such underlying districts shall remain in effect, except that where the Watershed Protection District imposed additional regulations, such regulations shall prevail.”

4.4.4 PERMITTED USES – Remove reference “(see Section XII: Schedule of Uses Table)” as this reference has been changed to SECTION RESERVED and insert the following: “(See Section XV: Schedule of Uses Table)”.

Amend Sections

4.4.4.6 (e) by amending to clarify by revising and adding the following language: “All operations be conducted in accordance with a *Forest Cutting Plan (MGL Chapter 132, Sections 40-46A) and approved by the Service Forester of the Massachusetts Department of Conservation and Recreation (as provided under 304 CMR 11.04)*; and a written notice describing the proposed cutting and removal of trees shall be submitted to the Conservation Commission not less than ten days prior to the commencement of operations.”

4.4.4.6 (g), by amending (25’ to 100’) “where the placement of such, branches and limbs resulting from the cutting and removal operations shall not occur within **100** feet of the bank of a water body;”

4.4.4.7 by removing Section 4.4.7 GROUND MOUNTED SOLAR PHOTOVOLTAIC INSTALLATION as permitted use in the Long Pond Watershed Protection District.

MOTION: A motion was made by Edna to accept the wording for Article 1 and was seconded by Paul. Passed Unanimously

Article 2: To see if the Town will vote to amend its Zoning By-law for SECTION 4.4.5 to clarify permitted uses criteria for development in the Long Pond Watershed Protection District.

4.4.5 PROHIBITED USES – Amend (25’ to 200’) to revise and clarify permitted uses and criteria for development in the Long Pond Watershed Protection District.

4.4.5.1 – FORESTRY Amend Section to reflect change from 25’ feet from the bank of all brooks and streams flowing into Long Pond to **200**’ feet from the bank of all streams flowing into Long Pond,” and adding to the following to the end: “*unless done under forestry cutting plans or joint approval of water department and conservation commission.*”

4.4.5.3 – Amend Section by adding language to prohibit any new buildings, structures, land-disturbing activities, or excavations for removal of soil, sand, gravel, rocks, minerals, or any other earthen material within the Watershed Protection District by inserting after ‘excavations’ “*for removal of soil, sand, gravel, rocks, minerals, or any other earthen material*” and adding at the end “*excluding required Town road maintenance.*”

MOTION: A motion was made by Edna to accept the wording for Article 2 and was seconded by Paul. Passed Unanimously

Article 3: To see if the Town will vote to amend its Zoning By-law SECTION 5.3 TRAILERS, i.e. moving vans, auto carriers, commercial load bodies excepting farm vehicles are specifically prohibited in the residential and business zoning districts for parking and permanent storage

Amend Section

5.3.3 – Amend Section by adding language by inserting at the end of the sentence: *“in the residential and business zoning districts for parking and permanent storage”*.

5.3.6 – Add Section *“A recreational vehicle, including an independent or dependent travel trailer, tent trailer, pickup camper, motor home converted bus and other equipment, which is eligible to be registered and insured for travel on public ways and is designed to be used as a temporary dwelling for travel, recreational or vacation purposes, are not to be used as a secondary dwelling unit.”*

5.3.7 – Add Section *“Recreational vehicles may not be placed on a vacant parcel that has no current use or structure, as per Section 2.6 without a Special Permit for the Zoning Board of Appeals.”*

MOTION: A motion was made by Edna to accept the wording for Article 3 and was seconded by Paul. Passed Unanimously

Article 4. To see if the Town will vote to amend its Zoning By-Law SECTION 9.1 SITE PLAN REVIEW AND SPECIAL PERMITS to the proposed amendments to create consistency with current Zoning By-law sections and clarifies current terms used throughout Town government.

9.1 Amend Section

9.1.2 Amend Section PROJECTS REQUIRING SITE PLAN REVIEW by eliminating reference to now obsolete section of the Zoning By-Law and replacing *“Board of Selectmen”* with *“Select Board”*.

9.1.4.3 Amend Section APPLICATION PROCEDURE by 9.1.4.3 by eliminating reference to now obsolete section of the Zoning By-law by eliminating *“elevations as illustrated further in Section 6.8.5”*.

9.1.6 Amend Section REVIEW PROCEDURE by replacing *“Board of Selectmen”* with *“Select Board”*.

MOTION: A motion was made by Edna to accept the wording for Article 4 and was seconded by Paul. Passed Unanimously

New Business

ANR for 85 Gibbs Road

Board reviewed the plans and signed off.

Sarah moved to close meeting. Paul seconded. Voted unanimously.

Meeting closed at 8:55 PM.

Respectfully Submitted,
Sarah Simpson, Secretary

Edna Wilander, Vice Chair
Paul Martin, Finance
Sarah Simpson, Secretary

