



**TOWN OF WRENTHAM
PLANNING BOARD**

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Meeting Minutes – September 18, 2019
Town Hall 2nd Floor Meeting Room

Members Present: Vice-Chair Charles Woodhams, Clerk James Lawrence,
Robert Cass, Thomas Wrynn, Everett Skinner, and
Stephen Schwarm

Members Absent: Chairman Michael McKnight

Town Planner: Rachel Benson

Departmental Secretary: Priscilla McGill

7:00 p.m. Board Chair Call to Order – Agenda Overview

Vice-Chair Woodhams sat as Chair for the meeting as Chairman McKnight was absent.

Meeting Minutes September 4, 2019

Mr. Skinner moved to approve the meeting minutes, as submitted subject to typos, for August 21, 2019.
Mr. Lawrence as second. Aye-6; Nay-0, and Abstentions-0, (6-0-0).

ANR Plan (ANR 2019-08); 430 Madison Street, CGW Nominee Trust (owner/applicant)

Mr. Skinner moved to open the hearing with Mr. Lawrence as second. Aye-6; Nay-0, and
Abstentions-0, (6-0-0).

Mr. Woodhams recused himself as he is a family member to the applicant/owner. Mr. Lawrence stepped in as
Chair for this hearing.

Craig Woodhams of 400 Madison St. appeared before the Board seeking to build an addition to his home. The
land at 430 Madison Street is Chapter 61 family owned land. Mr. Woodhams is seeking to transfer a small
parcel from the trust to his property in order to meet the side lot set-back By-Law requirements. The Board
confirmed there are no other lot changes and that the build factor remains the same.

Mr. Skinner moved to approve the plan entitled *Plan of Land Madison Street*, dated August 26, 2019 showing
Lot 4A to be added to Lot 4 to create one lot with an area of 99,125 S.F.
Mr. Schwarm as second. Aye-5; Nay-0, and Abstentions-0, (5-0-0).

Mr. Woodhams returned as Chair for the remainder of the meeting.

201 Wampum St. – Request for Continuance

Mr. Skinner moved to approve the request for continuance to October 16, 2019 at 7:15 p.m. submitted by Jim
Susi of United Consultants, dated September 12, 2019. Mr. Schwarm as second. Aye-6; Nay-0, and
Abstentions-0, (6-0-0).

Badus Brook Road and High Meadow Road; Wrentham Hills, LLC and Wrentham Oxbow, LLC (owners) – vote to recommend street acceptance to Board of Selectmen

Ms. Benson noted the As-Built review by Beals & Thomas, DPW & Fire sign-off, completion of Title Search, and that only review of Town Counsel remains. All other required items have been submitted.

Mr. Skinner moved to recommend favorable action to the Board of Selectmen. Mr. Lawrence as second. Aye-6; Nay-0, and Abstentions-0, (6-0-0).

Master Plan Implementation

Ms. Benson noted that she has combined the matrix from the different chapters, Economic Development, Housing, Government, and Transportation. There are several items recently done and requested that the Board continue to review the plan with recommendations of what they would like to tackle.

7:15 p.m. - New Public Hearing - ZBL 2019-04 Amend Article 18, Sign Regulations, Penalties

Mr. Lawrence moved to open the public hearing and waive reading of notice. Mr. Skinner as second. Aye-6; Nay-0, and Abstentions-0, (6-0-0).

Mr. Woodhams stated that this Amendment will not be moving forward to Town Meeting floor and would entertain motion that the Board take no action. Mr. Skinner moved to take no action. Mr. Lawrence as second. Aye-6; Nay-0, and Abstentions-0, (6-0-0) No public input.

Mr. Skinner moved to close the public hearing. Mr. Lawrence as second. Aye-6; Nay-0, and Abstentions-0, (6-0-0)

Continued Public Hearing

Proposed amendments to the Wrentham Zoning By-Law (ZBL), which have been submitted to the **2019 Special Town Meeting Warrant**. The Proposed amendments include:

- ZBL 2019-05: "Definitions" and Article 4, "Use Regulation Table"
- ZBL 2019-06: Housekeeping Sections 3.1, 6.1 & 7.6
- ZBL 2019-07: Accessory Dwelling Unit
- ZBL 2019-08: Section 3.2, "Zoning Map"
- ZBL 2019-09: Route One District

Mr. Lawrence moved to open the continued public hearing. Mr. Skinner as second. Aye-6; Nay-0, and Abstentions-0, (6-0-0)

Article – Route One District

Kathy McCabe and Jennifer Mecca of McCabe Enterprises appeared before the Board. Ms. McCabe submitted a comment summary, dated September 18, 2019, of the previous September 4 hearing comments. Use Table was combined for ease of use in not having to refer to two separate sections.

Mr. Woodhams noted "Complex of offices, Business or Retail Establishments" listed twice with one as No but further down the list as yes in C-1S and C-1N, which is confusing. Mr. Lawrence inquired as to the definition of *Entertainment* versus *indoor/outdoor recreation*. Ms. McCabe clarified that the word "entertainment" is not in current zoning or proposed by-law. Discussion ensued with agreement of further review and clarification to the use table.

Comments on Route 1 Rezoning - Review

1. Confusing, retail as accessory use, therefore shopping center disallowed. Discussion ensued what will and will not be allowed and whether to have a separate use table for the Route 1 zone. Further clarification will be made for definitions of use supported in C1S & C1N. Mr. Lawrence recommended sorting out same items that are repetitive for "Y" and "N" to make use table clearer. Discussion ensued.

Steve Meltzer questioned allowed/disallowed Recreational uses, most notably the go-cart and water park use. He also suggested further clarification with current ambiguity to prevent litigation or appeal risks. Discussion ensued as to allowed uses with the potential amended changes and past disallowed uses. Mr. Lawrence reiterated the past meeting concerns by Mr. McKnight regarding as of right uses and his desire to have site plan review for all projects. Ms. McCabe noted that the consensus of the working committee was to try to ease the current restrictions and allow more as-of-right in the South area from Thurston/Madison Streets to the Town line.

Ms. Benson summarized that the Board would like to have a separate use table for the Route 1 zone. Ms. McCabe noted there are 52 lots on Route 1, not all buildable, some could be combined.

2. Concern of lot coverage of up to 75%. Ms. McCabe referenced Section 6.11(c) noting footnote reference of 50% coverage is missing which could lead to interpretation issue. New proposal would allow up to 60% lot coverage. Ms. McCabe suggested several options for change.
3. C-1S does not allow go-cart use. Previously discussed on item 1.
4. Town regulations for a four acre minimum requirement for drive-thru. At the previous hearing the Board indicated intent to continue with the four acre requirement.
5. Car dealerships allowed in the C-1N? Motor vehicle sales are proposed to be allowed in C-1S with SP/SPA. The Board agreed that unless grandfathered in, this would not be allowed in C1N.
6. Should have distribution centers on Route 1 zone, why not Post Office? Working committee preferred to keep the Post Office in the village zone areas. Discussion regarding government entity and could move should they choose to. Current building is leased by the Post Office and the lease is reviewed every ten years.

Mr. Lawrence confirmed that the new by-law would not disallow distribution, warehouse facilities. Ms. McCabe noted that from a marketing perspective there is a high demand for warehouse space.

Harvey Gordon expressed concern of micromanagement. Can't predict future, why create limitations and complications. Why eliminate car dealerships or solar. Discussion ensued. The Board noted reason for focus group and setting limitations is that the land would be used for the best interest of the Town. Mr. Gordon inquired of solar and Mr. Woodhams noted that the Town is limited on solar restrictions due to stated mandated regulations. Discussion ensued regarding solar accessory use, best use of the land in North area, and not disallowing solar in either North or South areas.

7. More gas stations was previously discussed.
8. Current allowed uses should continue – some changes were made to the use regulation table.
9. Consideration to allow single detached dwelling by Special Permit. Ms. McCabe noted that currently this is not allowed on Route 1, with any existing being grandfathered. The only current allowed is for senior living community. Mr. Schwarm noted that the primary reason for eliminating single family residences is school bus stop safety issues. Multi-family not currently allowed and not proposed. Discussion ensued.

10. Agricultural Section - requested consideration of allowing pets and customary farm animals without special permit. Ms. McCabe noted currently prohibited in C-1, C-1, and C-3, agricultural uses are allowed CRSP. The proposed is to allow agricultural in C-1S and nursery/ orchard in C-1N by-right. Pets and customary farm animals proposed to be allowed by SP/SPA in C-1N, rational was concern over the aquifer and runoff.

Ms. Duquette, an abutter, expressed concern that it would eliminate pets and inconsistent of what is being allowed in one area but not the other. Ms. McCabe described pets as allowed, but there may be a need for clearer definition in the by-law. Discussion ensued.

11. Allowance of public/municipal utilities on Route 1. Ms. McCabe noted that by-law prohibits wireless communication facility incidental to an existing public or municipal utility facility in all zoning districts except for CRSP where allowed by SP/SPA. Proposed zoning continues prohibition in C-1S and C-1N and allows wireless utilities by SP/SPA in CRSP-R1. Discussion ensued to clarify accessory municipal use.
12. Height restrictions working committee member was not in favor of new increased height allowances. Ms. McCabe referenced her handout of Dimensional Requirements: Height – A Review noted that the working committee wanted to attract higher value uses such as office development, commercial-focused mixed-use development including hotel and recreation/entertainment. Due to current parking by-laws a developer may want to use podium-style construction to meet lot coverage requirements, hence increase of height limits to encourage higher value development. Ms. McCabe elaborated on the height allowances and reasoning for proposed heights. Discussion ensued.

Mr. Casbarra of the ZBA stated that there needs be care in pushing back a tall building further into residential area and there should be restrictions attached to an approved project.

13. Issue with split lots noted by Mr. Wrynn. Ms. McCabe explained current definition states that the lot can be treated as a whole for one use. Mr. Lawrence stated that he is not in favor or creating new split lots. Discussion ensued for one parcel in north section that was partially split to CRSP. Upon further review and discussion the Board was opposed to a creation of any new split lots.

Mr. Lawrence moved to not split lots as newly proposed. Mr. Skinner as second. Motion approved.

14. EDC parking requirement concerns. Ms. McCabe noted that parking has not been explicitly addressed in this rezoning and the current by-laws would apply. Ms. McCabe stated that today the allowances for parking is less based on current working trends. Discussion ensued on change to the current parking percentage and space width allowed.
15. Suggestion to make everything that is proposed as by-right a “Y” with SP/SPA. Upon review it was determined there are currently only uses allowed by-right. The board was split on changing all to SP/SPA versus “Y”. Steve Meltzer suggested have Major and Minor Site Plan Review using square footage and other thresholds as criteria.

Mr. Skinner noted Article 19.2.a.3 reference to Community should be “Conservation.” He also inquired as to why wireless communications facility, incidental to an existing public or municipal utility facility is not allowed in C-1S or C-1N. Ms. Benson noted this has been updated on revised use table. Mr. Skinner inquired as to why a library is not allowed. Ms. McCabe noted the working committee allowed as an accessory use, as they did not want a public library on Route 1. Discussion ensued to change where a waste water treatment plant can be allowed.

Mr. Meltzer noted a parcel of land off Thurston St. currently zoned commercial and the concern of the residential development neighbors across the street to building a commercial development on that land. He questioned if the land could be better used as residential as opposed to commercial.

The Board noted that it is unlikely the zoning would change, but there could be restrictions to commercial development as needed and a buffer zone could be considered.

Mr. Gordon inquired further on various restrictions on Route 1. Discussion ensued.

Ms. Benson noted that the October 2nd meeting will be the last meeting for further discussion and changes.

ZBL – Accessory Dwelling Unit

Bill Casbarra Vice-Chair of the ZBA appeared before the Board. He noted brief history of many requests for in-law apartments where family wants to live together as a family unit. There is not current by-law for this. The Accessory Dwelling Unit will be a single unit within the single family dwelling. Mr. Casbarra summarized the restrictions noted in the proposed by-law. The permit would be issued to the person specifically and when that person no longer resides in the in-law apartment, the permit becomes null and void. There also involves an enforcement issue. The remedy is to pull out the kitchen, which will be written as a special condition and recorded with the Registry of Deeds.

Mr. Casbarra explained the term “older” as all-encompassing and meant as intent and “expanded” is for handicap accessible requirements.

Mr. Lawrence moved to recommend favorable action to the Board of Selectmen. Mr. Skinner as second. Aye-6; Nay-0, and Abstentions-0, (6-0-0).

ZBL - Definitions/Use Table

Ms. Benson noted to add C3 section to this section. Discussion ensued as to the zones that breweries, brew pubs, microbrewery, and nanobrewery should be allowed and in association of outdoor seating/dining.

Mr. Skinner moved to recommend favorable action to the Board of Selectmen. Mr. Lawrence as second. Aye-6; Nay-0, and Abstentions-0, (6-0-0).

ZBL - Housekeeping

Ms. Benson noted housekeeping changes made to miscellaneous items within the current by-laws.

Mr. Lawrence moved to recommend favorable action to the Board of Selectmen. Mr. Skinner as second. Aye-6; Nay-0, and Abstentions-0, (6-0-0).

ZBL - Map

The Board recommended to add “or as amended” after the noted map date in the by-laws.

Mr. Skinner moved to recommend favorable action to the Board of Selectmen. Mr. Lawrence as second. Aye-6; Nay-0, and Abstentions-0, (6-0-0).

Mr. Lawrence moved to continue the public hearing to October 2, 2019 at 7:15 p.m. Mr. Skinner as second. Aye-6; Nay-0, and Abstentions-0, (6-0-0).

Demetra Estates – Bond Reduction

Mr. Skinner recommended that the Board not take action until the two outstanding items have been addressed. Mr. Wrynn as second. Aye-6; Nay-0, and Abstentions-0, (6-0-0).

Adjourn @ 10:15 p.m.

Mr. Skinner moved to adjourn. Mr. Lawrence as second. Aye-6; Nay-0, and Abstentions-0, (6-0-0).

Respectfully submitted,

Priscilla McGill, Administrative Assistant



 Jim Lawrence, Clerk



 Date of Approval

Documents Submitted:

1. Planning Board
 - a. Agenda dated September 18, 2019
 - b. Meeting Minutes dated September 4, 2019
 - c. Performance Surety Status, 1 page
2. ANR (2019-08) 430 Madison St. CGW Nominee Trust (owner/applicant)
 - a. Form 1 Application dated August 28, 2019; 3 pages
 - b. Quitclaim Deed dated May 3, 2001; 2 pages
 - c. Request for Rollback of Real Estate Tax for Land Classified as Forest Land under Chapter 61 dated September 10, 2019
 - d. Plan of Land by Trowbridge Associates, Inc. dated August 26, 2019; 1 page
3. Badus Brook Road & High Meadow Road
 - a. Street acceptance Plan of Land by Applewood Survey Co dated December 18, 2018; 2 pages
4. Demetra Estates
 - a. Attorney Hern *Request for Reduction of Bond* letter dated September 13, 2019; 2 pages
5. 201 Wampum Street
 - a. Public Hearing Continuance dated September 12, 2019; 1 page
6. New Hearing Zoning Amendment
 - a. ZBL 2019-04 Article 18 Sign Regulation, Penalties; 1 page
7. Continued Hearing Zoning Amendments
 - a. ZBL 2019-05 Definitions/Use Regulation Table; 1 page
 - b. ZBL 2019-06 Housekeeping of Sections 3.1, 6.1, 7.6; 1 page
 - c. ZBL 2019-07 Accessory Dwelling Unit (ADU); 3 pages
 - d. ZBL 2019-08 Zoning Map; 1 page
 - e. ZBL 2019-09 Route One District; 11 pages
8. McCabe Enterprises Dimensional Requirements dated September 18, 2019; 1 page
9. McCabe Enterprises Comments on Route 1 Rezoning dated September 18, 2019; 5 pages
10. McCabe enterprises Rte 1 Rezoning Recap of Proposed Use Changes dated September 18, 2019; 15 pages