



Hanover Planning Board
550 Hanover Street
Hanover, MA 02339
Meeting Minutes
Monday, March 23, 2020 – 6:45 pm
Via Conference Call

Committee Attendees

MaryAnn Brugnoli, Chairman
Richard Deluca, Vice Chairman
Ken Blanchard
Meaghan Neville-Dunne
Giuseppe Fornaro
Bernie Campbell

Other Attendees

Irene Coleman, Administrative Assistant
Attorney Bob Tombari

Opening

Chairman MaryAnn Brugnoli opened the meeting at 6:45 pm. The Chair thanked everyone at Town Hall involved in arranging the conference call for the Board.

Review of Meeting Minutes

After review of the March 9, 2020 meeting minutes, the Board proposed the following change:

Board member Giuseppe Fornaro would like the binder to be re-organized for easier ~~us~~ use.

The Board voted to accept the minutes as amended.

Public Hearing for Annual Town Meeting Warrant Articles

At 7 pm the Board opened a Public Hearing regarding proposed amendments and additions to the Zoning Bylaws for the Town of Hanover. The Chair read the hearing notice into the record. The Chair made note of the use of conference call for this meeting in response to COVID-19 social distancing recommendation. The Chair stated the Board would be discussing, taking commentary and questions at this meeting, and would further discuss and vote on the warrant articles at their next and subsequent meetings.

Article 18 – Amend Zoning Bylaw 6.11.00 Moratorium

The Chair read the article into the record. The Chair read proposed commentary for the article: *After six months of working with Hanover Crossing, which is a VPUD Development, the Planning Board made the determination that sections of the ByLaw are in need of examination and assessment. Such as: Should a ratio be added as to the percentage of retail versus the percentage of housing units? Should definitive language be added regarding the type of housing units? (rental, for sale or a combination of the two) Should the number of units be capped? How will a future large scale development affect the police, fire and DPW departments, as well as the school system? Would such a development necessitate a need to hire additional staff, purchase additional equipment etc.? What would be the impact on our water supply, traffic, maintenance of Town roads etc.? Also, a moratorium will give us time to study existing sites or sites that could be combined to accommodate this ByLaw. And perhaps, when all is said and done, we may very well come to the conclusion that the VPUD has outlived its usefulness. The Planning Board believes these are serious concerns that must be answered sooner rather than later. A moratorium will provide the Planning Board, Selectmen, Conservation Commission, Board of Health, Affordable Housing Trust Committee, as well as Police Chief Sweeney, Fire Chief Blanchard, DPW Superintendent Victor Diniak and School Superintendent Matt Ferron time to examine and assess the ramifications of future large scale developments. Which is why we ask for your support of this Warrant Article at Town Meeting.*

Vice Chair Rich Deluca stated he is in agreement with the proposed commentary. Board member Ken Blanchard stated he would like to develop a comprehensive mitigation policy especially regarding water use. Mr. Blanchard also stated all policies need to be reviewed periodically, and the VPUD bylaw may no longer fit within the Town's future goals. Board member Meaghan Neville-Dunne agrees with a thorough mitigation policy and also making sure every possible scenario is thought out. Board member Giuseppe Fornaro agrees with the proposed commentary, and stated the Board should carefully consider the impact of future VPUD projects on all town departments and services. Board member Bernie Campbell is in agreement with the proposed commentary. The Vice Chair asks if the Board should consider clarifying what is considered a "large scale development". The Chair stated the VPUD bylaw only applies to developments within certain size ranges but further discussion should be had at the Board's next meeting. The Chair asked for comments or questions from residents on the call, hearing none.

Article 43 – Amend Zoning Bylaw Section 6.230

The Chair read the article into the record. The Chair stated the article was submitted by petition and would allow gas/service stations to offer three different services simultaneously, these being gas purchases, auto repair service and retail/food purchases. Currently, the bylaw requires gas/service stations to choose two services only and does not allow all three to be offered at one business simultaneously. Attorney Bob Tombari explained to the Board the history behind the warrant article. Mr. Tombari represents the owner, Ronnie Abboud, of the Shell station at 1437 Washington Street, Hanover. Mr. Abboud completed renovations to the interior of his premises and increased the square footage of retail space from 200 ft.² to 999 ft.² which is what is allowable under the Board of Health. Plans were drawn in April of 2019, and the renovations were permitted through the Hanover Building Department. In June 2019, another business was interested in expanding their retail area. As a result, the issue was brought to the attention of the Hanover Building Department. A letter was sent to Mr. Abboud informing him of the violation of the Zoning Bylaw as his retail space was too large and his gas/service station was offering three services simultaneously. Initially Mr. Tombari planned to file a variance request with the Hanover Zoning Board of Appeals, but decided to put that on hold to see if the Planning Board would support changes proposed in a warrant article. Mr. Tombari stated modifying the bylaw would also benefit other gas/service stations in Hanover. The Board of Health has no objections as all the foods sold in the retail space are pre-packaged and sealed so no open food is being handled. Mr. Tombari

met with the Hanover Advisory Committee, and they have no outward objections to the warrant article. Mr. Tombari stated the proposed bylaw change still gives the Hanover Planning Board oversight.

The Chair stated small or older gas/service stations do not have the parking area required to offer all three services simultaneously. The Vice Chair stated the Board allows for 250 ft.² in order to give gas/service stations some retail and waiting area space, and maybe a variance through the Zoning Board of Appeals would give the relief required. Mr. Tombari stated that he believes the Zoning Board of Appeals does not have the authority to grant relief on the use of the space just the size. Mr. Tombari also stated he believes the parking area is adequate for the current services being provided. Board member Ken Blanchard expressed his concerns about how many convenience stores the Town of Hanover can handle without too much competition closing some of them. Mr. Blanchard also stated it is not just parking lot size that's the issue; it's the frequency of cars moving in and out of the parking area. Board member Giuseppe Fornaro also stated inspection stickers are very often been done at many of these locations which is an addition of more cars. Mr. Fornaro also stated a bylaw change would affect the whole town and not just the one property. Board member Meaghan Neville-Dunne stated often the parking lot at the subject property is full, and no parking spots can be found. Board member Bernie Campbell noted that in his opinion the owner of the business created his own hardship without thoroughly researching what was allowed under the bylaw. The Chair stated the Board is very supportive of small local businesses but needs to discuss this bylaw change very thoroughly. Board member Ken Blanchard expressed his concern that if certain sections of the parking area are assigned for certain purposes, it would have to be self-regulated which can be challenging. Mr. Tombari asked if maybe the square footage could simply be increased from 250 ft.². The Vice Chair stated a change to the current warrant article would need to be made on the floor of the Annual Town Meeting. The Board will review and discuss this carefully at their next and subsequent meetings. The Chair asked for other comments or questions from residents on the call, hearing none.

Article 17 – Amend Zoning Bylaw 6.700 (S)

The Chair read the article into the record. The Chair explained the purpose of the article is to change the suffix on panels within the flood insurance maps from J to K. The article was written and submitted by former Hanover Town Planner Michele Grenier. The Board discussed within which section of the bylaw the change would be made. Although the Annual Town Meeting Warrant references 6.700 (S), the Board believes the change should be made to Section 6.710. The Board discussed the possibility of making a motion to amend on the floor of Annual Town Meeting. The Chair stated she will discuss this with Town Moderator Doug Thompson. Board member Ken Blanchard stated he recalls changes like this being made in the past, and additional questions could be directed to Town Counsel. The Chair asked for comments or questions from residents on the call, hearing none.

The Board voted to close the hearing for the Annual Town Meeting Warrant Zoning Bylaw Articles.

Adjournment

The meeting ended and adjourned at 8:16 pm.

Next Meetings

Monday, April 13, 2020

Monday, April 27, 2020

Monday, May 18, 2020