



Hanover Planning Board

550 Hanover Street, Hanover, MA 02339

Meeting Minutes – **Monday, March 27, 2023** – 6:45 PM

Committee Attendees

Mary Ann Brugnoli, Chair
K. Blanchard, Vice-Chair
Bernie Campbell *via zoom*

Meghan Dunne
David Traggorth
Giuseppe Fornaro

Absent: Tony Cavallaro

Other Attendees: Christine Stickney, Town Planner, Ann Lee, CDMI Director & Sarah Baker (Gallagher)

Opening

Chair Brugnoli opened the meeting at 6:45 PM and made note the meeting was being recorded.

Roll Call Vote: MaryAnn Brugnoli– Yes	Meaghan Dunne – Yes
Ken Blanchard - Yes	Giuseppe Fornaro - Yes
Bernie Campbell - Yes	Dave Traggorth - Yes

Other Business:

Members reviewed three sets of minutes and voted accordingly. Member Fornaro Motion to approve the minutes of **1/23/23**, seconded by Member Blanchard

Roll Call Vote: MaryAnn Brugnoli– Yes	Meaghan Dunne – Yes
Ken Blanchard - Yes	Giuseppe Fornaro - Yes
Bernie Campbell - Yes	Dave Traggorth – Yes

Member Campbell Motion to approve the minutes of **2/13/23**, seconded by Member Blanchard

Roll Call Vote: MaryAnn Brugnoli– Yes	Meaghan Dunne – Yes
Ken Blanchard - Yes	Giuseppe Fornaro - Yes
Bernie Campbell - Yes	Dave Traggorth – Yes

Member Fornaro Motion to approve the minutes as **revised of 2/27/23**, seconded by Member Blanchard

Roll Call Vote: MaryAnn Brugnoli– Yes	Meaghan Dunne – Yes
Ken Blanchard - Yes	Giuseppe Fornaro - Yes
Bernie Campbell - Yes	Dave Traggorth – Yes

As-Built Approval – Sconset Landing – Christine informed the Board the matter is extended to 4/10/23.

Nathan’s Hill – Request for Lot Release – The Chair noted the matter had been discussed at the last meeting however Mr. Xhengo submitted a letter dated 3/8/23 re-stating his request with factors he feels are unique to his situation and if the Planning Board would possibly reconsider releasing one lot rather than two lots. Christine noted he is travelling and could not attend the meeting – members were provided a copy of his letter. Member Campbell acknowledge there were unique situations including COVID that delayed this project that maybe worth taking another look. Chair Brugnoli noted it is for

only one lot not two – staff noted Lot 6 the first one on the right into the subdivision. Member Traggorth added from the previous meeting the Fire Department was ok with it. Member Fornaro MOTION to approve only Lot 6 to be release for Nathan’s Hill, seconded by Member Blanchard

Roll Call Vote: MaryAnn Brugnoli– Yes	Meaghan Dunne – Yes
Ken Blanchard - Yes	Giuseppe Fornaro - Yes
Bernie Campbell - Yes	Dave Traggorth – Yes

The lot release form was signed by Planning Board Members.

Certificate of Occupancy – 96 Webster Street (Gallagher Office) – Christine updated the Planning Board on the project and acknowledge Ms. Sarah Baker is here tonight on behalf of Mr. Gallagher. She commented it is not uncommon applicants would like their Certificate of Occupancy prior to the all site improvements being accomplished. Under condition # 21 of the general conditions this can be accomplished with the applicant posting a cash performance guarantee that is held to assure all site work and accomplishment of the As-Built process is completed. Christine noted that the estimated provided to staff of incomplete work to be \$15,600.00 and that Staff recommends \$20,000.00 be the posted guarantee. Ms. Baker acknowledge that was agreeable – Member Fornaro Motion to allow issuance of a Certificate of Occupancy by the building department once the applicant has submitted a \$20,000.00 cash guarantee to the Planning Department to assure As- Built Approval, seconded by Member Campbell.

Roll Call Vote: MaryAnn Brugnoli– Yes	Meaghan Dunne – Yes
Ken Blanchard - Yes	Giuseppe Fornaro - Yes
Bernie Campbell - Yes	Dave Traggorth – Yes

Public Hearing – Annual Town Meeting Zoning Articles – Christine noted at the 3/13/23 meeting the first group of zoning articles were present and discussed – there was no public present or concerns expressed. This is the second series of Zoning Articles – Member Dunne read the legal notice into the record that was advertised on 3/8/23 & 3/15/23 as well mailed to parties of interest. Reviewing the articles as they appeared in the legal advertisement – Chair Brugnoli called articles as followed;

Proposed Article: Amend Zoning Bylaw Sections 6.110, 6.130 and 6.220 relative to Special Permits for Medical Health Care Facilities in non-residential zoning districts. – . The chair asked for any comment - *No public participation or comment in the hearing room or on zoom.*

Proposed Article: Amend Zoning Bylaw Section 9.010 (Table of Minimum Parking Requirements) with new language for Medical Health Care Facilities and parking requirements. – Member Blanchard raised a concern with the special permit requirement and parking for Medical Health facilities that we are placing a greater burden on this use and that they would most likely be along Route 53 that already has too much zoning requirements. He added based on his personal experience we are over parking the use. Chair Brugnoli explained that at a past meeting Member Cavallaro had recommended this parking ratio which is less than what staff had originally recommended back last fall. Members discussed about what SF would be reasonable, what happens if the medical use for one thing changes to a higher medical use intensity requiring more parking and members cited medical facilities in surrounding Towns as to their experience. The chair asked for any comment - *No public participation or comment in the hearing room or on zoom.*

Proposed Article: Approval under General Bylaws - Article 6-18 (Fees) for a proposed fee schedule for Planning Board applications of permits and approvals under MGL Chap 41 (Subdivision Control) and MGL Chapter 40A (Zoning, Site Plan Review & Town Meeting Articles) as proposed and outlined in the article. – Christine went through the different fees and explained the reason for any increases. Chair Brugnoli informed members of the Advisory Board comments relative to these fees for Town Meeting as to rezones and zoning articles – as to due process and residents/petitioners would be intimidated in filing if there was a fee involved even an advertising fee and postal mailing. Currently these are charged to the planning department and staff felt at a minimum they should have to be paid by the applicants. The chair asked for any comment - *No public participation or comment in the hearing room or on zoom.*

Proposed Article: Citizens Petition: to amend the Town Sign Bylaw identified as Zoning Bylaw “*To see if the Town will amend the Hanover Zoning Bylaws to prohibit digital message boards*” Chair Brugnoli explained this was the original citizens petition amending “zoning” so we advertised and since then a second citizens petition was submitted to amend general sign bylaw in addition to the Planning Board’s proposal. The chair asked for any comment - *No public participation or comment in the hearing room or on zoom.*

Member Fornaro **MOTION** to close the public hearings for Annual Town Meeting warrant articles held of March 13, 2023 & March 27, 2023, seconded by Member Blanchard

Roll Call Vote: MaryAnn Brugnoli– Yes	Meaghan Dunne – Yes
Ken Blanchard - Yes	Giuseppe Fornaro - Yes
Bernie Campbell - Yes	Dave Traggorth – Yes

The Chair asked if members had concerns or could all the articles be voted at once and members preferred to vote individually

Member Fornaro Motion to recommend favorable action of the Proposed Article to: Amend Zoning Bylaw Section 2.100 (Definitions) by adding the following new definitions for: Multi-Family Development, Recreation Uses, Business and/or Professional Office, Bank, Medical Health Care Facilities, Medical Laboratory, Warehouse, Distribution - retail, Distribution-Wholesale/Bulk and Manufacturing facility, seconded by Member Dunne

Roll Call Vote: MaryAnn Brugnoli– Yes	Meaghan Dunne – Yes
Ken Blanchard - Yes	Giuseppe Fornaro - Yes
Bernie Campbell - Yes	Dave Traggorth – Yes

Member Fornaro Motion to recommend favorable action of the Proposed Article to: Amend Zoning Bylaw Section 5.040 by deleting six months and replacing it with 12 months relative to permits for grandfathered approved projects, seconded by Member Blanchard

Roll Call Vote: MaryAnn Brugnoli– Yes	Meaghan Dunne – Yes
Ken Blanchard - Yes	Giuseppe Fornaro - Yes
Bernie Campbell - Yes	Dave Traggorth – Yes

Member Dunne Motion to recommend favorable action of the Proposed Article to: Amend Zoning Bylaw Article 5 to insert a New Section 5.900 Special Permit for Digital Message Boards issued by the Special Permit Granting Authority – Planning Board, seconded by Member Fornaro

Roll Call Vote: MaryAnn Brugnoli– Yes
Ken Blanchard - Yes
Bernie Campbell - Yes

Meaghan Dunne – Yes
Giuseppe Fornaro - Yes
Dave Traggorth – Yes

Member Fornaro Motion to recommend favorable action of the Proposed Article to: Amend Zoning Bylaw Section 5.300 relative to residential accessory uses and structures with additional language relative to size, second by Member Blanchard

Roll Call Vote: MaryAnn Brugnoli– Yes
Ken Blanchard - Yes
Bernie Campbell - Yes

Meaghan Dunne – Yes
Giuseppe Fornaro - Yes
Dave Traggorth – Yes

Member Fornaro Motion to recommend favorable action of the Proposed Article to: Amend Zoning Bylaw Section 6.110 (G) relative to non-residential accessory uses and structures with the additional language as to size new (H), seconded by Member Dunne

Roll Call Vote: MaryAnn Brugnoli– Yes
Ken Blanchard - Yes
Bernie Campbell - Yes

Meaghan Dunne – Yes
Giuseppe Fornaro - Yes
Dave Traggorth – Yes

Member Fornaro Motion to recommend favorable action of the Proposed Article to: Amend Zoning Bylaw Section 13.200 relative to time limitations on Variances and Special Permits, seconded by member Dunne

Roll Call Vote: MaryAnn Brugnoli– Yes
Ken Blanchard - Yes
Bernie Campbell - Yes

Meaghan Dunne – Yes
Giuseppe Fornaro - Yes
Dave Traggorth – Yes

Member Fornaro Motion to recommend favorable action of the Proposed Article to: Amend Zoning Bylaw Sections 6.110, 6.130 and 6.220 relative to Special Permits for Medical Health Care Facilities in non-residential zoning districts, seconded by Member Dunne

Roll Call Vote: MaryAnn Brugnoli– Yes
Ken Blanchard - Yes
Bernie Campbell - Yes

Meaghan Dunne – Yes
Giuseppe Fornaro - Yes
Dave Traggorth – Yes

Chair Brugnoli asked if any discussion on the Proposed Article: Amend Zoning Bylaw Section 9.010 (Table of Minimum Parking Requirements) with new language for Medical Health Care Facilities and parking requirements - Discussion Member Blanchard explained his desire for 1 parking space per exam room rather 2 parking spaces as proposed, offering amended Motion, seconded by Member Traggorth

Roll Call Vote: MaryAnn Brugnoli - No
Ken Blanchard - Yes
Bernie Campbell - Yes

Meaghan Dunne – No
Giuseppe Fornaro - No
Dave Traggorth – Yes

The vote appeared to be tied 3:3 and members discussed – Chair noted Associate Member Traggorth should not have voted – the Motion Fails 2:3.

Member Fornaro Motion to recommend favorable action of the Proposed Article to: Approval under General Bylaws - Article 6-18 (Fees) for a proposed fee schedule for Planning Board applications of permits and approvals under MGL Chap 41 (Subdivision Control) and MGL Chapter 40A (Zoning, Site Plan Review & Town Meeting Articles) as proposed and outlined in the article, seconded by Member Dunne

Roll Call Vote: MaryAnn Brugnoli– Yes

Meaghan Dunne – Yes

Ken Blanchard - Yes
Bernie Campbell - Yes

Giuseppe Fornaro - Yes
Dave Traggorth – Yes

Member Dunne Motion to proposed “no recommendation” to Proposed Article of Citizens Petition: to amend the Town Sign Bylaw identified as Zoning Bylaw *“To see if the Town will amend the Hanover Zoning Bylaws to prohibit digital message boards”*, Seconded by member Fornaro

Roll Call Vote: MaryAnn Brugnoli– Yes
Ken Blanchard - Yes
Bernie Campbell - Yes

Meaghan Dunne – Yes
Giuseppe Fornaro - Yes
Dave Traggorth – Yes

Member Fornaro Motion to recommend favorable action to recommended favorable action in support of Proposed Warrant Article #48 relative to an appropriation of \$18,000.00 for E-Code Software, Seconded by member Blanchard

Roll Call Vote: MaryAnn Brugnoli– Yes
Ken Blanchard - Yes
Bernie Campbell - Yes

Meaghan Dunne – Yes
Giuseppe Fornaro - Yes
Dave Traggorth – Yes

Other Items:

Christine informed the Planning Board of the latest letter from the Attorney General with regards to the MBTA multi-family zoning dated March 15, 2023. The Town has made application for the Action Plan to receive interim compliance.

Ann Lee reported on the Town Planner job description to be posted by the end of the week. She noted other positions that have been posted and the response has been developed and hopes it will be posted by week’s end.

The second item Christine informed the Planning Board of the new Cinema’s request for a license to extended hours of operation and alcoholic license – seven days of week – until 3am. The department did not make a recommendation because but rather wanted to discuss with Planning Board – Staff would recommend denial. Members discussed the midnight movies and Ann Lee noted one day liquor licenses can’t be granted to a premise that holds a liquor license – The Planning Board noted this is for the BOS – Member Campbell said we should say something and suggested we don’t want this to happen. Member Fornaro Motion to have the Town Planner report to the Board of Selectmen that the Planning Board does not think it is beneficial for the Town, seconded by Member Dunne

Roll Call Vote: MaryAnn Brugnoli– Yes
Ken Blanchard - Yes
Bernie Campbell - Yes

Meaghan Dunne – Yes
Giuseppe Fornaro - Yes
Dave Traggorth – Yes

The Chair directed Christine to post a Planning Board Meeting at 6:30PM at Town Meeting. Member Blanchard Motion to close the meeting, seconded by Member Fornaro

Roll Call Vote: MaryAnn Brugnoli– Yes
Ken Blanchard - Yes
Bernie Campbell - Yes

Meaghan Dunne – Yes
Giuseppe Fornaro - Yes
Dave Traggorth – Yes

Meeting adjourned at 8:10 am