

Middlefield Planning Board
4/2/2013
Meeting Minutes

The meeting came to order at 6:33pm. Members present were Michael Hale, Terry Crean, Alan Vint and Maureen Sullivan.

The minutes of the March 27th meeting were read. A motion to accept the minutes as read was made and seconded. The vote to accept the minutes was unanimous.

Janine Savoy joined the meeting at 6:37.

Three petitions for zoning bylaw changes were distributed to the Board by Alan Vint. He had accepted the petitions for the Planning Board from the Select Board at the Select Boards 4/1/13 meeting. Alan reported on his conversation with Len Kopelman of Kopelman and Paige re whether the Planning Board could use all 65 days to hold a public hearing on these petitions or if the Board had to have a public hearing prior to the Annual Town Meeting so that the petitions could be voted on during that meeting. Mr. Kopelman had informed Alan that the Board was not required to hold a hearing before the May 4th Annual Town Meeting but it is required to hold a public hearing within 65 days of receipt of the petitions and that a Special Town Meeting to vote on the petitions must take place within 6 months of the 4/1/13 date of receipt of the petitions.

The petition to amend the Section 4.6.1, Driveways was reviewed. Maureen Sullivan noted that section 3.5 of the Middlefield Subdivision Regulations, states that a parcel may be developed if the way it was on was in existence at the time of adoption of the subdivision bylaw and that the petition if voted on favorably at Town Meeting would result in a conflict in the bylaws. Janine Savoy pointed out the Subdivision Regulations was dated 2008. It was then posited that the Subdivision Regulations might have been adopted as early as the 1950s. A question was posed as to whether or not the term "State Cherry Sheet" was well enough defined to defend the bylaw.

Sherry Vendetti was recognized. She asked about how many petitions the Board had received and how many signatures were required for the petitions to be valid. She expressed her concern that the Board's work on updating the Use Tables and other bylaws, for which the Town had appropriated money for completion of that project, would be placed on hold while considering the petitions and that the short period of time before the Annual Town Meeting would not afford the Board the opportunity to give full consideration to the petitions prior to the Annual Town Meeting. Michael Hale explained that the board was required to hold hearings on the petitions and he did not feel that it would detract or deter the Board from getting the Use Table update to the Town for a vote.

The petition to amend section 4.3, Mobile Homes, et al was reviewed. Maureen Sullivan asked Janine if the petition, including the signature section of the petition

was as submitted. Janine confirmed that it was. Maureen pointed out the list of signers for this petition had signed underneath a statement said it was a petition regarding the Board of Assessors. Janine said that it was simply a typo.

Janine questioned the Board's readiness to present the petitions at a public hearing prior to the Annual Town Meeting. There was consensus among the other members of the Board that it would be better to hold the hearing at a future date after the concerns and questions of the Board regarding the petitions were researched.

It was agreed that the Board would devote part of each future meeting to a review of the petitions while the Use Table update would be the subject of the remainder of each meeting. When the Board meets next it will review the members' questions on the petitions and will set a tentative date for the public hearing on them.

Michael Hale will speak with Building Commissioner Gerry Garner regarding his review of the Use Table zoning bylaw revisions.

Judy Hoag was recognized. She asked if the Planning Board would be able to make suggested changes to the petitions at the Special Town Meeting. Alan Vint responded that the Board could write its own proposed changes to those bylaws.

The next meeting was scheduled for April 9th at 6:30pm.

A motion was made to adjourn the meeting at 7:46. The motion was seconded and the Board voted unanimously to adjourn.

Respectfully Submitted,

Maureen A. Sullivan, Secretary