

**TOWN OF DUDLEY  
MASSACHUSETTS  
PLANNING BOARD**

DUDLEY MUNICIPAL COMPLEX, ROOM 308  
71 WEST MAIN STREET DUDLEY, MA 01571

DUDLEY PLANNING BOARD

Mark L. Marzeotti, Chairman  
Guy E. Horne, Jr., Vice Chairman  
Pamela Humphrey, Clerk to the Board  
Kevin Sullivan, Member  
John Briare, Alternate Member



DUDLEY PLANNING STAFF

Donald T. Johnson, AICP, Town Planner  
Caryl Savard, Clerk  
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Phone: 508-949-8014

**PLANNING BOARD MEETING MINUTES**

**Wednesday, October 25, 2017 7:00 pm**

Dudley Municipal Complex, Room 321-A (DMC, Veterans Memorial Hall)  
71 West Main Street, Dudley, MA 01571-3264

**7:00 pm Call to Order**

Mark Marzeotti, Chairman, opened the meeting at 7:00 PM. Present were Pamela Humphrey, Clerk to the Board; Guy Horne-Vice Chair and Don Johnson, Town Planner.

- A. **September 27, 2017 Meeting Minutes:** Mr. Horne moved to accept the minutes of September 27, 2017 as written. Seconded by Ms. Humphrey. Unanimous.
- B. **Discussion on finishing construction of, and acceptance of, uncompleted and unaccepted subdivision streets:** Mr. Marzeotti commended Mr. Johnson on bringing contractors in. Mr. Johnson introduced Mr. Antonio Cerqueira to discuss waiving the installation of telephone conduit. After discussion among the Planning Board members, it was agreed that Mr. Cerqueira would be required to install the telephone conduit.
  - a. Mr. Cerqueira stated that he had built a house too close to the lot line and would need to change the lot line from 25 to 28 feet. Mr. Cerqueira submitted an ANR for the change to lot add three feet to 48R from lot 47R1. Mr. Horne moved to approve the three waivers requested on a plan of land on lots 48R and 47R1, Noble Street, Pierpont Estates, owner is listed as Depot Road Charlton, LLC, Deed Book 38337 Page 243, Plan Book 853 Page 6, Book 859 Page 47, Dudley Tax Map 205 Parcels 53.5 and 53.49. The waivers are 5E topography of the land contours at 2-foot intervals, evidence that each building lot to be created has adequate access, including access road to the site and profile of existing grades. These are all subdivision lots on a previously approved subdivision plan. Seconded by Ms. Humphrey. Unanimous.
  - b. Mr. Horne moved to approve the ANR plan lots 48r and 47R1, Noble Street, Pierpont Estates, Deed Book 38337 Page 243, Plan Book 853 Page 6, Book 859 Page 47, Dudley Tax Map 205 Parcels 53.5 and 53.49. Seconded by Ms. Humphrey. Unanimous.
- C. **Discussion on the status of Economic Development Planning:** The Economic Development Committee's Map displays the Chapter 61A land in Dudley. The Economic Development Committee has a survey on the website for residents and non-residents to complete. To date, about 50 surveys have been received. They are looking to get at least 200. Mr. Johnson stated that the work with CMRPC is ongoing. Depending on the recommendations of the EDC, some areas, like West Main Street, may need to be rezoned. Mr. Johnson met with CMRPC about the available Brownfields money as well as the Community Development Block Grant.
- D. **Public Hearing:** the Public Hearing was opened at 7:25 for four articles to amend the Zoning Bylaws and/or Zoning Map. Mr. Marzeotti read the Public Hearing Notice as published on October 11, 2017 and October 18, 2017. The proposed amendments are:
  - a. Article 1 will actually be Article 35 is to amend the Zoning Bylaws Section 5.01.06 applicability, third sentence by removing the phrase "two (2)" after the word "after" and before the word "years" and inserting in its place the phrase three (3). This amendment is for consistency with the recent amendments to Section 9 of Chapter 40 MGL, whereby the timeframe which the rights authorized by special permit shall lapse has been extended from two years to three years.
  - b. Article 2 will be Article 32 to amend the Zoning bylaw 6.01.01 definitions listing by removing the existing definition of the term "frontage" in its entirety and by removing the existing term "lot frontage" and its

definition in their entirety and inserting in their place a revised definition of the term “frontage” such that the intent of the term “frontage” and the purpose of lot frontage will be clarified.

- c. Article 3, which would be Article 34 to amend the Zoning Bylaws Section 4.03.00, Sign Standards, by removing the existing section, 4.03.02, Commercial and Industrial Sign Standards in its entirety and inserting a revised section 4.03.02.02 in its place, which includes the Sections 4.03.02 Commercial, Industrial and Institutional Sign Standards for lots within Business 15, Industrial 43, Industrial 130, Light Industrial 43 and Light Industrial 87 Districts. 4.03.02.01 Signs Not Requiring a Sign Permit, 4.03.02.02 Commercial Sign Standards and 4.03.02.03 Industrial and Institutional Sign Standards. The proposed text of these sections includes revised standards to the allowed type, size and location of signs associated with the uses within the Business 15, Industrial 43, Industrial 130, Light Industrial 43 and Light Industrial 87 Districts. This Article also includes an amendment to Section 4.03.03 Illumination and Motion Regulations, paragraph C, by removing the phrase “100 square feet gross display area” and replacing it with the phrase “the size specified in section 4.03.02”.
- d. Article 4, which will be Article 33, to see if the Town will vote to amend the Zoning Bylaw and Zoning Bylaw Map relative to large scale ground-mounted photovoltaic installations by amending section 3.12.00, Large Scale Solar Photovoltaic 3.12.02 Applicability. Second paragraph by adding text immediately after the existing sentence of said paragraph, which establishes these Solar Overlay Districts, within which on lots that contain an area of not less than four acres, the construction and use of large ground mounted solar photovoltaic installations shall require a special permit issued by the Planning Board. The Solar Overlay District is proposed to be superimposed on the underlying Zoning Districts as shown on the Map entitled Zoning Map Amendment Proposed Solar Overlay District, Parcel 21213, Oxford Avenue, dated October 3, 2017, which map would be part of the Zoning Bylaw and Official Zoning Map and is on file in the office of the Planning Board and the Town Clerk.
- e. No written requests for information about the proposed Articles have been received by the Planning Board. The Planning Board members discussed each Article and asked for questions/input from the residents in attendance.
- f. The Public Hearing was closed at 7:38 PM.
- g. Mr. Horne **moved to approve the amendments to the Zoning Bylaws Article 1 which will be Article 35, for the timeframe change from two years to three years on the special permits.** Seconded by Ms. Humphrey. Unanimous.
- h. Mr. Horne **moved to approve Article 32 on the definitions on lot frontage on the Dudley Zoning Bylaws.** Seconded by Ms. Humphrey. Unanimous.
- i. Mr. Horne **moved to approve Article 34, Dudley Zoning Bylaws section having to do with sign standards.** Seconded by Ms. Humphrey. Unanimous.
- j. Mr. Horne **moved to approve Article 33, addition of the Overlay District for the large-scale Solar Photovoltaic Zoning Bylaw and including the new proposed Solar Overlay District Map.** Seconded by Ms. Humphrey. Unanimous.
- k. The Board will post a meeting on October 30, 2017 at 6:30 PM prior to the Town Meeting, to address any questions or comments.

#### E. Planner’s Plate:

- a. Planning Workshops available. If anyone would like to go, let Mr. Johnson know and he will sign you up for them.
- b. Appointment of Caryl Savard as the new Planning Board Clerk.
- c. Graves Engineering Reports on the two solar developments. Graves’ comments were forwarded to the Solar companies.
- d. Self-evaluation – Don will be working on it and complete it by the next meeting.
- e. Dan Edmiston spoke to the Board stating that he was interested in serving the unexpired term on the Planning Board. He is currently a member of the Finance Committee and will resign from that position after the Town Meeting.
- f. Don is in the process of updating the Zoning Bylaws by adding the amendments approved by the Attorney General and approved at the May Town Meeting. It is quite an extensive process amending the whole book, but should be finished by next week.
- g. Don attended a meeting regarding amendments to the recreational marijuana statutes, as to how it will affect the Town’s Zoning Bylaws moratorium expiring November 15, 2018 on recreational marijuana and other bylaws and regulations.
- h. Don requested approval to update the website with information on Planning Board duties and what you should expect at a Planning Board meeting. The members commented that the information was helpful and approved updating the website.

#### F. Adjournment

- a. As there was no further business to come before the Planning Board, Mr. Horne **moved to adjourn at 7:53 PM**. Seconded by Ms. Humphrey. Unanimous.

Caryl Savard  
Planning Board Clerk

Minutes of October 25, 2017

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Mark Marzeotti, Chairman

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Guy Horne, Jr., Vice-Chairman

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Pamela Humphrey, Clerk of the Board

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Kevin Sullivan, Member