

**RECORD
TOWN OF GRANBY
SPECIAL TOWN MEETING
MARCH 10, 2014**

In accordance with the foregoing warrant, the inhabitants of the Town of Granby qualified to vote in elections and town affairs, met at the Granby Jr. Sr. High School on East State Street on March 10, 2014 at 7:00 p.m. then and there to act on the following articles, to wit:

With the absence of our Town Moderator, Lynn Snopek Mercier, the Special Town Meeting was opened by the Town Clerk, Katherine A. Kelly-Regan at 7:02 P.M. following with a quick election to nominate a Moderator for this evenings meeting. Albert Bail was nominated and sworn in to run this meeting. The STM was called to order at 7:04 p.m. a quorum was present (30 or more) 78 were in attendance at the time of opening.

The Pledge of Allegiance to the Flag was lead by the Select Board Chair, Louis Barry and the residents joined in.

The Acting Moderator, Albert Bail calls on the Town Clerk, Katherine A. Kelly-Regan, to certify that all the warrants were posted in accordance with the law. The Clerk responds they have. The warrant for this Special Town Meeting was declared to be in order.

The Committees and Boards present at this STM:

Select Board: Chair, Louis M. Barry, Members, Mary A. McDowell, and Mark L. Bail, All Present sitting with the Select Board was the Assistant Town Counselor, Brian O'Toole and Town Administrator, Christopher Martin.

Finance Committee: Chair, John Libera, Jr., Members, Robert Cannon, Robert Glesmann III, and Scott Wilson not present James Hartley.

Planning Board: Chair, Pamela Desjardins, Members, Lisa Anderson, Kevin Brooks, Michael Pandora, and James Trompke All Present.

Others in attendance to represent articles were:
Dr. Paist from Pathfinder High School

Vote Counters & Checkers:, Maureen Costello, Jeanne Crosby, Richard Gaj, Sr., Jeanne Merrill, Debra Plath, and Nancy Sedlak.

Public Safety: Jeffrey Reed, Police Officer on duty.

*John Libera, Chair Person for the Finance Committee:
I move that consideration of Article # 1 be postponed until after Article # 21 has been heard and voted on.*

The Moderator motions for an amendment to call Article 1 out of order, a vote is taken on this amendment and the voters pass the amendment to present Article 21 before Article 1.

Passed by Majority Vote declared by the Moderator to present Article 21 before Article 1.

The Moderator calls for Article 21 at 7:07 pm
(Passed to be presented out of order)

Motion 2nd

ARTICLE 21. move the Town vote to hereby approve the \$3,273,620 borrowing authorized by the Pathfinder Regional Vocational Technical High School District, for the purpose of paying costs of a Total Roof Replacement of the Pathfinder Regional Vocational Technical High School located at 240 Sykes Street, Palmer, MA 01069, including the payment of all costs incidental or related thereto (the "Project"), which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, and for which the District may be eligible for a school construction grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended at the direction of Pathfinder Regional Vocational Technical High School District Roof Replacement Committee; that the Town acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any Project costs the District incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the District and its member municipalities; provided further that any grant that the District may receive from the MSBA for the Project shall not exceed the lesser of (1) Sixty Two and 4/100 percent (62.04%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; and that the amount of borrowing authorized by the District shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the District and the MSBA.

Motion 2nd

This requires a 2/3 vote to pass

**Passed by 2/3 Vote- Show of Hands
Declared by Moderator**

John Libera, Finance Committee Chair, tells the voters that the Finance Committee is supportive on this Article. The School is in desperate need of this roof and the MSBA has approved the proposed Pathfinder Re-roofing Project.

He mentions that at this present time Granby has 26 students attending Pathfinder. The cost for Granby would be minimal and over a ten- year period the total cost would approximately be \$164,149, starting FY16 assuming an interest rate of 3.50% per year.

A motion is made a vote is taken this requires two-thirds vote. The Moderator declares a 2/3 vote by show of hands. Article 21 Passes.

The Moderator calls for Article 1 at 7:11 p.m.

Motion 2nd

Pamela Desjardins, Chair for the Granby Planning Board presents a power point:

The Zoning Project Began-With The Master Plan:

The Master Plan, which the Planning Board completed and signed off on in January of 2013 called for the following:

To create opportunity for more commercial and industrial uses while maintaining the rural character of the community

To provide more support/incentive for business opportunity to offset the burden on residential taxpayers.

To address the opportunity to focus on economic development in appropriate locations such as Five Corners, Route 202 and New Ludlow Road

To permit mixed use development in these areas to combine commercial and residential uses within the same zone in order to create housing that is more affordable and help the community grow in a more sustainable manner.

To overhaul zoning by-laws to create opportunity for development while protecting the rural character of Granby

To create an active Center of Town with a historic design that was walkable and had businesses compatible with the neighborhood

To allow for open space in the areas of development

*In this presentation it is noted how the Planning Board had over 20 Public meetings, 5 neighborhood meetings, a public hearing in December 2013 and another in February 2014. The Planning Boards efforts were to engage the public as much as we possibly could to gain as much input from the community.
The results of all of that are what you have before you this evening.*

**ARTICLE 1. move the Town vote to amend the Granby Zoning Map by rezoning all of the existing GB-2 - General Business District (Limited Uses) to GB - General Business District, as presented at the Planning Board Public Hearing held on December 19, 2013 and February 27, 2014 the full text of which appears in the printed hand out and which is incorporated in this motion by reference.
Motion 2nd**

This requires a 2/3 vote to pass.

**Passed by 2/3 Vote - Show of Hands
Declared by Moderator**

**ARTICLE 2.: move the Town vote to amend the Granby Zoning Map by revising the GB -General Business setback along West State Street to the rear lot line, not to exceed a depth of one thousand (1,000) feet, as presented at the Planning Board Public Hearing held on December 19,2013 and February 27,2014 the full text of which appears in the printed hand out and which is incorporated in this motion by reference.
Motion 2nd**

This requires a 2/3vote to pass

Passed- Unanimous-Show of Hands

**ARTICLE 3.; move the Town vote to amend the Granby Zoning Bylaws, SECTION IV -OVERLAY DISTRICT REGULATIONS by adopting a new Section 4.4 Mixed Use Development Overlay District, as presented at the Planning Board Public Hearing held on December 19,2013 and February 27,2014 the full text of which appears in the printed hand out and which is incorporated in this motion by reference.
Motion 2nd**

This requires a 2/3vote to pass

Passed- Unanimous-Show of Hands

ARTICLE 4.: move the Town vote to amend the Granby Zoning Map by creating a new Mixed Use Development Overlay District along both sides of portions of West State Street, as presented at the Planning Board Public Hearing held on December 19,2013 and February 27,2014 the full text of which appears in the printed hand out and which is incorporated in this motion by reference. Motion 2nd

This requires a 2/3vote to pass

Passed- Unanimous-Show of Hands

ARTICLE 5: move the Town vote to amend the Granby Zoning Map by reclassifying all of the MD - Municipal District by rezoning it to RS - Residential Single Family Units, as presented at the Planning Board Public Hearing held on December 19,2013 and February 27,2014 the full text of which appears in the printed hand out and which is incorporated in this motion by reference.

Motion 2nd

This requires a 2/3vote to pass

Passed- Unanimous-Show of Hands

ARTICLE 6: move the Town vote to amend the Granby Zoning Bylaws, SECTION V -SPECIAL USE REGULATIONS AND PERFORMANCE STANDARDS by adopting a new Section 5.10 Village Center District, as presented at the Planning Board Public Hearing held on December 19,2013 and February 27,2014 the full text of which appears in the printed hand out and which is incorporated in this motion by reference.

Motion 2nd

This requires a 2/3 vote to pass.

**Passed by 2/3 Vote - Show of Hands
Declared by Moderator**

ARTICLE 7: move the Town vote to amend the Granby Zoning Map by creating a VC -Village Center District(*that will correspond with the boundaries of the existing Granby Historic District boundaries,*) as presented at the Planning Board Public Hearing held on December 19,2013 and February 27,2014 the full text of which appears in the printed hand out and which is incorporated in this motion by reference.

Motion 2nd

Article 7 declared by Moderator to note: to Strike before being voted on (that will correspond with the boundaries of the existing Granby Historic District boundaries)

ARTICLE 7 as Voted: move the Town vote to amend the Granby Zoning Map by creating a VC -Village Center District as presented at the Planning Board Public Hearing held on December 19,2013 and February 27,2014 the full text of which appears in the printed hand out and which is incorporated in this motion by reference.

Motion 2nd

This requires a 2/3 vote to pass.

**Passed by 2/3 Vote - Show of Hands
Declared by Moderator**

ARTICLE 8. move the Town vote to amend the Granby Zoning Map by creating a new Mixed Use Development Overlay District along the North side of a portion of West Street, as presented at the Planning Board Public Hearing held on December 19,2013 and February 27,2014 the full text of which appears in the printed hand out and which is incorporated in this motion by reference. **Motion 2nd**

This requires a 2/3vote to pass

Passed- Unanimous-Show of Hands

ARTICLE 9. move the Town vote to amend the Granby Zoning Map by rezoning some of the existing businesses on East State Street from RS - Residential Single Family Units to GB - General Business, as presented at the Planning Board Public Hearing held on December 19,2013 and February 27,2014 the full text of which appears in the printed hand out and which is incorporated in this motion by reference.

Motion 2nd

This requires a 2/3vote to pass

Passed- Unanimous-Show of Hands

ARTICLE 10. move the Town vote to amend the Granby Zoning Bylaws, SECTION IV -OVERLAY DISTRICT REGULATIONS by adopting a new Section 4.6 Professional Office Overlay District, as presented at the Planning Board Public Hearing held on December 19,2013 and February 27,2014 the full text of which appears in the printed hand out and which is incorporated in this motion by reference.

Motion 2nd

This requires a 2/3 vote to pass

Passed- Unanimous-Show of Hands

ARTICLE 11: move the Town vote to amend the Granby Zoning Map by creating a new Professional Office Overlay District along both sides of East State Street running parallel to East State Street to a depth of five hundred (500) feet deep from approximately Lyman Street easterly to the Belchertown town line, as presented at the Planning Board Public Hearing held on December 19,2013 and February 27, 2014 the full text of which appears in the printed hand out and which is incorporated in this motion by reference.

Motion 2nd

This requires a 2/3 vote to pass

Passed- Unanimous-Show of Hands

ARTICLE 12. move the Town vote to amend the Granby Zoning Map by creating a new Mixed Use Development Overlay District along the North side of a portion of East State Street, as presented at the Planning Board Public Hearing held on December 19, 2013 and February 27,2014 the full text of which appears in the printed hand out and which is incorporated in this motion by reference.

Motion 2nd

This requires a 2/3 vote to pass.

Passed by 2/3 Vote - Show of Hands
Declared by Moderator

ARTICLE 13. move the Town vote to amend the Granby Zoning Bylaws, SECTION IV -OVERLAY DISTRICT REGULATIONS by adopting a new Section 4.5 Business Park Overlay District, as presented at the Planning Board Public Hearing held on December 19,2013 and February 27,2014 the full text of which appears in the printed hand out and which is incorporated in this motion by reference.

Motion 2nd

This requires a 2/3 vote to pass.

Passed by 2/3 Vote - Show of Hands
Declared by Moderator

ARTICLE 14. move the Town vote to amend the Granby Zoning Map by creating a new Business Park Overlay District along the South side of a portion of New Ludlow Road, as presented at the Planning Board Public Hearing held on December 19, 2013 and February 27,2014 the full *text* of which appears in the printed hand out and which is incorporated in this motion by reference.

Motion 2nd

This requires a 2/3 vote to pass.

Passed by 2/3 Vote - Show of Hands
Declared by Moderator

ARTICLE 15. move the Town vote to amend the Granby Zoning Map by creating a new Mixed Use Development Overlay District along the North side of a portion of New Ludlow Road, as presented at the Planning Board Public Hearing held on December 19, 2013 and February 27,2014 the full text of which appears in the printed hand out and which is incorporated in this motion by reference.

This requires a 2/3 vote to pass. Motion 2nd
Passed by 2/3 Vote - Show of Hands
Declared by Moderator

ARTICLE 16.: move the Town vote to amend the Granby Zoning Bylaws, SECTION V -SPECIAL USE REGULATIONS AND PERFORMANCE STANDARDS by adopting a new Section 5.11 Age Restricted Housing Community, as presented at the Planning Board Public Hearing held on December 19,2013 and February 27, 2014 the full text of which appears in the printed hand out and which is incorporated in this motion by reference. Motion 2nd

This requires a 2/3vote to pass Passed- Unanimous-Show of Hands

ARTICLE 17 move the Town vote to amend the Granby Zoning Bylaws by revising SECTION V - SPECIAL USE REGULATIONS AND PERFORMANCE STANDARDS by deleting the exiting Paragraph 5.5 Sign Bylaw and inserting a new Paragraph 5.5 Sign Bylaw, as presented at the Planning Board Public Hearing held on February 27,2014 the full text of which appears in the printed hand out and which is incorporated in this motion by reference. Motion 2nd

Martin Merrill of 31 Cold Hill Dr. request to make an amendment for Article 17:

- 1. I propose an amendment to the sign by-law by striking the title "5.58" Prohibited Signs and inserting in its place "5.581-Prohibited Signs" The Full text of which appears in the printed hand out and which is incorporated in this motion by reference.*
- 2. I propose an amendment to the sign by-law by striking 5.581(20) and by Inserting into 5.58 (13) the following language "An A-Frame "sandwich board" may be used to announce any event or promotion and may be displayed 14 days prior to the event or promotion and removed no later then 48 hours after the event or promotion" the full text of which appears in the printed hand out and which is incorporated in this motion by reference.*

The Moderator motions to see if the voters will vote on this amendment for Article 17
Motion 2nd
Passes to vote as amended Unanimous- Show of Hands

Article 17 as Amended:

ARTICLE 17 move the Town vote to amend the Granby Zoning Bylaws by revising SECTION V - SPECIAL USE REGULATIONS AND PERFORMANCE STANDARDS by deleting the exiting Paragraph 5.5 Sign Bylaw and inserting a new Paragraph 5.5 Sign Bylaw, as presented at the Planning Board Public Hearing held on February 27,2014 full text of which appears in the printed hand out and which is incorporated in this motion by reference AND AS AMENDED
TONIGHT AS VOTED. Motion 2nd

This requires a 2/3 vote to pass Passed as amended by 2/3 Hand Count
35 or more was required to pass 36 voted Yes – 16 voted No

ARTICLE 18. move the Town vote to amend the Granby Zoning Bylaws by revising SECTION II- ZONING DISTRICTS Paragraph 2.0 Types of Districts by deleting GB-2 - General Business (Limited Uses) and MD - Municipal District and inserting VC -Village Center District and the Mixed Use Development, Business Park and Professional Office Overlay Districts, as presented at the Planning Board Public Hearing held on December 19,2013 and February 27,2014 the full text of which appears in the printed hand out and which is incorporated in this motion by reference.
Motion 2nd

This requires a 2/3 vote to pass

Passed- Unanimous- Show of Hands

ARTICLE 19. move the Town vote to amend the Granby Zoning Bylaws by revising SECTION III USE REGULATIONS Table 1 SCHEDULE OF USE REGULATIONS by deleting GB-2 - General Business (Limited Uses), MD - Municipal District, FWD -Flood Plain District, WSP - Water Supply Protection District and AP – Agricultural Preservation District and inserting VC - Village Center District, as presented at the Planning Board Public Hearing held on December 19,2013 and February 27,2014 the full text of which appears in the printed hand out and which is incorporated in this motion by reference.
Motion 2nd

Kevin Brooks, of 246 State St. and a member to the Granby Planning Board. Motions to request to make amendments to Article 19:

- 1. I move that the Table I entitled “Schedule of Use Regulations in Article 19 be amended as follow:
Under Retail and Services: Large Scale Ground Mounted Solar Photovoltaic Installation change RS from N to Yes***
- 2. I move that the Table I entitled “Schedule of Use Regulations” in Article 19 be amended as follows:
Under Accessory Uses:
(1). Private garages or stables not exceeding 1000 feet in area be changed to 1200 feet in area and that under the Village Center zone be changed from NO to Yes. **AND**
(2). Private garages or stables exceeding 1000 feet in area be changed to 1200 feet in area and that under the Village Center zone be changed from No to SP-PB-SPA***

The Moderator motions to see if the voters will vote on this amendment for Article 19
Motion 2nd

Passes to vote as amended

Unanimous- Show of Hands

Article 19 as Amended:

ARTICLE 19. move the Town vote to amend the Granby Zoning Bylaws by revising SECTION III USE REGULATIONS Table 1 SCHEDULE OF USE REGULATIONS by deleting GB-2 - General Business (Limited Uses), MD - Municipal District, FWD -Flood Plain District, WSP - Water Supply Protection District and AP – Agricultural Preservation District and inserting VC - Village Center District, as presented at the Planning Board Public Hearing held on December 19,2013 and February 27,2014 the full text of which appears in the printed hand out and which is incorporated in this motion by reference AND AS AMENDED TONIGHT AS VOTED.
Motion 2nd

This requires a 2/3 vote to pass

**Passed as amended by 2/3 –Show of Hands
Declared By Moderator**

ARTICLE 20. move the Town vote to amend the Granby Zoning Bylaws by revising SECTION III - USE REGULATIONS Table 2 TABLE OF DIMENSIONAL AND DENSITY REGULATIONS by deleting MD - Municipal District and inserting VC - Village Center District, as presented at the Planning Board Public Hearing held on December 19,2013 and February 27,2014 the full text of which appears in the printed hand out and which is incorporated in this motion by reference.

Motion 2nd

This requires a 2/3 vote to pass

Passed- Unanimous- Show of Hands

*To Note: *Articles 1-20 are all contingents on the approval from the Attorney Generals Office. Once the Attorney General Office receives this information they have 90 days to act on this request.*

If approved by the Attorney General these changes will be in effect as of the date the Special Town Meeting was held that is March 10, 2014.

*To Note: *Article 21 called out of order to be presented first-Pathfinder Roof Replacement*

ARTICLE 22. move the Town vote pursuant to Massachusetts General Law Chapter 41 Section IB to place on the Annual Election ballot the following question:

"Shall the Town vote to have its elected Commissioner of Trust Funds become an appointed Commissioner of Trust Funds of the Town? Yes ___ No ___ "

Motion 2nd

Only requires a majority vote

Passed- by Majority- Show of Hands

Albert Bessette, Sr., of 5 Grandview Ave and a member of the Commissioner of Trust Funds. He is asked what does this Commission do? He mentions as written back in 1920, any funds given to the town to help the community, this commission would evaluate and determine if a family or individual would qualify for some funding and also the commission would choose students for scholarships. He mentions it's a good commission but making it appointed is probably the best solution since for many years there's been little interest in individuals taking papers out and running for this position, therefore, he is in favor of this change.

ARTICLE 23. move the Town vote pursuant to Massachusetts General Law Chapter 41 Section IB to place on the Annual Election ballot the following question:

"Shall the Town vote to have its elected Recreation Commission become an appointed Recreation Commission of the Town? Yes ___ No ___ "

Motion 2nd

Only requires a majority vote

Passed- by Majority- Show of Hands

Mark Bail Select Board member:

The Granby Athletic Association (GAA) has been handling the sports recreation for years and there is little interest in individuals to take out papers to run for Recreation Commissioner therefore, it would be best to appointed the recreation commissioners and have that department fall under the Parks Oversight Ad-Hoc Department.

ARTICLE 24. move the Town vote pursuant to Massachusetts General Law Chapter 41 Section IB to place on the Annual Election ballot the following question:

"Shall the Town vote to have its elected Tree Warden become an appointed Tree Warden of the Town? Yes No ___".

Only requires a majority vote

**Motion 2nd
Passed-by Majority-Show of Hands**

Mark Bail Select Board member:

If this position becomes appointed the Tree Warden position would fall under the Highway Department.

To Note: *Articles 22, 23 & 24 are all contingents on the out come of the next Annual Town Election that will be held on May 19, 2014.

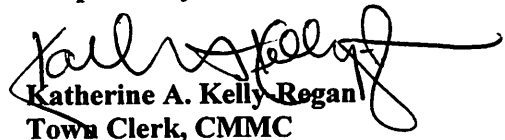
**The Moderator motions to adjourn this STM
All in favor to adjourned:**

**Motion 2nd
Passed – Unanimous- Show of Hands**

The business for this STM held on March 10, 2014 has been completed, all Articles have been voted on and the Moderator officially dissolves this STM at 9:11 P.M.

There were 87 voters and 11 non-voters who showed up to support and participate in this Special Town Meeting.

Respectfully submitted,


**Katherine A. Kelly-Regan
Town Clerk, CMMC**