

Special Town Meeting

Princeton, MA 01541

November 20, 2024

Warrant duly posted:	November 4, 2024
Inhabitants notified by website posting:	November 6, 2024
Advisory Board Hearing:	November 7, 2024
Quorum needed:	62
Voters Present:	92
Moderator:	Harry Pape
Checkers/Counters:	Lynne Grettum, Frances Thomas, Jean Green, and Charlotte Stirewalt
Acting Constable:	Sergeant Rick Thebeau
Meeting called to order:	7:00 PM
Meeting dissolved:	8:58 PM

All votes were taken by voice vote unless otherwise noted.

All articles are unanimously approved by Advisory Committee except where noted.

The Town Counsel was present.

The Moderator opened the meeting with the Pledge of Allegiance.

A motion was made and seconded to dispense with the reading of the full warrant.

The Moderator declared the vote UNANIMOUS at 7:05 PM

The Moderator read the charge to the Constable and the Return of the Warrant.

The Moderator asked that all first time attendees and non-voters identify themselves for the tellers.

The Constable for the meeting was identified by the Moderator as Sergeant Rick Thebeau.

ARTICLE 1. Moved and seconded to revoke the Town’s acceptance of the provisions of Chapter 44, §53F1/2 of the Massachusetts General Laws with respect to the Solid Waste Enterprise Fund, ceasing Solid Waste Enterprise as an enterprise fund effective June 30, 2025.

The Moderator declared the vote UNANIMOUS at 7:09 PM

ARTICLE 2. Moved and seconded to **PASS OVER** Article 2, To see if the Town will vote to amend Chapter III of the General Bylaws, entitled “Advisory Committee,” as follows:

- a. Revising the first sentence of Section 1 to read as follows: “There shall be an Advisory Committee consisting of five legal voters of the Town, who shall be appointed in the manner hereinafter provided.”
- b. Adding the following at the end of Section 1: “There shall also be two alternate members of the Advisory Committee, who may participate in all of the deliberations of the Committee but shall have voting power only if and to the extent necessary to ensure a quorum, as determined by the Chair of the Committee.”
- c. Revising the first sentence of Section 2 to read as follows: “The Select Board shall appoint members at the beginning of each fiscal year as necessary to maintain a five-member Advisory Committee, each of whose terms shall be for three fiscal years, with two alternate members who shall also serve for three fiscal years.”
- d. Adding the following at the end of Section 3: “The Select Board may, but need not, fill a vacancy in the Advisory Committee by appointing an alternate member to the vacant position.”
- e. Adding the following at the end of Section 4: “The chair of the Advisory Committee may designate any alternate member to participate as a voting member in case of absence, inability to act or conflict of interest on the part of any member of the Committee, or in the event of a vacancy on the Committee which has not yet been filled as provided herein.”

The Moderator declared the vote to pass over UNANIMOUS at 7:10 PM

ARTICLE 3. Moved and seconded to amend Section VII of the Zoning By-Laws by adopting the following new section VII.7 with common driveway regulations:

7. Common Driveways

- (A) **Purposes.** The purposes of these common driveway regulations are to protect the safety and welfare with regard to normal driveway use, intersection of driveways with the public way, and adequacy of driveways for emergency vehicle access, and to minimize environmental impacts of driveways especially with regard to stormwater management and water resource protection. The provisions in this Section VII.7 supersede all procedures and standards for common driveways in these Zoning By-Laws and in the Town of Princeton Rules and Regulations Governing Subdivision of Land.
- (B) **Definition.** A common driveway is a private way, extending from a public way, and serving as common access to more than one (1) lot but not more than five (5) lots. Any private way that serves more than five (5) lots requires compliance with the regulations and standards governing streets under the Town's Rules and Regulations Governing the Subdivision of Land.
- (C) **Standards.** The following standards, regulations, and requirements apply to common driveways:
- (1) So as to enable emergency vehicles to easily locate the common driveway and the lots served by the common driveway, every common driveway serving three (3) or more lots shall be named and shall have a sign approved by the Highway Department placed at the intersection of the common driveway and the public way with the name of the common driveway, the house numbers, and the words "Private Way." Any fork in a common driveway shall be marked with house numbers. The name of a common driveway and the house numbers it serves shall be filed with the Town Clerk, the Fire Chief, and the Police Chief.
 - (2) While a common driveway may provide actual access to a lot, every lot served by the common driveway shall meet the area and yard requirements in Section VI or as approved under Sections XIV or XV of these Zoning By-Laws.
 - (3) The common driveway shall be located entirely within the boundaries of the lots being served by the common driveway or within permanent and recorded easements to the owners of those lots and their assigns. Except as permitted through a recorded easement, or when the common driveway serves a back-lot development approved under Section XV of these Zoning By-Laws, at no point shall the centerline of a common driveway be closer than twenty-five (25) feet to any lot line not served by the common driveway.
 - (4) The angle of the centerline intersection of the common driveway with the centerline of the public way shall not be less than 60 degrees.
 - (5) The common driveway centerline intersection on a public way must be at least two hundred (200) feet from the centerline intersection of any other existing or approved public way, private way, or common driveway on the same side of the public way, unless the applicant can demonstrate to the Planning Board's satisfaction that public safety will not be compromised by a lesser separation.
 - (6) The sidelines of the intersection of the common driveway and the public way shall have a radius of not less than five (5) feet.
 - (7) The intersection of the common driveway and the public way shall be designed so that drainage of water shall not be channeled onto the public way. Any drainage method must be approved by the Planning Board and the Highway Department with an opportunity for review by the Conservation Commission.
 - (8) The maximum centerline grade of the common driveway shall be 10%. Within seventy-five (75) feet of the public way, the maximum centerline grade of the common driveway shall be 3%.

- (9) The maximum length of the common driveway shall be seven hundred fifty (750) feet. Where the common driveway exceeds five hundred (500) feet in length, it shall end in a circle with a radius of no less than twenty-five (25) feet.
- (10) Turnouts shall be installed and maintained every three hundred (300) feet on a common driveway to allow vehicles to pass.
- (11) The minimum easement width for a common driveway that serves a residential use shall be twenty-four (24) feet. The minimum easement width for a common driveway that serves a non-residential use shall be forty (40) feet.
- (12) For a common driveway that serves a residential use, the minimum cleared travel lane width shall be twelve (12) feet with shoulders of at least two (2) feet width for a total minimum cleared width of sixteen (16) feet. Except where turnouts are installed, the maximum cleared width of a common driveway serving a residential use, including shoulders, shall not exceed twenty-four (24) feet.
- (13) For a common driveway that serves a non-residential use, the minimum cleared travel lane width shall be twenty-two (22) feet with shoulders of at least two (2) feet width for a total minimum cleared width of twenty-six (26) feet. Except where turnouts are installed, the maximum cleared width of a common driveway serving a commercial use, including shoulders, shall not exceed thirty (30) feet.
- (14) The common driveway shall be constructed using a minimum twelve (12) inch layer of sorted gravel sub-base, compacted to at least 95% of maximum dry density.
- (a) Paved common driveways shall have a base course with a minimum two (2) inch binder and a top course with a minimum one and one-half (1.5) inch thickness.
 - (b) Common driveways may be surfaced with gravel, crushed stone, or another permeable or semi-permeable surface that the surface allows for all season access by vehicles of up to 40,000 pounds as certified by a professional engineer.
- (15) No common driveway shall be constructed off of any cul-de-sac or dead end of a public or private way. No common driveway shall be connected or attached to any other common driveway or be extended without prior approval of the Planning Board which may require a public hearing.
- (D) **Procedures.** A common driveway requires a Special Permit and Site Plan Review from the Planning Board and a Driveway Opening Permit from the Highway Superintendent.
- (1) **Building Permits.** No building permit shall be issued for a building to be served by a common driveway, including for buildings to be constructed on common driveways existing at the time of adoption of this by-law, unless the common driveway complies with the standards and procedures of this Section VII.7. For existing common driveways, the Planning Board may grant a special permit for the common driveway to serve additional lots, provided the common driveway is improved to meet the design standards of this Section VII.7.
- (2) **Plans.** An applicant for a Special Permit for a Common Driveway shall submit to the Planning Board a plan that substantially complies with the requirements appended to the application form, prepared and signed by a professional engineer and/or land surveyor registered in Massachusetts.
- (3) **Documents.** An applicant for a Special Permit for a Common Driveway shall submit to the Planning Board draft documents providing for easements binding present and future owners of all the lots served by the common driveway, together with an opinion from an attorney that the documents provide for:
- (a) The right to use the common driveway for all purposes for which private driveways are customarily used, including the right to install, maintain and repair drains, culvert and underground utilities in, along, under and across the common driveways;
 - (b) The obligation to repair, maintain, and remove snow so as to ensure continuous year-round access to each lot by emergency and other vehicles, including a clear expression of specifications to which the common driveway must be maintained;

- (c) The right of each owner of a lot served by the common driveway to enforce the obligations to repair and maintain the common driveway; and
 - (d) Maintenance of the required signs where the common driveway enters the public way and the required signs at each branch of the common driveway.
- (4) Review Fees and Expenses. When reviewing an application for, or when conducting inspections in relation to, a Common Driveway Special Permit, the Planning Board may determine that the assistance of outside consultants is warranted, including but not limited to professional engineering, surveying or planning review. In such cases the applicant shall pay a “project review fee” consisting of the reasonable costs for such outside consultant(s). An additional project review fee deposit may be required by the Planning Board at the time of submission or at any time during the review or inspection process.
- (E) **Waiver**. Strict compliance with these common driveway Standards and Procedures may be waived by the Planning Board if the Planning Board finds that the required information is irrelevant to a particular project or that the granting of a waiver is in the public interest and would not be inconsistent with the purposes of these By-Laws and, where applicable, the Town of Princeton Subdivision Rules and Regulations.
- (F) **Driveway Opening Permit**. After receiving a special permit from the Planning Board, the applicant shall apply to the Highway Superintendent for a Driveway Opening Permit.

2/3rd vote required

After discussion, a motion was made and seconded to amend the main motion by changing the text “building” and “buildings” to “dwelling or commercial building” and “dwellings or commercial buildings” of section (1) of (D) **Procedures** so that the section reads as follows:

- (1) Building Permits. No building permit shall be issued for a dwelling or commercial building to be served by a common driveway, including for dwellings or commercial buildings to be constructed on common driveways existing at the time of adoption of this by-law, unless the common driveway complies with the standards and procedures of this Section VII.7. For existing common driveways, the Planning Board may grant a special permit for the common driveway to serve additional lots, provided the common driveway is improved to meet the design standards of this Section VII.7.

A vote was taken on the amendment.

The Moderator declared the amendment vote FAILED at 7:43 PM

A motion was made and seconded to amend the main motion by amending section (1) of (D) **Procedure**, by striking the text “including for buildings to be constructed on common driveways existing at the time of adoption of this by-law,” so that section (1) of (D) **Procedures** reads as follows:

- (1) Building Permits. No building permit shall be issued for a building to be served by a common driveway, unless the common driveway complies with the standards and procedures of this Section VII.7. For existing common driveways, the Planning Board may grant a special permit for the common driveway to serve additional lots, provided the common driveway is improved to meet the design standards of this Section VII.7.

After discussion, a motion was made and seconded to amend the amendment by including the sentence beginning with “including for buildings” but changing “including for buildings” to “excluding buildings” and striking the last sentence of section (1) of (D) **Procedures** so that the section reads as follows:

- (1) Building Permits. No building permit shall be issued for a building to be served by a common driveway, excluding buildings to be constructed on common driveways existing at the time of adoption of this by-law, unless the common driveway complies with the standards and procedures of this Section VII.7.

A vote was taken on the amendment to the amendment.

The Moderator declared the amendment to the amendment vote FAILED at 7:48 PM

A vote was taken on the amendment.

The Moderator declared the amendment vote FAILED at 7:48 PM

A motion was made and seconded to TABLE the main motion and pass over Article 3.

The Moderator declared the motion to TABLE the main motion and pass over Article 3 vote UNANIMOUS at 7:49 PM

ARTICLE 4. Moved and seconded to amend Section VII.6 of the Zoning By-Laws by adopting the following preamble to Section VII.6

Purposes: The purposes of this section of the by-laws are to mitigate the adverse impact that unregistered and junk motor vehicles have on property values, the character and beauty of the town, the environment, and the health, safety, and welfare of neighboring residents.

And by striking the current provisions of Section VII.6(C) and Section VII.6(D) and replacing them with the following

- (C) The keeping of more than one unregistered motor vehicle or junk motor vehicle on any lot shall not be permitted unless stored within an enclosed building. If the one unregistered or junk motor vehicle is not parked, stored, or otherwise placed in the open in the driveway, it shall be parked, stored, or otherwise placed in the open not less than fifty (50) feet from the property line where it borders the street right of way line, and not less than thirty (30) feet from all side and rear lot lines.
- (D) All unregistered motor vehicles or junk vehicles parked, stored, or otherwise placed in the open upon a lot at the time of adoption of these amendments to Section VII.6 shall be removed or otherwise brought into compliance with the requirements of this amended Section VII.6 not later than June 30, 2025. Fines shall be levied in accordance with Section VIII.1.(A) of these Zoning By-Laws for failure to comply.

2/3rd vote required

The Moderator declared the vote CARRIES via electronic vote at 8:07 PM (Yes-86, No-4)

ARTICLE 5. Moved and seconded to amend Section XVII and Section X of the Zoning By-Laws by striking the current Section XVII and replacing it with the following:

SECTION XVII. ACCESSORY DWELLING UNIT

A. Purposes

The purposes of this Accessory Dwelling Unit (“ADU”) by-law are to provide small dwelling units which may be rented without adding to the number of buildings in the town or substantially altering the appearance of the town and its dominant rural, residential, and agricultural character; to provide alternative housing options; and to enable owners of detached single-family dwellings larger than required for their present needs to share space and the burdens of homeownership.

B. Procedures

- (1) Pursuant to Massachusetts General Laws, Chapter 40A, §§ 1A and 3, ADUs are allowed by-right in all zoning districts, subject to Site Plan Review under Section XII of these Zoning By-Laws.
- (2) An Applicant shall submit a plot plan and scaled architectural drawings of the existing principal dwelling unit and all proposed alterations and any additions, showing the location of all buildings, septic systems, wells, driveways, and parking. For an ADU, a plot plan and scaled architectural drawings conforming to these requirements shall satisfy the requirement for plans for Site Plan Review under Section XII.

C. Requirements

- (1) An ADU shall be located as part of the principal single-family dwelling or as part of an accessory structure on the same lot as the principal single-family dwelling, such as an attached garage or a detached garage or barn. An ADU shall clearly be subordinate to the principal single-family dwelling. An ADU shall not be constructed as a new separate detached dwelling on a lot with an existing detached single-family dwelling.

- (2) An ADU shall not exceed 900 square feet or one-half (1/2) of the gross floor area of the principal dwelling, whichever is smaller, and shall not contain more than two bedrooms.
- (3) Only one ADU shall be permitted on a lot.
- (4) An ADU is subject to the area, yard, and height regulations of Section VI of these Zoning By-Laws.
- (5) The exterior appearance of the buildings on a lot shall remain, to the extent practicable, that of a single-family dwelling and subordinate accessory buildings. Unless otherwise required by the Massachusetts State Building Code, any new exterior stairs and any new entrance needed to provide primary or secondary means of egress for an ADU shall be located on the side or rear of the buildings.
- (6) There shall be at least one additional off-street parking space to serve an ADU.
- (7) The septic system serving an ADU shall meet current Title V regulations and current regulations of the Princeton Board of Health.
- (8) Upon filing the application for site plan review, the Applicant shall forward a copy of the application to the Princeton Historical Commission.
- (9) Any ADUs in existence at the time of adoption of this amended by-law which are not entitled to protection pursuant to M.G.L. c 40A, §§ 6 or 7 or Section VII.2 of the Zoning By-Laws, must be brought into compliance with the requirements of this section by filing an application for Site Plan Review under Section XII of these Zoning By-Laws and satisfying the procedures and requirements set forth herein.
- 10) No construction of an ADU shall commence without issuance of a building permit by the Building Inspector, and there shall be no use or occupancy of an ADU until the Building Inspector has issued a certificate of occupancy.

And to strike the current definition of Accessory Apartment in Section X. Definitions in its entirety and replace it with the following new definition of

Accessory Dwelling Unit:

Accessory Dwelling Unit: A dwelling unit subordinate in size, accessory to, and on the same lot as, a principal single-family dwelling. The Accessory Dwelling Unit may be located as part of the principal dwelling or as part of a building accessory to the principal dwelling unit, such as an attached or detached garage or barn but shall not be constructed as a new separate detached dwelling on a lot with an existing detached single-family dwelling. An accessory dwelling unit may not exceed 900 square feet or one-half (1/2) of the gross floor area of the principal dwelling, whichever is smaller, and shall not contain more than two bedrooms.

After discussion, a motion was made and seconded to amend the main motion by amending section (8) of C. Requirements to add “if the dwelling was built prior to 1900”, so that the section reads as follows:

- (8) Upon filing the application for site plan review, if the dwelling was built prior to 1900, the Applicant shall forward a copy of the application to the Princeton Historical Commission.

No vote was taken. A friendly amendment to the proposed amendment was made by striking “if the dwelling was built prior to 1900” to add “if the building is older than 100 years” to the end of section (8) of C. Requirements so that the amendment reads as follows:

- (8) Upon filing the application for site plan review, the Applicant shall forward a copy of the application to the Princeton Historical Commission if the building is over 100 years old.

The amendment was put to vote.

The Moderator declared the amendment vote PASSES via electronic vote at 8:24 PM (Yes-60, No-23)

A motion was made and seconded to amend the amendment to add the text “and a copy of the application to the Conservation Commission” so that section (8) of C. Requirements reads as follows:

- (8) Upon filing the application for site plan review, the Applicant shall forward a copy of the application to the Princeton Historical Commission if the building is older than 100 years, and a copy of the application to the Conservation Commission.

A vote was taken on the amendment to the amended motion.

The Moderator declared the amendment to the amended motion vote FAILED at 8:27 PM

Amended motion:

Moved and seconded to amend Section XVII and Section X of the Zoning By-Laws by striking the current Section XVII and replacing it with the following:

SECTION XVII. ACCESSORY DWELLING UNIT

A. Purposes

The purposes of this Accessory Dwelling Unit (“ADU”) by-law are to provide small dwelling units which may be rented without adding to the number of buildings in the town or substantially altering the appearance of the town and its dominant rural, residential, and agricultural character; to provide alternative housing options; and to enable owners of detached single-family dwellings larger than required for their present needs to share space and the burdens of homeownership.

B. Procedures

- (1) Pursuant to Massachusetts General Laws, Chapter 40A, §§ 1A and 3, ADUs are allowed by-right in all zoning districts, subject to Site Plan Review under Section XII of these Zoning By-Laws.
- (2) An Applicant shall submit a plot plan and scaled architectural drawings of the existing principal dwelling unit and all proposed alterations and any additions, showing the location of all buildings, septic systems, wells, driveways, and parking. For an ADU, a plot plan and scaled architectural drawings conforming to these requirements shall satisfy the requirement for plans for Site Plan Review under Section XII.

C. Requirements

- (1) An ADU shall be located as part of the principal single-family dwelling or as part of an accessory structure on the same lot as the principal single-family dwelling, such as an attached garage or a detached garage or barn. An ADU shall clearly be subordinate to the principal single-family dwelling. An ADU shall not be constructed as a new separate detached dwelling on a lot with an existing detached single-family dwelling.
- (2) An ADU shall not exceed 900 square feet or one-half (1/2) of the gross floor area of the principal dwelling, whichever is smaller, and shall not contain more than two bedrooms.
- (3) Only one ADU shall be permitted on a lot.
- (4) An ADU is subject to the area, yard, and height regulations of Section VI of these Zoning By-Laws.
- (5) The exterior appearance of the buildings on a lot shall remain, to the extent practicable, that of a single-family dwelling and subordinate accessory buildings. Unless otherwise required by the Massachusetts State Building Code, any new exterior stairs and any new entrance needed to provide primary or secondary means of egress for an ADU shall be located on the side or rear of the buildings.
- (6) There shall be at least one additional off-street parking space to serve an ADU.
- (7) The septic system serving an ADU shall meet current Title V regulations and current regulations of the Princeton Board of Health.
- (8) Upon filing the application for site plan review, the Applicant shall forward a copy of the application to the Princeton Historical Commission if the building is over 100 years old.
- (9) Any ADUs in existence at the time of adoption of this amended by-law which are not entitled to protection pursuant to M.G.L. c 40A, §§ 6 or 7 or Section VII.2 of the Zoning By-Laws, must be brought into compliance with the requirements of this section by filing

- 10) No construction of an ADU shall commence without issuance of a building permit by the Building Inspector, and there shall be no use or occupancy of an ADU until the Building Inspector has issued a certificate of occupancy.

And to strike the current definition of Accessory Apartment in Section X. Definitions in its entirety and replace it with the following new definition of

Accessory Dwelling Unit:

Accessory Dwelling Unit: A dwelling unit subordinate in size, accessory to, and on the same lot as, a principal single-family dwelling. The Accessory Dwelling Unit may be located as part of the principal dwelling or as part of a building accessory to the principal dwelling unit, such as an attached or detached garage or barn but shall not be constructed as a new separate detached dwelling on a lot with an existing detached single-family dwelling. An accessory dwelling unit may not exceed 900 square feet or one-half (1/2) of the gross floor area of the principal dwelling, whichever is smaller, and shall not contain more than two bedrooms.

The Moderator declared the amended motion vote CARRIES via electronic vote at 8:29PM (Yes-69, No-9)

ARTICLE 6. Moved and seconded to amend Section III.1.(G)(b) of the Zoning By-Laws by striking the current provisions of Section III.1.(G)(b) and replacing them with the following:

- (b) Subject to a special permit granted by the Planning Board as provided in Section VIII.3 of this By-Law: (i) home specialty retail, (ii) bed-and-breakfast, (iii) short-term rentals, or (iv) boarders, as defined in Section XVIII.1.(B)

And moved and seconded to amend Section XVIII.1.(B)(1) by striking the current provisions of Section XVIII.1.(B)(1) and replacing them with the following:

- (1) Bed-and-breakfast, short-term rentals, and boarders.

The purposes of this Section XVIII.1.(B)(1) are to allow by special permit and site plan review additional, more affordable, and more diverse, residential uses that are consistent with Princeton’s dominant rural, residential, and agricultural character, while encouraging economic opportunities from ecotourism, providing additional housing, allowing live-in home care assistance, and affording dwelling owners an opportunity to generate some income. There shall be no more than two adults in any bedroom or suite of rooms. Special permits under this section XVIII.1.(B)(1) are personal to the current owner, and are for one year but may be renewed annually on an application for renewal approved by the Planning Board at a public meeting. A public hearing is not required on an application for renewal unless a neighbor has complained in writing to the Planning Board that the use has negatively impacted the neighborhood.

- (a) Definitions.

- (i) “Bed-and-breakfast” means transient overnight lodging in a dwelling for no more than seven (7) consecutive nights with the dwelling owner in residence, involving not more than three (3) guest bedrooms or suites, with guest meals limited to breakfast prepared in a central kitchen and no cooking facilities located in individual guest bedrooms or suites.
- (ii) “Short-term rental” means the leasing of a dwelling to a tenant for less than 31 days, with or without the dwelling owner in residence in the dwelling. No dwelling shall be leased for short-term rentals for more than a total of 60 days per calendar year.
- (iii) “Boarding” means providing a bedroom or a suite of rooms in a dwelling to a non-transient tenant with the dwelling owner in residence, with meals in a central kitchen and no cooking facilities located in individual guest bedrooms or suites. There shall be no more than two guest bedrooms or suites with boarders.

The Moderator declared the vote PASSES via electronic vote at 8:58 PM (Yes– 74, No- 9.)

A motion was made and seconded to dissolve the meeting.

The Moderator declared the vote was Unanimous.

Meeting was dissolved at **8:58 PM.**

Respectfully submitted,

Alissa K. Horsung
Alissa K. Horsung,
Town Clerk