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PLANNING BOARD

Planning Board Report: ZBL-2009-6
Proposed Amendments to ZBL, Sections 3.2.3.1 & 2.1
Article 24: October 19, 2009 Town Meeting

September 29, 2009

At their meeting on September 28, 2009, the Grafton Planning Board conducted a public hearing to consider a proposed amendment to the Grafton Zoning By-law (ZBL) submitted by the Board of Selectmen. Board members present were Chairman Bruce Spinney III, Vice Chairman Robert Hassinger, Clerk Peter Parsons, Members Heath Christensen & Stephen Qualey, and Associate Member Sadie Miller. Those individuals wishing to speak to the proposed amendments were heard. The proposed amendments are:

Amend the Zoning By-Law as follows:

Section 3.2.3.1, Recreational Uses: delete line item 4 "Massage parlors" in its entirety; and renumber the remaining items in Recreational Uses; and

Section 2.1 definitions: amend the definition of "Professional Office" to read as follows (new language in **bold**): "An office of recognized professions such as doctors, lawyers, massage/muscular therapists **licensed by the appropriate boards/commissions of the Commonwealth of Massachusetts**, engineers, artists, musicians, designers and others, who through training are qualified to perform services of a professional nature."

The article was reviewed by Town Counsel for compliance with state laws as well as to form and was found satisfactory.

The Planning Board noted that this proposed amendment is intended to clarify the existing situation where "message parlor" is listed under "Recreational Uses" and is not allowed in any zoning district, while "massage/muscular therapists" are recognized under "Business Uses."

Testimony was submitted by the Board of Health that it licensed certain businesses that were considered professional and suggested that the definition of "Professional Office" be further amended to include reference to professional licenses granted by the Town of Grafton.

Based on the testimony and discussion, the Planning Board recommends adoption of these amendments to the Zoning By-law, while noting that it would also support an amendment which would include "licensed by the appropriate boards/commissions of the Commonwealth of Massachusetts **and/or the Town of Grafton, whichever is more stringent.**"