

**Zoning Bylaw Review Committee
Minutes of January 5 2023**

Present for the Zoning Bylaw Committee were: Chairman Scott Mallory, Scott McKiel, George Nangle, Heather Santiago-Hutchings, Jack Svreck, Dan Croce and Debra Dewitt Ahern (appointed but not yet sworn in). Also present were: Alison Manugian, Community Development and recording secretary Samantha Carver, Russ Burke and Olivia Knightly of BSC Group

Absent: Brian Lussier

Mr. Mallory opened the meeting at 5:30 p.m. This meeting was live with Debra Dewitt Ahern attending via Zoom.

Mr. Mallory stated they would be doing interviews first on the agenda. Sarah Powling was present. Mr. Mallory asked her what her background was and what her interest to participate in the zoning bylaw review committee was. Ms. Powling explained she has a Master's Degree in social work, she currently is a stay at home mother and her kids have gotten older and she wanted to do something useful with her time. She also heard about the MBTA housing mandate on communities and that sparked her interest. She stated she did not have any specific zoning experience but enjoys doing research. She has been very active in the PTA.

Mr. McKiel explained the amount of work before the Committee and the commitment to attending the meetings. There may also be more meetings than once a month. Ms. Powling could manage with the commitment. Mr. Mallory explained that the Board of Selectmen were the decision makers on the recommendations sent forward to them by this Committee and she would be notified of their decision.

Warren Shaw was the second interviewee. Mr. Shaw was asked what his interest in the committee was and what his experience was. Mr. Shaw talked about his background as a Selectmen and on other committees in the Town. He stated that the housing choice piece was what prompted his interest in the committee. Mr. McKiel talked about the time commitment with the committee meeting once a month and maybe more to get this zoning completed. Mr. Shaw was okay with the commitment.

Mr. Mallory stated that due to the agenda items they would postpone the decision on the applicants until later in the meeting.

Russ Burke and Olivia Knightly came into the meeting at this point to discuss the agenda items relative to the ongoing discussion of the zoning maps, table of permitted uses, buffers and setbacks and dimensional regulations.

Mr. Mallory recapped how they've added alternates to the committee and there is also an at-large committee member position which they've interviewed for tonight. The committee will vote on their selection and make a recommendation to the Selectmen at the end of this meeting. They hoped to make this recommendation for the next Selectmen meeting on the 10th of January to fill

the position. Mr. McKiel reiterated the same sentiment wanting to get their selection to the Selectmen for their next meeting.

Community Input

Mr. Phil Thibault was present and wanted to thank the committee for their recommendation to the Selectmen. Even though he was not appointed, he stated that he would be in attendance to share his knowledge of zoning for the Committee.

Ms. Manugian began her discussion on the zoning map's proposed changes and what it may look like once they've gone through the sections in question.

Mr. Thibault through the chair stated that there is a B-2 parcel on the zoning map at Mammoth and Burdette on the eastern side of Mammoth Rd and it is in the notes on the current zoning map. This parcel is next to Friendly Barry's gas station on Mammoth. He mentioned this because it was noted at another meeting that there were no B-2 parcels they could find on the current zoning map and he wanted to bring it to the committee's attention that one does exist. Ms. Manugian took note of this point.

Item 1 on the map was labeled Allard's Grove which is a B-3 zone which is all housing; the recommendation is to change this to a R1 zone to match the surrounding area.

Item 2 – on the map noted as Orchard and Mill Street area – 88 Mill St is Industrial and will remain as such, however the other parcels on Orchard St are proposed to become R2, and the two divided parcels will become entirely B1.

Item 3 – Methuen/Arlington St Intersection on the map was once a construction yard but there is nothing there now and the thought is to restore it back to R-1. There was a discussion that special permits should not be linked to ownership. There was a discussion on pre-existing, non-conformance not changing by changing the zone. There was a discussion by Mr. Burke on down zoning and grouping parcels. There is currently a telecommunications antennae and Mr. Burke noted that the Federal Telecommunications Act trumps local zoning. This item will require further review and discussion.

Item 4 – Pilgrim Village 2/Phineas St and Flower Lane – the front parcel is a 40B and there are multifamily units on the rear parcel; the goal is to change the parcel zone to match the surrounding which will be all R-2.

Item 5 – Textile Ave – 68 parcels in the area zoned business – 51 of these are smaller than the required parcel in a B-1 zone; none of the parcels will become compliant or newly non-compliant due to the proposed change to R-1 (fka R3). Discussion ensued regarding the existing commercial uses and the number of businesses operating out of homes in this area. This item will require further review and discussion.

Item 6 – Change to B1 – Hampson/Parker/Old Meadow Intersection – proposal is to make the existing three business corners a B1 and to add the 4th corner as well. The fourth corner is currently agricultural with a single family home.

Item 7 – Navy Yard – I1 to B1 – the map shows how this area would change parcels east of Beaver Brook to be all B1 and have the existing industrial zone remain. The business area should likely extend to the old fire station and additional review is needed.

Item 8 – Oliver/Stevens/Bancroft Intersection – Most parcels are currently R1 and the proposed use is to change to the R2 zone for the whole area

Item 9 – Coventry Gardens – Change parcel zone to match surrounding R3 (which will become R2 with the proposed elimination of R2).

The area between the Merrimack River and Methuen Street was discussed with a couple of proposed changes of the residential area to be changed from R1 to R2; there was continued discussion of the B3 zone along the river. There was a discussion on making 200 feet along the river business zone due to the existing businesses now in the area and having the remainder of the B3 area default to the adjacent zone. Additional mapping of this 200' proposal, adjusted to follow property lines, is needed.

Recap: Items 3, 5 and River Area to be discussed further.

There will be verbiage drafted to upload to the Konveio system. The committee reviewed a rough draft of the use table which will be discussed further. There was also discussion on the dimensional regulations in the zones and a draft of the dimensional setbacks which will be further discussed. There was a discussion on lot shape formulas to be discussed later. There was a mention on maybe loosening up the agricultural regulation to allow for sales on the agricultural properties of different items.

Public Outreach Alternatives

Gather information and input by engineers, developers and find out their concerns with the zoning; have a discussion with business owners and get their input; put information on Konveio, social media, DATV, via tax bills and public forums.

Reorganization of the Committee

Mr. Nangle made a nomination for Mr. Mallory for Chair and Mr. McKiel for Vice Chair. Mr. Svrcek seconded the nomination. No other nominations were made. The nomination was moved to a vote with members voting in favor of the nomination. (Ms. Ahern abstained).

Minutes

November 3 2022 – Mr. McKiel made a motion to approve the minutes of November 3, 2022 as presented. Mr. Nangle seconded the motion. The motion carried with members in attendance for the minutes voting approval. (Mr. Croce and Ms. Ahern abstained).

December 1 2022 – Mr. McKiel made a motion to approve the minutes of December 1, 2022 as presented. Mr. Nangle seconded the motion. The motion carried with members in attendance for the minutes voting approval. (Mr. Croce and Ms. Ahern abstained).

December 8 2022 – Mr. McKiel made a motion to approve the minutes of December 8, 2022 as presented. Mr. Svrcek seconded the motion. The motion carried with members in attendance for the minutes voting approval. (Mr. Croce and Ms. Ahern abstained).

Discussion and Motion on Applicants for the At-Large Position on the Committee

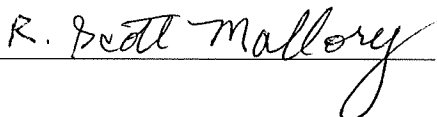

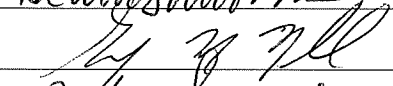
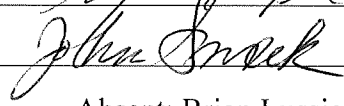
The members briefly discussed the qualifications of the two applicants and the majority were in agreement that Mr. Shaw’s name should be moved forward for the Selectmen’s consideration.

Mr. McKiel made a motion to recommend Warren Shaw. Mr. Nangle seconded the motion. The motion moved to a vote with five of six members voting in favor of the recommendation. Mr. Croce abstained from the vote due to his working relationship with Lindsey Shaw.

Adjournment

Mr. Nangle made a motion to adjourn the meeting at 7:45p. Mr. McKiel seconded the motion. The motion moved to a vote with all members voting in favor.

Zoning Bylaw Review Committee

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