

**Zoning Bylaw Review Committee
Minutes of September 18, 2017**

Present for the Zoning Bylaw Committee were: John Crowley, Jim Jendro, Phil Greene, and Tony Archinski. Also present were: Betsy Ware, Community Development and Samantha Carver Recording Secretary. The meeting took place at the Town Hall 2nd Floor Conference Room.

Absent: Louis Rousseau, Heather Santiago Hutchings, George Nangle

The Chairman opened the meeting at 6:03 p.m. Ms. Ware began the discussion on a moratorium for retail sales of marijuana. Ms. Ware stated that most cities and towns don't have any guidelines to go by and are waiting once the Cannabis Control Commission (C.C.C.) comes up with guidance for the local regulation. This is supposed to be in place by March 2018. Until then the Town should consider a moratorium so that they have the time to come up with language for a bylaw for possibly fall Town Meeting. If they don't act, then retail marijuana could be sold without proper regulations on the Town level and the Town loses its control. Ms. Ware pieced together other community's language on the marijuana moratorium for the committee to review and act upon if they choose. She has also had this language reviewed by Town Counsel who was in agreement with the language. This moratorium will give the Committee time to craft proper language for this zoning bylaw.

Mr. Greene made a motion to move this article forward to the Selectmen for consideration for Town Meeting. Mr. Jendro seconded the motion. The motion carried unanimously.

Smoking in Town Parks

The Committee briefly touched upon this information because it is a regular bylaw and not a zoning bylaw. Mr. Jendro stated that the wording should be no ingestion of any intoxicating substance to cover all basis and also include vaping.

Open Space Zoning Amendment

Ms. Ware spoke with Attorney Hall on the questions the Committee had on the open space amendment. She talked about putting in a date so developers couldn't go back, but Mr. Hall suggested not putting in a date. Ms. Ware read the open space bylaw and stated that currently the open space is not being recorded at the registry with a restriction on it. Mr. Crowley asked who should be doing this. Ms. Ware stated it falls on the developer. Mr. Crowley stated that the Developer should not be getting building permits until there is proof the restriction was filed at the registry. There was a discussion on adding additional wording in the current bylaw to provide the Developer with additional options other than a Homeowner's Association to manage the open space. The Committee seemed in agreement with the concept of the new wording. Mr. Crowley was concerned about making it retroactive which may cause a lot of the Developers to come back before the Conservation and Planning boards.

Mr. Jendro made a motion to move the article forward to the Planning Board and Board of Selectmen for consideration for Town Meeting. Mr. Archinski seconded the motion for discussion. Under discussion Mr. Crowley asked if the whole bylaw needed a rewrite or if the other options could be added to the current bylaw. Ms. Ware stated that she can add the wording and beef up the wording of the current bylaw. There was a question on who would oversee an agricultural restriction. Ms. Ware mentioned the Farm Bureau or others. The motion moved to a vote with three members voting in favor and Mr. Crowley voting against moving this forward.

Limited Site Plan Review

The Committee reviewed some of the changes Ms. Ware made to the table of permitted uses. She explained that some of these uses which are allowed “by right” have no site plan review. She suggests having a limited site plan review on them to address parking, storm water and other items that might not be thought of. Mr. Crowley asked if they could table this for further discussion. He believes this is a good idea to impose but would like to study it in more detail. The Committee agreed to table it for further discussion.

Mr. Crowley mentioned that the Master Plan Committee in their discussions may lead to some major rewrites of the zoning bylaws and he wanted to let that process happen before they start making major changes to the zoning bylaws so they are not changing them twice. Mr. Crowley also mentioned that he is not in favor of “spot” zoning changes to benefit a particular project or individual. He does agree however that if there is a zone where everything falls under a particular zone such as business and there is a parcel or two within that zone that should be changed to business he would be more in favor of that.


Next Meeting

The next meeting date was discussed and it was determined to be **November 2, 2017 at 6:00 p.m.**

Adjourn

Mr. Jendro made a motion to adjourn the meeting at 7:35 p.m. Mr. Greene seconded the motion. The motion carried unanimously.

ZONING BYLAW REVIEW COMMITTEE





____ Absent: H Santiago Hutchings _____

____ Absent: L Rousseau _____

____ Absent: G. Nangle _____