

**PLANNING BOARD**  
**Special Meeting – Public Hearing on Warrant Articles**  
**Meeting Minutes**  
Tuesday October 13, 2015  
**Caucus Hall**  
6:30 P.M.

**Members Present:** John, Jim, Brandon, Ryan, Grace

**Members Absent:** Mark

**Staff Present:** Gloria McPherson, Town Planner

At 6:40 Chair Golden opened the meeting.

Mr. Golden opened public comments and stated that the Inclusionary Bylaw, which was pulled from the Warrant, will be included in this section of the meeting. No public hearing will be held.

There were no public comments

Mr. Golden opened the Public hearing portion of the meeting.

**Warrant Article 2**

Ms. McPherson explained Article 2. This Article seeks to clarify the table of uses by eliminating a footnote reference and clearly showing when a Special Permit is required from the Planning Board rather than the Zoning Board of Appeals.

Fall Town Meeting 2013 approved changes to the Site Plan Review regulations of the Zoning Bylaw that would require a Special Permit from the Planning Board for development of four or more dwelling units on a lot. The table of Permitted Principal Uses was never updated to reflect that change.

This proposed bylaw amendment adds a line to the use table for four or more dwelling units per lot, and uses the symbol PB so it is clear when viewed that the Planning Board is the permit granting authority.

Additionally, Footnote 8 currently states that Board of Appeals approval is required if the total number of dwelling units was four or more. This proposed bylaw amendment eliminates Footnote 8 because it is no longer accurate, and with the PB symbol in the table itself for four or more dwellings, there is no longer a need for a footnote.

There was no public comment.

Ms. Ryder-O'Malley moved to recommend Consent Agenda Article 2 to Town Meeting, with the change that Footnote 8 have a note that says "Left Blank." Mr. Campbell seconded. The motion passed 5-0-0.

**Warrant article 3**

Ms. McPherson explained Warrant Article 3, also on the Consent Agenda. This Article corrects a typographical error in the Zoning Bylaw. The definition of Manufactured Home includes a reference to “Section 3400, Manufactured Homes and Campers,” where the section on Manufactured Homes and Campers is actually Section 4300.

Mr. Campbell moved to recommend Article 3 to Town Meeting. Ms. Ryder-O’Malley seconded. The motion passed 5-0-0.

#### **Warrant Article 4**

Ms. McPherson explained Warrant Article 4. This Article seeks to make the site plan review submittal requirements consistent with the Special Permit threshold for excavation and grading.

At Special Town Meeting 2013, the voters approved a major rewrite of the Site Plan Review regulations, including requiring Planning Board review by Special Permit for any earthmoving of greater than 750 cubic yards. This was confirmed at Spring Town Meeting 2015, when a citizen petition to raise the 750 cy threshold failed.

The Site Plan Review regulations have a section regarding information to be shown on plans that are submitted to the Planning Board for review. Section 4028(j) refers to a grading plan, including the volume of excavated material if expected to be greater than 2000 cy.

In order to be consistent with the Special Permit threshold of 750 cy, the Planning Board always asks for volume calculations when the volume of excavation and earthmoving could hit the 750 cy Special Permit threshold. This proposed Zoning Bylaw amendment would make it clear to applicants what information is required.

Mr. Woods moved to recommend Article 4 to Town Meeting, with the change that the words “greater than” are also stricken. Mr. Campbell seconded. The motion passed 5-0-0.

#### **Warrant Article 5**

Ms. McPherson explained Warrant Article 5. This Article corrects a typographical error in the Zoning Bylaw. The High Elevation Protection District Regulations includes a reference to “Site Plan Review as specified in Section 4160.” There is no Section 4160 in the Zoning Bylaw. The section on Site Plan Review is Section 4000.

Mr. Campbell moved to recommend warrant article 5 to Town Meeting. Mr. Golden seconded. The motion passed 5-0-0.

#### **Inclusionary Bylaw**

There was a mention of the Inclusionary Bylaw, which had originally been placed on the Warrant after Article 5. Mr. Golden stated that there is no sense in holding a public hearing on an article that was withdrawn from the Warrant. There were no public comments or questions.

#### **Warrant Article 17**

Ms. McPherson explained Warrant Article 17. This Article seeks to allow a maximum of one accessory dwelling unit in addition to the allowed two dwelling units per lot in the Residential 2 Zoning district, provided that the accessory dwelling unit is limited in size and used for year-round rentals only.

Annual Town Meeting 2015 approved a Zoning Bylaw amendment that would allow accessory dwelling units for year-round rental in the Residential 1 Zoning District by Special Permit from the Planning Board. In the past 6 months, there have been five inquiries regarding accessory dwelling units in Res1; two are moving forward, a third is likely to move forward.

This Article proposes to do exactly the same thing, but in the Residential 2 Zoning District. Currently, two dwelling units are allowed per lot in Res2. This article proposes that a third unit (the accessory dwelling) be allowed by Special Permit from the Planning Board.

The size of the accessory unit can be a maximum of 600 square feet if it is a separate structure, detached from the main dwelling, or it can be a maximum of 40% of the floor area of the main dwelling if it is located within the main dwelling (this could include a walk-out basement apartment, for example). It is hoped that these smaller sized dwelling units would have a more reasonable rent.

Patrick Flaherty asked what the Res2 Zoning District is.

Ms. McPherson explained and Ms. Ryder-O'Malley showed him a copy of the Zoning Map.

Hearing no further comment, John moved to recommend Article 17 to Town Meeting. Jim seconded. The motion passed 5-0-0.

#### **Warrant Article 18**

Ms. McPherson explained that when Warrant Article 18 was typeset at the Banner, it appears that an error was made that shows that 2 single-family dwellings are currently not allowed on a single lot in Res2, when they actually are allowed by Special Permit from the ZBA. This error changes the substance of the proposed amendment. The amendment appears to allow something that was previously not allowed, when the intention of the amendment was simply to change the Special Permit Granting Authority from the Zoning Board of Appeals to the Planning Board when two single family dwellings are proposed on a single lot in the Residential 2 Zoning District.

Mr. Golden moved to pull Article 18 off the Warrant because of the typographical error in the printing of the Warrant. Mr. Woods seconded. The motion passed 5-0-0.

#### **Other Business**

Ms. Ryder-O'Malley noted that the next meeting was October 22 and there are a lot of agenda items.

7:20 Mr. Campbell moved to adjourn. Mr. Woods seconded. The motion passed unanimously.

Respectfully submitted,  
Gloria McPherson

Approved by \_\_\_\_\_ on November 12, 2015  
Grace Ryder-O'Malley, Vice Chair