Notice of Public Meeting – (As required by G.L. c. 30 A, c. §18-25)

DEPT./BOARD: ZBRC

DATE: Wednesday, April 1, 2020

TIME: 6:00 PM

PLACE: Remote meeting

To join: https://zoom.us/j/596170867
Meeting ID: 596 170 867

AGENDA - REVISED

1. Members Present- roll call; announcement of recording
2. Approval of ZBRC Minutes: 3/4/2020
3. Discussion of Town Meeting Postponement
4. Discussion of ZBRC meeting and sub-committee schedule
5. Murray Hills Warrant Articles
6. Short Term Rental – GBL
7. Other business
Call the Meeting to Order

Chair Shari Ellis called the meeting to order at 6:00 PM. The ZBRC meeting of April 1, 2020 will be held virtual/electronic meeting on Zoom due to the current State of Emergency due to the COVID-19 virus. As such, the Governor issued an Executive Order on March 12, 2020 authorizing remote meeting under M.G.L c. 30A, Section 20.

Voting Members Present: Shari Ellis, Betsey Hughes, Michael Murray, Edward Parsons, Tamara Maniscalco, Sally Willard, Cathy Beyer, and Gregory Ryan

Voting Members Not Present: Michelle Prendergast

Non-Voting Members Present: Ernest Covino and Andrew Ungerson

Also Present: Kristen Kassner, Planning Director and Dawn Cathcart, Recording Secretary

1. **Members Present – Announcement of Recording**

Ms. Ellis stated that the meeting will be recorded on Zoom.

2. **Approval of ZBRC Minutes – 03/04/20**

This will be tabled to the next meeting.

3. **Discussion of Town Meeting Postponement**

- The Town Meeting will most likely be postponed until June 10th.
- Ms. Ellis will verify with Betty on the new deadline for printing the warrant but it is likely to be pushed out to mid-May.
- The submission deadline for the warrant remained in place.

4. **Discussion of ZBRC Meeting and Sub-Committee Schedule**

- Discussed moving the May 13th and June 10th meeting up a week.
- The articles for Town Meeting are the Escadrille articles, ZBRC Definitions Article and Short Term Rentals (both Zoning and General Bylaw Amendment Articles)

5. **Murray Hills Warrant Articles**

Michael Murray represented Escadrille Realty LLC.

Zoning Bylaw Article 2- Definitions

- The definition of Function Facility has been added and additional criteria have been added to Article 7 to limit the number of eligible parcels.
- Members and guests had additional comments:
  - Concerned that this would allow the VFW, golf clubs and Grandview Farms to apply for a parking deck.
  - Suggested deleting the last sentence and limiting parking by the criteria listed within Article 7.
  - It was also noted a function facility would have to be in the BG district.
It was questioned if religious use would be included. The criteria in Section 7 would still have to be met.

**MOTION** - Ms. Hughes made a motion to request the applicant to delete the last sentence of the definition of Function Facility. The motion was seconded by Ms. Willard and voted 7-0-1. On a roll call vote Ms. Hughes, Ms. Willard, Ms. Beyer, Mr. Parsons, Ms. Maniscalco, Ms. Ellis and Mr. Ryan voting in favor and Mr. Murray abstained from voting.

**MOTION** - Ms. Hughes made a motion to approve submittal #5, the amendment to Article II of the Zoning Bylaws, as presented. The motion was seconded by Ms. Willard and voted 7-0-1. On a roll call vote Ms. Hughes, Ms. Willard, Ms. Beyer, Mr. Parsons, Ms. Maniscalco, Ms. Ellis and Mr. Ryan voting in favor and Mr. Murray abstained from voting.

**Zoning Bylaw Article 4 – Accessory Use Table**
- Members and guests had additional comments to the article:
  - Questioned why the number of parking spaces is 3. It is currently in the bylaw and it was thought to prevent home mechanics.
  - Questioned why this is allowed in the A & WR overlays. This was done after discussions with Town Council and noted that the underlying zoning always takes precedent.

**MOTION** - Ms. Willard made a motion to approve the revisions to Article 4 and Use Table as shown. The motion was seconded by Ms. Maniscalco and voted 7-0-1. On a roll call vote Ms. Hughes, Ms. Willard, Ms. Beyer, Mr. Parsons, Ms. Maniscalco, Ms. Ellis and Mr. Ryan voting in favor and Mr. Murray abstained from voting.

**Zoning Bylaw Article 5 – Density Regulation Schedule**
- Members and guests had additional comments to the article:
  - The ZBRC voted to withdraw this article at the last meeting but the Planning Board asked to leave it in for now. The ZBRC reconfirmed that the article should be withdrawn.
  - This article is unnecessary and could lead to unintended consequences by adding a requirement that would allow for less flexibility of design.

**Zoning Bylaw Article 7- Parking Structures**
- Members and guests had additional comments to the article:
  - Proponent Added “upland” in front of green space.
  - Strike the current language under Section 7.2.7 and replace with the language in this article.
  - Add header for 7.2.7 Parking Structures and Garages
  - In 1st paragraph, last sentence add “to the following:”
  - Capitalize function facility.
  - In the article to rezone the parcel, Change “reclassify” to “rezone”.

**MOTION** - Ms. Willard made a motion to approve Article 7, Section 7.2.7 as amended. The motion was seconded by Ms. Beyer and voted 7-0-1. On a roll call vote Ms. Hughes, Ms. Willard, Ms. Beyer, Mr. Parsons, Ms. Maniscalco, Ms. Ellis and Mr. Ryan voting in favor and Mr. Murray abstained from voting.
6. Short-Term Rental – General Bylaw

Ms. Ellis invited Scott Martin, Chair of the General Bylaw Committee, to discuss this item but he doesn’t appear to be connected. This article was shared with the Chair and he is willing to discuss it at their next meeting. The Short Term Rental would be prohibited under the public safety section of the General Bylaw.

*Short-Term Rental (General)*

- Members and guests had additional comments to the article:
  - The Building and Police departments should also way in. There is a provision that the Police can issue a $100 ticker per day.
  - Delete “out by an operator through the use of advance reservations”
  - The period of time of 28 days seems to short and should be changed to 30 days. After discussion, 28 days addressed the month of February and should be left at 28 days.
  - Add “Inn” to the list of uses that are NOT short-term rentals.
  - Change “Residential Unit” to “Residential unit”
  - Delete “residential” before “occupancy”.
  - The ZBRC should be added as the submitter.

**MOTION** - Ms. Willard made a motion to submit a Warrant Article for Short-Term Rentals to the General Bylaw, as a place holder, to coincide with the Short-Term Rental Zoning Bylaw Warrant Article. The purpose of the submission is to be able to discuss the best location for the bylaw to be located. The motion was seconded by Ms. Beyer and voted 6-2-0. On a roll call vote Ms. Hughes, Ms. Willard, Ms. Beyer, Mr. Murray, Ms. Maniscalco and Ms. Ellis voting in favor. Mr. Ryan and Mr. Parsons voting against.

**MOTION** - Ms. Hughes made a motion to approve the amended language of the Short-Term Renal General Bylaw and recommend that the Board of Selectmen hold a public hearing on the article. The motion was seconded by Ms. Beyer and unanimously voted 8-0-0. On a roll call vote Ms. Hughes, Ms. Willard, Ms. Beyer, Mr. Murray, Ms. Maniscalco, Ms. Ellis, Mr. Ryan and Mr. Parsons voting in favor.

*Submittal #12 – Short-Term Rental (Zoning)*

The definition from the General Bylaw article should be copied into the zoning article. The Use Table should be changed to “Y” in the A & WR Overlay Districts.

**MOTION** - Ms. Hughes made a motion to approve Submittal #12 with the updated definition from the General Bylaw and the updated Use Table. The motion was seconded by Ms. Willard and unanimously voted 8-0-0. On a roll call vote Ms. Hughes, Ms. Willard, Ms. Beyer, Mr. Murray, Ms. Maniscalco, Ms. Ellis, Mr. Ryan and Mr. Parsons voting in favor.

7. Other Business

The next ZBRC meeting will remain on May 13th but the June meeting will be changed to June 3rd.

Ms. Hughes stated that with what is going on with COVID-19, we need to be mindful and maybe rethink bringing forward any Town Meeting articles that deal with money. Ms. Kassner stated that we should wait for Ways and Means to make their decision on they are going to handle this.
MOTION - Ms. Hughes made a motion to adjourn the ZBRC meeting of April 01, 2020 at 8:11 PM. The motion was seconded by Ms. Willard and unanimously voted 8-0.

DOCUMENTS REVIEWED AT MEETING – WEDNESDAY, APRIL 1, 2020

04/01/20 Agenda
1. Members Present – Roll Call: None
2. Approval of Minutes: ZBRC Minutes 3/4/20
3. Discussion of Town Meeting Postponement: None
4. Discussion of ZBRC Meeting and Sub-Committee Schedule: None
5. Murray Hills Warrant Articles: Draft Articles
6. Short Term Rental – ZBL and GBL: Draft Articles
7. Other Business: None

Respectfully Submitted,
Dawn Cathcart, Recording Clerk

Approved: At the 05/11/2020 ZBRC meeting 7-0-0