

Minutes
Board of Selectmen Meeting
February 3, 2017

3:00 p.m. A joint meeting of the Planning Board and Board of Selectmen was convened by Chairman Matt Borrelli at the Center at the Heights. Present were Ms. Marianne Cooley, Mr. Daniel Matthews, Mr. John Bulian, Mr. Moe Handel, Town Manager Kate Fitzpatrick, Assistant Town Manager/Director of Operations Christopher Coleman, and Assistant Town Manager/Director of Finance David Davison. Planning Board members included Liz Grimes, Marty Jacobs, Ted Owens, Paul Alpert, and Jeanne McKnight, and Director of Planning & Community Development Lee Newman.

Food Trucks & Carts – Mr. Borrelli said that the Board is developing a policy for allowing food trucks at parks and schools. He said that the Board is not ready to consider the expansion of food trucks and carts in the business districts, but said there are a number of questions about such expansion for both public and private areas, including zoning provisions. He asked if the Planning Board has an interest in studying the question. Mr. Matthews noted that he would like to understand how mobile food vendors fit within the existing zoning, and if the Town should discuss revisiting rules for restaurants. He said that the food truck regulations or bylaws should not be used to create exceptions to zoning. He said a business that wouldn't be allowed on private land should not be allowed on a public street. Ms. Grimes said that she would ask the Planning Board to discuss the issue. Mr. Borrelli thanked Ms. Grimes and said the issue is intertwined with zoning.

Large House Zoning – Ms. Grimes said that Ms. Newman is working to breakdown the zoning into separate articles, and that Attorney Jay Talerman has been hired to assist in the drafting. The Planning Board will review the draft zoning on February 7th. Ms. Newman outlined the progression of the articles from rewriting section 4.2 to be a table, and the balance to be a series of amendments including eliminating the 1999 pre-existing condition amendment, methodology for measuring height, introduction of an FAR, side yard setbacks, rear and front yard setbacks, exclusions, and the extension of lot coverage standards for new construction.

Mr. Bulian raised questions about the 25 foot setback and discussion ensued about the averaging options and opinions about various proposals. Mr. Bulian said that he is opposed to the

proposal. Mr. Owens noted that not everyone is going to like every aspect of the proposal, and that is why the Planning Board decided to break the zoning into separate sections. He said that the boards need to be respectful of Town Meeting and allow the members to vote on the options. He noted that if the Planning Board and Board of Selectmen are not on the same page the zoning won't pass. Mr. Borrelli said that it will be important to narrow issues to that if there is a disagreement that section can be considered for elimination.

Mr. Alpert said that he did not believe today's meeting is the appropriate forum for that discussion. That discussion should wait until after the public hearing in March. He said in his opinion if the Town is split on a provision he will seek to remove it. Ms. McKnight said there was a proposal for a review of setbacks within 500 feet but that builders felt that was too complicated and expensive. She said perhaps there could be options on setback. Mr. Bulian said that he would be interested in attending a meeting with builders about the zoning provisions. Ms. Cooley said that she appreciated the order of the articles, although she was disappointed that lot coverage was not included. She said that at the end of the process only one article on front yard setbacks should be brought to Town Meeting – not a range of options.

Fire and Police Station Zoning – Mr. Borrelli said that the issue was important and that he understood from Ms. Grimes that she has timing concerns. Ms. Grimes said that she is nervous about putting too much zoning before Town Meeting at once. She said that the Planning Board wants to look at Chestnut Street as a whole. Mr. Borrelli said that he would prefer the zoning be brought to the May Town Meeting but understood the Planning Board's concerns. He asked for assurance that it would be considered after Town Meeting in time for the fall. He said that he understood and agreed with the desire to look at Chestnut Street holistically, but noted that the issue of the location of the Fire and Police Station is settled. He said that while he respected the Board's opinion, he did not want agreement to delay the zoning to be interpreted as agreement to re-evaluate the location of the station. Mr. Owens said that he understood that the Board of Selectmen has decided to build at the corner of School and Chestnut, although he said he believes it is not a good idea. Ms. Grimes agreed.

Public Safety Antenna – Ms. Fitzpatrick said that the Town is exploring all possible options in lieu of erecting an antenna tower at the Police & Fire Station.

Order of Articles – Mr. Borrelli noted that he and Ms. Cooley and Ms. Fitzpatrick met with the Moderator and one of the topics was the order of articles in the warrant. He noted that one option was to have a separate Special Town Meeting in early June just for zoning, or to establish a time certain for the zoning discussion within the Annual Town Meeting. Mr. Fee also discussed an educational effort to prevent major amendments on Town Meeting floor without time for consideration. Ms. Grimes said that she was concerned about moving the zoning to June. The members agreed that a motion to take up the zoning articles as the first order of business on the first Wednesday of Town Meeting was appropriate. It was also agreed that a motion to discuss the articles together and vote separately would not allow enough time to explain each article on its own merits.

Marijuana Moratorium – The Boards discussed the concept of including a recreational marijuana moratorium on the warrant now that the Attorney General's Office has approved similar by-laws. Ms. McKnight noted that numerous bills have been filed in the Legislature to expand local control of marijuana facilities and use. It was the consensus of the Boards that a moratorium is appropriate.

4:50 p.m.

Motion: Mr. Handel moved that the meeting be adjourned. The motion was seconded by Mr. Bulian. Unanimous: 5-0.