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To: Town Meeting Members
Copy: Moderator Alan Foulds and Town Clerk Laura Gemme
From: Robert W. LeLacheur, Jr. CFA
Date: November 14, 2014
RE: Zoning Information

Please let me begin by updating any Member that was not able to attend last night's session that the Subsequent Town Meeting remains open for business, and the next session is on Monday November 17th at 7:30pm in the RMHS Performing Arts Center.

On Thursday Town Meeting passed Article 7 by a vote of 134-5 (by my count) after about an hour of discussion. Article 8 then had reports from the CPDC and the Bylaw Committee, followed by a 45-minute presentation on the proposed Zoning Bylaw revisions by Assistant Town Manger Jean Delios. Town Meeting then engaged in a lengthy debate about a Motion to Indefinitely Postpone Article 8. The evening concluded with a request for the additional information that is attached (and explained below) followed by a Motion to Adjourn that was passed. Therefore on Monday, the business on the floor continues to be the Motion to Indefinitely Postpone Article 8.

Changing Zoning is tough work, and as was pointed out several times last night, very important work. Many of you have experienced what to the naked eye appear to be relatively small changes to the Zoning bylaws that result in hours of discussion on Town Meeting floor, and that follows many more previous hours of public debate. Perhaps that is as it should be, remembering the importance of the work involved. Those Members in attendance last night now have a clearer understanding of why the Zoning bylaws have had only piecemeal revisions since their adoption in 1928 – those types of changes are difficult enough!

I am what I would describe as a visual learner. I admire people who can pick up written material, read through it and perfectly understand what is being said. I do that as step one, but then I need to listen to a full discussion of that same material, reflect a bit - and visual presentations always further help my understanding. I expect there is a wide range of learning styles among the 192 Town Meeting Members. This range of learning styles posed a challenge in deciding how to present such a comprehensive Zoning project to Town Meeting.

The initial plans of the Zoning Advisory Committee were to do 100% of the project at one Town Meeting, in November 2014. I attended every public information ZAC session, every business/public gathering, several of the ZAC meetings, and had hundreds of hours of discussion with staff and members of the public that are regular users of the Zoning bylaws. I also had the benefit of being involved in the upcoming proposed Charter revision, which has given me a further appreciation for the many different viewpoints within the community.

As such, by August it became quite evident to me that to do everything in one November session would be a choice between failure and another hundred-year wait, or missing Thanksgiving dinner (and more). While my views were not popular among those volunteers who had poured enormous time and effort into this thankless task, eventually we reached the compromise to break the project into four parts as described previously, ranging from a Special September 2014 Town Meeting through Subsequent Town Meeting in November 2015.

Next was a decision as to what information to present to Town Meeting Members, both in advance and on the floor. This decision was complicated a bit by a CPDC Public Hearing process that was simply too close to deadlines and then ran over – which historically is quite typical (rest assured that going forward I will be unbearably even louder in urging a change in that ‘tradition’).

The result was we faced a choice, and my decision was undoubtedly influenced by my learning style – let’s get everything we have to the printer so it may be in Town Meeting Members hands as soon as possible – those documents included the Warrant Report (a Charter requirement of 14 days in advance); a draft Zoning Bylaw; and a Translation Guide. When CPDC concluded their Public Hearing they did make additional changes, so we produced the fourth document ‘in-house’. For example a point was made last night about an incomplete Table of Uses in the draft Zoning Bylaw – that gap was filled in at the last night of the CPDC Hearing, and reflected in this fourth document.

What we had planned for last night, as mentioned early on by Moderator Alan Foulds, was to step through each section one at a time after the presentation, much as we do for the annual budget. At that time we expected to clarify anything that was sent to Town Meeting that was not 100% perfect. That includes the information I described above, plus an additional comment from a sharp-eyed Town Meeting Member that there were two clerical transcription errors in sections not meant to be changed at this Town Meeting, merely renumbered. We discussed the error with Town Counsel, learned it was quite common to have such errors and it had a simple fix, and communicated that solution to the Town Meeting Member, along with our thanks.

In retrospect, had we know there would be a move to Indefinitely Postpone Article 8 so early in the discussion, then the staff presentation should have addressed some of these issues right up front. I apologize for the oversight and any confusion that may have ensued. I will consider that a valuable lesson learned when bringing forward the proposed Charter changes, where again we’ll all do our best, but we all are vulnerable to making mistakes.

Attached please find some additional information that Town Meeting Members expressed an interest in last night. First there is a ‘clean’ version of the proposed Zoning Bylaw that is on the floor and under consideration in Article 8; second there is an updated Translation Guide. Each document includes revisions made by the last night of the CPDC Public Hearing; the ‘clean’ version also corrects the clerical errors mentioned.

In the end, it is up to Town Meeting Members as to how best proceed next week. Please be keenly aware that this task is important and it will be hard work, whenever it is done. The process is designed to have as much discussion and detail as is desired. Amendments are expected and always welcome – one Member has one on sheds queued up that has already been reviewed by Town Counsel. Whenever this important zoning work is done, and regardless of how ideal the surrounding situation seems, things will always change and the document’s perfection will be fleeting at best.

The process used to get us where we are has been excellent in most regards. We have had a lot more public input than I would have expected, and to staff, volunteers and the public that have all had a hand in that I offer my thanks. To the extent the process had imperfections then we'll all learn from those and do better next time. Be assured that the remainder of the Zoning project will be given ample time for both public discussion and Town Meeting Member's review. Hopefully a comprehensive zoning review does not wait quite so long next time though.

Thanks for your time and careful consideration of this matter,

Bob

Note: In addition to the copies attached, here are where they are available online:

<http://www.readingma.gov/>