



Town of Reading Meeting Minutes

Board - Committee - Commission - Council:

Zoning Advisory Committee

Date: 2014-04-23

Time: 7:30 PM

Building: Reading Town Hall

Location: Conference Room

Address: 16 Lowell Street

Purpose: General Business

Session:

Attendees: **Members - Present:**

Marsie West
David Traniello
David Tuttle
Eric Bergstrom
Jeff Hansen
George Katsoufis
Erin Calvo-Bacci

Members - Not Present:

Others Present:

Jean Delios- Assistant Town Manager - Community Services
Jessie Wilson - Community Development Administrator
Virginia Adams - Resident
Ralph Willmer, VHB Consultant

Minutes Respectfully Submitted By: Jessie Wilson, Community Development Administrator

Topics of Discussion:

There being a quorum the Chair called the meeting to order at 7:35 PM.

Presentation for Annual Town Meeting – Finalize Handout Material

The ZAC reviewed the handout for Town Meeting. Ms. West said it was good to have this level of detail in the handout. Additional minor edits were suggested.

Upcoming Public Forum and Project Timeline

Ms. Delios told the ZAC that the definitions section of the bylaw is very important and that the review of that section still needs to be completed. Mr. Ralph Willmer, project Consultant also agreed noting that it really sets the guidelines for the remainder of the bylaw.

Ms. Delios said that the ZAC needs to review the project schedule and whether we should keep the July 15th draft bylaw due date. She noted that in order for the draft bylaw to be included into the Board of Selectmen's' packets for the July 15th meeting, we have to have it in form by July 10th. She recommends that the July 15th date remains the due date and that the bylaw, in even rough draft form should be submitted. In addition, the ZAC does need to decide whether or not to formally present to the BOS that evening or just allow the BOS time to review. Ms. West suggested that a presentation should be done that evening, including an executive summary.

In regards to the schedule, Ms. Delios said that the ZAC will need to move forward quickly on the review of the remaining revised sections provided by VHB. She said one option is for the ZAC to split up the work. As for the Public Forum preparation, Ms. Delios suggested relying on the Consultant more for the public forum preparation. Regardless, staff put together a revised meeting schedule with meetings weekly.

Mr. Hansen agreed that weekly meetings are required to get through the material. Mr. Traniello also agreed stating that they should really rely on the Consultant more for their expertise.

Ms. Delios said that the Table of Uses is in good shape. Ms. Wilson said she did not receive any more comments. ZAC agrees it is good to give to the Consultant.

The ZAC reviewed proposed updated schedule. Ms. Delios noted that for Section 6 it would be worthwhile looking into having a joint meeting with the CPDC and also a joint meeting with the ZBA. Mr. Traniello said that it would be valuable to get the ZBAs input.

The ZAC agrees to add the additional meetings.

Mr. Hansen asked if the ZAC should delegate some of Section 6 to the CPDC. Ms. West suggested that it be done collaboratively. Mr. Katsoufis said that the CPDC concern in regards to parking, signs and non-conforming may be different than the concerns of the ZAC.

Discussion on Public Forum

Ms. Delios said that the topics included Section 4 was briefly mentioned at the last forum, but that most the detail was left out. She recommended the topics for the May 12th Public Forum include the Aquifer Protection Districts, Accessory Apartments and Site Plan Review. The ZAC agrees. We do want to see what the temperature is for the proposed changes.

Mr. Willmer was unsure if Turning Point could be used if the forum is to be mostly informational.

Mr. Katsoufis suggested having before and after photos of Accessory Apartments. Ms. West said that we want to solicit feedback on the proposed changes, not necessarily their opinion on what they want or do not want.

Mr. Tuttle replied that it may be too early get feedback on some topics such as Site Plan Review. However, it would be more important for them to review topics like non-conforming. Ms. West said that information will not be ready, but that it may be good to have some questions on the Turning Point related to these topics under review by the Consultant.

The following should be topics at the forum:

Turning Point Questions:

Parking

Signs

Medical Marijuana

Non-Conforming

Information/Presentation Topics:

AQD

Site Plan

Accessory Apartments

Mr. Katsoufis is concerned that ZAC has not heard enough from people who are opposed to accessory apartments. Ms. West said that at some point we can only get so many people to

show up to provide the feedback and the Town Meeting update will make sure to point out the changes that will occur to this type of use.

There was some discussion regarding the non-conforming section of the bylaw. Mr. Tuttle is concerned that there will be a lot of discussion on this topic. Ms. Delios said that this section could be streamlined, so that we do not require Applicants of Special Permits for non-conforming uses that want to construct a deck that meets all the setback requirements. Mr. Katsoufis said that the solution is to allow residential in the downtown. Ms. West said that the CPDC did not recommend that change and suggested the CPDC re-consider that.

Ms. Delios said that it seems that the current trend is to demolish a structure and build something new under the Special Permit process of non-conforming lot.

Ms. Adams read an article piece from the Metropolitan Area Planning Council describing Reading. She said it is important to note that Reading is a primarily residential community.

Review of Section 4.3.2.8 – Accessory Apartments

Mr. Tuttle said that the Lexington language offered options for by-right, as well as by special permit for the construction of accessory apartments. He felt the language did a great job speaking about issues that may arise such as parking and screening.

Mr. Willmer said that the Table of Uses will need to be updated should the ZAC go with the Lexington model.

The ZAC continued to discuss the Lexington model. The ZAC discussed where accessory apartments should be located in Town. Mr. Tuttle said that it would be appropriate wherever single family homes are allowed. This would exclude A-80 but allow it within single family homes that are currently located within Business B and A.

The ZAC discussed whether to keep the same language as Lexington as it relates to the by-right option, the special permit option and the special permit for detached structures. The ZAC was in favor of combining the two special permit options to one option. Mr. Katsoufis expressed concern that the natural environment could be affected by someone wanting to expand for an accessory apartment. Mr. Tuttle said that the bylaw language does speak to those issues in the Lexington Bylaw. Ms. Delios discussed the parking space requirements mentioned in the Lexington language. Ms. West felt it was too restrictive. Mr. Tuttle said that he was in favor of it because it would prevent an excessive number of vehicles from parking on properties or on the roadway. Mr. Willmer recommended using the parking language from the current bylaw in Reading. Ms. Adams felt that the language in Lexington may be too restrictive, but the Town may not want to encourage excessive parking or vehicle reliance. Mr. Willmer will revise the proposed Accessory Apartment language and incorporate the suggestions.

Ms. Delios pointed out the draft for Accessory Apartments prepared by Ralph included compliance with the State Building Code.

Mr. Katsoufis asked if this bylaw will address illegal apartments. Ms. Delios said that is an enforcement issue and should not be addressed with this bylaw.

Review Section 4.3.2.9 – Open Storage

Mr. Hansen asked if the storage of boats would fall under this. Mr. Delios read the definition of Open Storage and it is the "storage of goods for retail sale" and therefore does not appear to fall under this. Ms. West asked why open storage is not allowed in Business B. Mr. Tuttle replied that because it is the town center and not really a use we want to encourage.

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Ms. Delios read an opinion from Town Counsel in regards to open storage. In that letter, it was determined that a car dealership did not need a special permit for the outdoor sales of vehicles as it was a supporting use to the principal use. This however, made it unclear whether the sale of retail goods outside of a structure in which the principal use is retail sales needed a special permit. It was agreed that the definition needs to be re-evaluated, but Mr. Willmer suggested that the language for the Open Storage Permit is maintained. Ms. Delios clarified that a temporary outdoor sales/event permit is issued to Home Depot for their temporary events.

Mr. Willmer will take a look at the definition and language for Open Storage.

Continue Review of Section 2, Definitions

Roadside Stand

Mr. Tuttle said that this is an accessory use to residential districts and Business A. Ms. Adams said that the term agricultural is included in the definition because historically agricultural uses have been exempt from zoning.

ZAC made some minor changes.

School

The ZAC discussed this term and questioned how it fits in with the state definition. It was agreed that the Consultant would review this with Attorney Eddy Netter. It was unsure how to classify commercially operated schools such as art, music, culinary, dancing or riding schools. Mr. Willmer said some Table of Uses separate institutional uses such as Public Schools, Private or Public Colleges, and then Trade/Vocational Schools. Ms. West said that we should have a way to define these schools so we know how to classify them.

Senior Independent Living

Mr. Hansen asked how this differs from Nursing Home. Mr. Willmer replied that this is more of a residential uses without the care component.

Shared Parking Facilities

The ZAC discussed this definition. Mr. Willmer clarified what this term refers to an agreement, such as a dentist sharing with a restaurant who operates at night. The ZAC made some minor changes.

In regards to definitions in the Smart Growth District, Mr. Willmer is going to follow up with DHCD on any changes that should be made. Ms. West said that it would be good to have a list from Mr. Willmer on what he sees problematic.

Site

Mr. Willmer suggested that the ZAC determine a term to use consistently between the terms parcel, site, and lot. The ZAC suggested minor edits to the definition of Site.

Special Permit

Mr. Willmer said that he will have more information and bylaw language that relates to this in the administration section of the bylaw. Mr. Traniello suggested using the statutory definition.

Special Permit Granting Authority

Mr. Willmer will also look into this one as it relates to the administration section of the bylaw.

Story

The ZAC suggested minor edits.

Structure

Mr. Katsoufis and Mr. Willmer will look into this on how it relates to the building code.

Ms. West would like to ensure the Building Inspector has had a chance to review the definitions we want him to look at.

Structure, Floodplain

The ZAC would like to eliminate this definition if possible, but Mr. Willmer will look into it.

Approval of Minutes

The ZAC tabled the approval of the April 16, 2014 minutes to the next meeting.

Adjournment

On a motion by Mr. Traniello, seconded by Mr. Hansen, the ZAC voted to adjourn at 10:00PM PM by a vote of 7-0-0.