

**Planning Board Meeting**  
**Monday, March 2, 2020**  
**Community Meeting Room, Library, 660 High Street**  
**7:00 pm**

The Planning Board attended the Finance and Warrant Commission's meeting to participate in the public hearing discussion for Annual Town Meeting, primarily the zoning amendment articles.

Planning Board Members Present:

Chair Brian Gorman, Vice Chair Deborah Conant, David Atkins, and William Delay. Mr. Delay left the meeting early. Town Planner Abby McCabe as recording secretary.

Select Board presentation of Article 8 for Zoning Amendment for Medical Uses. A Finance and Warrant Commission member asked why the Planning Board voted 2 in favor and 2 members abstained to support and co-sponsor Article 97.

Later in the meeting Chair Gorman responded that two members Ms. Conant and Mr. Delay abstained from the vote. Ms. Conant responded that she felt the definitions related to medical uses needed further revisions and further work.

Mr. Delay left the meeting.

Planning Board Article Presentation:

First Article: Renting of Rooms, Residential Accessory Uses

Planning Board Chair Gorman explained that the Town's zoning bylaw currently does not have time limits for renting of rooms by a resident property owner. This zoning proposal adds in new definitions for short and long term. Short term is five to 29 days and long term is 30 days or more. He presented the current zoning which allows for the renting of rooms and the proposed new definition's and the proposed changes to the table of uses. Less than 5 days for renting of rooms would not be allowed. He explained that this article was brought forward in response to resident concerns with renting out of rooms in neighborhoods for short periods of time can cause disruption to neighbors.

A Commission member asked if some could rent out their house for the weekend and Mr. Gorman responded that as proposed no because it would be under the five days.

A Commission member asked what the table and board part of the definition meant. Ms. Loughnane, Director of Community & Economic Development responded that this refers to renting of rooms and preparation of a meal such as a bed and breakfast.

A Commission member asked what is the underlying issue inspiring this article and what the rational for five days was. He added that Airbnb typically has a check on renters and owners

that rent. He emphasized the importance of having a monitoring process and recommended registrations and background checks.

Mr. Gorman responded that the Board has discussed a future related article that may involve issues such as taxing, inspections, and registrations.

A Finance Commission member recommended talking with the Police Department.

A Commission member asked why there was a distinction between short and long term but both are permitted in all residential zones.

A Commission member asked if there were local taxing options. Town Counsel Pat Ahearn responded that he believes there is a state tax and believes there is a local option to tax but has not researched the details.

A Commission member asked how many other Town's in the state have had a similar proposal. Mr. Gorman responded that Towns have done many different options, Lennox is one example.

A Commission member asked if this change would apply to the Overlay Districts. Ms. Loughnane responded that this zoning proposal is only for renting of rooms by a resident owner and not for renting of a property. Therefore, this does not apply to overlay districts such as at University Station because the proposed zoning is focused on the residential zoning districts and the overlay districts are in commercial districts, where renting of rooms by resident owner is not permitted.

#### Second Article: Prohibitive Language Clarification

Chair Gorman presented the next article that adds language to the Zoning Bylaw with an intent to clarify that uses not expressly permitted is prohibited.

A Commission member asked for the Building Commissioner's opinion on this change. Mr. Joe Doyle was present and responded that he did not think this proposed language hurt or strengthened the current language and was therefore redundant.

Mr. Gorman responded that the Board would review this response further at their next meeting.

#### Third Article: Fire Arms/Explosives Sales

Chair Gorman presented the existing Zoning Bylaw table of uses which currently allows the sale of fire arms and explosives by grant of a Zoning Board of Appeals Special Permit in the Highway Business, Industrial, and Local Business B and Local Business A zones, which are the High Street and Washington Street Business districts. Mr. Gorman explained that the zoning proposal is to remove the special permit option from the two Local Business zones so that Fire Arms sales are only permitted in the Highway Business and Industrial zones by special permit.

A Commission member asked if there has been any update from the Attorney General from the recent similar zoning amendment in Dedham. Mr. Ahearn explained that he isn't yet aware of a final Attorney General opinion on their recent zoning change in Dedham.

During the public comment period Chair Gorman explained that the Planning Board at their meeting last week all four members voted to withdraw their original zoning article related to Morrison Park to be removed from the FMUOD zone because they supported the permanent protection of the Park and Field with the Select Board's Article 97 that is now proposed.

During the public comment period Mr. Atkins spoke in support for the Morrison Park Article 97 Select Board proposal. He explained that this article is a proactive method to preserve and protect Morrison Park and Field. Additionally, in response to questions on the Medical Use article he explained that this article is now proposed with a very limited scope and only updates to designate the zoning district for Medical Centers and Clinics to where they currently exists today – in the University Station development. The medical zoning effectively zones for what we have today and stops Medical Centers and Clinics from locating in other areas.

*Action Taken:*

On a motion made by Chair Gorman, seconded by Mr. Atkins, the Planning Board voted 3-0 to continue the Zoning Amendment public hearing until Tuesday, March 17<sup>th</sup> at 7:00 pm at 50 Carby Street.

The Planning Board adjourned at 9:00 pm.

*List of Exhibits:*

Memorandum from Planning Board Chair Brian Gorman and Planning Board, to Finance and Warrant Commission, dated February 26, 2020, re: Planning Board Zoning Bylaw Articles for Annual Town Meeting.

PowerPoint Presentation Slides.