

Meeting Minutes-Bylaw Review Committee

June 5, 2023 – via Zoom

Item 1 | Call to Order

June 5, 2023 ByLaw Review Committee meeting called to order at 7:01 via Zoom.

Members present: Chair Dan Lieber, Kevin York, Eric Reid, Joe Pride, Tim Lilley, and Katherine Howitt. Town Counsel Tom Mullen, attorney Mark Bobrowski, and members of public also present.

All votes were taken by roll call.

Item 2 | Public Engagement

No engagement from members of the public.

Item 3 | Minutes

Motion to approve minutes from May 1, 2023 meeting as presented. Joe moves to vote, Kevin seconds. Unanimous vote for approval of minutes; motion approved.

Item 4 | Review Bylaws

Committee discussed a draft zoning land use table and associated definitions provided by Attorney Bobrowski. Notes below about the discussion are organized by section of the use table.

Residential Uses

Attorney Bobrowski recommended using the term “Senior Housing Facility” instead of “Assisted Living Facility” (the term currently in the bylaw.) Senior Housing Facility is a more expansive term – it includes a broader range of facility types, including independent living.

Brian McGrail, a member of the public, noted the need to reconcile with current limitations adopted at a past Town Meeting limiting the percent of independent living rooms in a senior housing facility.

Institutional Uses

Attorney Bobrowski noted that, by current state law, child care centers and school-age child care programs must be allowed by right in all districts.

Committee discussion centered on definition of “Essential Services”, as well as whether the town’s planned energy park would fit in that category. Attorney Bobrowski advised that it would fit under “municipal utility servicer or provider.”

Open Land or Extensive Uses

Attorney Bobrowski noted that we currently don’t have a category for “outdoor commercial recreation” and advised that we add one.

Retail, Service Uses, and Places of Assembly

Attorney Bobrowski noted that he would recommend breaking “service establishment” into two groups: personal services (for example, hair and nail salons) and general services (for example, a furniture upholsterer.)

Restaurant uses

Attorney Bobrowski recommended adding “drive through restaurant” as a category for a future draft.

Automobile Related Uses

Attorney Bobrowski recommended replacing “gasoline station” (in our current use table) with “motor vehicle light service” to encompass a broader range of stations. This would include a typical gas station that also has a convenience store, food, etc. Committee members discussed that this might also encompass future stations that don’t sell gas but instead offer charging for electric vehicles.

Industrial Uses

Attorney Bobrowski recommended adding “self-store facility” as its own category, separate from warehouse. This allows for the fact that self-store facilities generally need less parking than warehouses. He also cautioned that our current category for warehouse would encompass massive warehouses often associated with Amazon and other online delivery services. As these very large warehouses are becoming increasingly common, he suggested we may want to take that into consideration as we determine where or how those would be allowed in the use table.

Accessory

Attorney Bobrowski recommended we split “family day care home” into two categories: one for 5 children and fewer, and one “large” for 6-10 children. He recommended we reconsider the current restrictions on smaller family day cares, and consider making them a right in most districts.

Item 5 | Recommended feedback method for Zoning details – please contact Bylaw Review Committee using town e-mail address

Chair Lieber recommended the creation of a subcommittee to meet several times before our next Committee meeting and to advise Attorney Bobrowski on some of the details to include in the next drafts. The subcommittee would make recommendations on these details for inclusion in the drafts. These drafts would then come back to the ByLaw Review Committee for further debate, refinement and ultimately to be voted on. Town Counsel Mullen advised that this subcommittee would be subject to open meeting law.

Committee members debated how many people should be included on the committee, and ultimately decided to make it a five person committee to ensure adequate attendance at the meetings through the summer.

Chair Lieber moves a vote to create a subcommittee of five members to advise Attorney Bobrowski. The committee would be comprised of least one member of the Planning Board (the chair or his designee), one member of the ByLaw Review Committee (the chair or his designee), and one member of Zoning Board of Appeals (the chair or his designee), as well as two additional members of these committees/boards. Joe seconds. Unanimous vote to create subcommittee.

Item 6 | Upcoming Dates

- A. Holidays: Juneteenth celebration - Monday, June 19, Labor Day - Monday, September 4
- B. Next Meeting: Monday, September 18, 7:00 PM

The subcommittee will meet several times before the September 18th meeting.

Chair Lieber noted two items for future discussion: noise bylaws, and the possibility of a vacant storefront bylaw.

Item 7 | Adjournment

Katherine moves to adjourn the meeting, Kevin seconds. Unanimous vote to adjourn the meeting. Meeting adjourned at 8:37pm via Zoom.

Minutes approved 9/18/2023.