



**Georgetown Zoning Board of Appeals**  
*Memorial Town Hall ♦ One Library Street ♦ Georgetown, MA 01833*

**Business Minutes**

**December 2, 2014**

7PM - Town Hall, 3rd Floor Meeting Room

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Board Members Present: Gina Thibeault, Chairman, regular member  
Paul Shilhan, regular member  
Sharon Freeman, regular member  
Jeff Moore, regular member  
*Dave Kapnis, regular member - Absent*

Patty Pitari – Administrative Assistant  
Howard Snyder – Town Planner  
Shawn Magee – Chair, Affordable Housing Task Force  
Frank Puopolo – task force  
Matthew Martin – task force

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Chairman Thibeault called the business meeting to order at 7:08pm, and stated the Board of Appeals will conduct this meeting according to rules laid out in Chapter 40A of the General Laws of the Commonwealth of Massachusetts, Roberts Rules of Order and its own particular set of rules, entitled Rules of Procedure, a copy of which is on file with the town clerk, another copy is available from the clerk at this meeting. This meeting is being taped recorded for the purpose of taking minutes, once the minutes are complete the recording may be taped over.

**Old Business**

**Affordable housing Task Force**

Shawn Magee – I would like to have Frank to speak at this point.

Frank – We send the bylaw to you, and it's based on the old existing bylaw with some changes, we are trying to keep it simple, what we are proposing is not to change the structure, but the conditions would be different. Frank explains that all conditions for renting with this bylaw is in the Regulatory agreement. Jeff sent over some questions we answered.

J. Moore – What I was looking at structurally, I am looking for when it comes to us, how is that going to flow, are the definitions in place and how would some things work with DHCD. This would it be labeled 165-69.2, do you know what it will be, or where ever it goes something like that Affordable Accessory Apartment.

H. Snyder, Town Planner – Article 11, supplemental regulations. The planning board will give it the section.

J. Moore – I just don't want it confused with accessory apartments.

Frank – It's still an accessory apartment.

J. Moore – But we are not giving a special permit for an accessory apartment; they will get getting for the affordable rental.

S. Freeman – If we reference the correct section, it should make it clear.

J. Moore – I mean the use, so the name will be Affordable Accessory Apartment? It has to be in the Use schedule.

G. Thibeault – Would it be better to say Affordable Housing Accessory Apartment, because theoretically a family accessory is an affordable accessory as well.

Howard – It's not defined, it an accessory apartment so when it the Planning Board gets it they know.

Frank – It should be under what's in the use schedule, not allowed in industrial. You will reference the new bylaw with your side.

Matt Martin - The board would have conditional approval from DHCD.

Frank – One of the steps is the Regulatory Agreement, in order for them to be valid. You will reference the new bylaw when you make a decision.

J. Moore – We need to be familiar enough with the DHCD Regulatory agreement.

G. Thibeault – I would like it to be we grant the use, but they have to go to someone else to get the DHCH information. And should they come to you or us first?

Matt – You could have a conditional approval, say you need DHCD and you send them to us, I think they should come to you first.

J. Moore – With conditions there are other conditions, and that can sometimes require conditions that we may impose on it for it not to be detrimental, and if any of those conditions, preclude it from being on the SHI, they would leave with a contradictory issue.

Frank – Like an age regulation, under the LIP program you can't be an age restriction, DHCD would not allow that. There are only like 10-12 towns in the commonwealth that have this.

G. Thibeault – Can you let us know if there is anything under DHCD condition wise you should let us know?

Shilhan – How does the property owner find out about this, then they go to the building inspector, then Jon's denial letter would be more complicated in that the other parts of the DHCD.

G. Thibeault – Everything would be subject to DHCD approval.

Frank – We would put something out to the public.

Brief discussion on separate application or not. It will not be a separate application.

Howard – I think everybody is taking application different.

J. Moore – I think Patty would send them to you first; they just need to get the information

J. Moore – We can condition it, but it may be something with DHCD, there may be questions from the audience that may relate to the DHCD regulations.

J. Moore – They need to know they can't pick the tenant.

Matt – There is the lottery.

J. Moore – We can condition 700 sq. ft. that does limit how many tenants they can rent to. That doesn't limit how many tenants they can accept.

Frank – If you have a one bedroom, it's limited to two people.

J. Moore – If we condition no more than one bedroom which is two people in the apartment, can we say anything on that.

Patty – There was 900 sq. ft. in the bylaw you showed us in Sept.

G. Thibeault – You took that out. Frank – Yes.

J. Moore – Is there limits on the rental, and then say next year the owner would maybe want parents in there, can we do that, A 900 ft. would not qualify. I am not familiar with DHCH and what they are going to require, if something comes up what we do.

Frank – The owner can terminate it, if the owner elects to it's in the regulatory agreement.

Then the owners would have to come in here for a regular accessory apartment.

Discussion on owner and tenant.

S. Freeman – We could on the regular application put in a line on the regular application, that names the name of the bylaw whatever they end up calling it.

Howard, Planner – Just about every application starts with building inspector in his denial letter he will name it and he will contact the affordable housing task force. The inspector will explain it to the applicant.

P. Shilhan – We are basically we are granting the use. Then it still has to go thru DHCD.

Frank – Permits are not valid until on SHI.

Patty – What about conditions on it. J. Moore – We can but they have to not conflict with the DHCD conditions.

P. Shilhan – How does this go forward now?

Howard – The zoning board can formalize this affirmatively to the planning board, and they make a recommendation to the Selectmen for town meeting. Planning Board need to know you are comfortable with it.

Frank – If something comes up down the road you can also bring it to the attention to the Selectmen.

J. Moore – What do you need from us tonight?

Shawn Magee – Support to get it to the Planning Board. Howard – A vote for Planning to review.

J. Moore- The planning board will go through it? Howard – Yes, we will keep you up to date.

G. Thibeault called for a vote to send this proposed bylaw to Planning Board.

**Motion** – J. Moore/Shilhan – I move to send to Planning Board for review, all in favor. Yes, motion carried.

#### **Site Plan Review**

Howard – In another issue with an overlap with site plan review conditions, we will be looking at it in January/February. Discussion on making the conditions specific, like a fence.

G. Thibeault – We need to add to be determined by the Planning Board.

J. Moore – Do you want to come to a business meeting in January and February.  
Howard – Yes.

***Recess business 8pm to open 56 Andover St.***

***Back from recess at 8:45***

**Old Business** - Revisit revising Zoning Applications – Gina spoke with Patty and made some changes, it was decided to move to vote on the applications until January 6<sup>th</sup> meeting.

Distributed 64-74 E. Main St for 1-6-15 hearing date.

### **Correspondence**

A. Building Inspector Correspondence

\*Denial Letter - 56 Andover Street, 64-74 E. Main, 34 E. Main & Letter re: 3 Farm Lane from Building Inspector regarding returning to the Planning Board or file an appeal with ZBA.

B. General Correspondence – Email from Town Administrator – New Posting Method  
Patty – This is to start after board emails are set up and sent to Attorney General.

### **New Business**

Finance Report – Patty updated the board on the revolving spreadsheet.

\* Budget Document – Due 12/22/14 – The board needs to determine if we are asking for a change from FY15 to FY16. Decision to leave the expense line item at \$860. Patty will inform the Town Administrator with the budget form.

### **Minutes**

Approve Business & 4 Carleton Drive Minutes of October 7, 2014.

**Motion** – J. Moore /P. Shilhan to approve the minutes of 10/7/14; all in favor, no discussion; Motion Carried. Gina abstained was absent. All in favor – yes.

**Next Meeting Date; January 6, 2015.**

**Motion** – J. Moore /S. Freeman to adjourn the business meeting at 9:45pm all in favor, motion carried.

*Respectfully Submitted*  
*Patty Pitari*  
*ZBA Administrative Assistant*

*Date Approved 1/6/15*

