

Groveland Board of Selectmen  
Special Meeting Minutes  
July 20, 2016

Present: Chair William Dunn, Selectman Ed Watson, Selectman and ZBA Member, Daniel MacDonald

Absent: Selectman Michael Wood, Selectman William O'Neil

Others Present: ZBA (Tom Wakefield, Kacy Bailey, Mark McCabe)

PLANNING (Jim Freer, Bob Arakelian, Robert O'Hanley)

Recorder: Melanie Rich

The meeting was called to order at 7:00 p.m.

Joint Meeting of the Board of Selectmen, Planning Board and Zoning Board of Appeals to discuss the Zoning Bylaws.

Tom Wakefield (ZBA Chair) said they were given the task of reviewing the proposed zoning bylaw changes. Kacy Bailey (real estate land use attorney) and Kathy Franson (commercial real estate broker) agreed to review and make recommendations to bring the proposed bylaw a little closer to what the current bylaw states in terms of regulations. They spent a considerable amount of time on the definition section trying to narrow down which definitions fit best and eliminate the definitions that were not used anywhere else in the bylaw. There were also several instances where the regulations themselves were continued in the definitions; best practices are not to regulate within the definition section. Section 3 defines the zoning district. She said typically in a zoning bylaw is the definition/purpose of each zoning district. It is difficult to see what uses are permitted in any zoning district when there isn't a definition or purpose. There is a Limited Business District which is a very small district and it is not clear why it is there and what uses would be appropriate.

Wakefield said it was his understanding that all the changes to be made in the bylaw were going to be about housekeeping. Bailey thinks it would be a change from the current bylaw because there isn't currently a section in the bylaw that states the purpose of each district and it should be taken into consideration if it is not changed now. The process for developing a bylaw is community driven. O'Hanley said they sent out a survey years ago. Wakefield said the state requires the plan to be done every ten years; Bailey said twenty years is a typical timeframe for a comprehensive plan. Selectman MacDonald said to do it once and do it right we need those purposes and also have to respect what the community wants; maybe an updated survey is needed. Freer had a revised copy of the bylaws. Selectman MacDonald said computer repair service was not allowed. Wakefield said there are businesses in the residential zone. Wakefield said it doesn't say that in our current bylaws. Freer said some things got mixed up. Selectman MacDonald said we are relying on what is in print; this almost went to town meeting. Wakefield read all the non-permitted uses in the business zone. Selectman MacDonald said if we pass it in the current form, you can't be a computer consultant? Chair Dunn said they are shutting down all businesses from coming in. Chair Dunn said one of the problems was the matrix. When the matrix was put in, we didn't know about it and when we looked at it there were numerous NPs. The Planning Board was worried that if it went to town meeting and passed, we would be shutting down a lot of businesses coming to Groveland. Selectman MacDonald thinks we can cure the problem if there is a purpose in each zone and if there is a blanket statement stating what is permitted but not limited to. There has to be some flexibility within the zoning because someone might have a business that you didn't think

of. He believes we are in the fine tune mode if we can agree in concept that we shouldn't be so restrictive. Wakefield said they haven't seen the revised copy. Chair Dunn said we need to simplify it and get it to town counsel so it will be ready for the fall town meeting. Freer suggested working together on it; there are certain parts of the bylaw they handle exclusively and know where the problems are. Wakefield said the concept for the matrix is good, but from their very first conversation he told him it was too exclusive and too restrictive. Selectman MacDonald asked Bailey how much time and effort it would take to put in definitions for each district and possibly use the Master Plan for that. Wakefield said if it wasn't based on the Master Plan, what was it based on. Freer said it is based on situations they lived with since 1954; it's a hodgepodge zoning situation. Wakefield asked what were the changes based on. O'Hanley said the changes were based on the survey that was sent out, other towns' Master Plans, and the knowledge of Mark Bobrowski and Lisa Mead.

Chair Dunn asked Bailey if she and Franson would be willing to get together with members of the Planning Board. She said felt that would be very productive. Selectman MacDonald agreed to meet with them as well. He wants to know how they arrived at not allowing franchise businesses to come into town; was that part of the survey? There were also questions on the revised Business Industrial. Chair Dunn said the Planning Board needs to review what the ZBA has done and the ZBA needs to review what the Planning Board has done. Selectman MacDonald said there should be a document showing what the vast majority of people in this town foresee as a vision of what they want this community to have and not have. There was discussion of the possibility of an updated survey being done. Bailey said the best we are going to get at this point is a collaboration between the two boards. Conducting a Master Plan study at this point is not feasible; we need to work with what we have.

The need for a town planner was briefly discussed. The Chair agreed and said it needs to be budgeted for.

The Chair closed the meeting at 8:25 p.m.

\* Approved on August 22, 2016 by a vote of 3-0-2, with Selectmen O'Neil and Wood abstaining \*