

**Zoning By-Law Review Committee
Minutes
February 8, 2012**

Present: Patrick Doherty, Shirley Smith

The meeting was called to order at 7.07 P. M.

Patrick made a motion to accept the minutes from January 17th as written. Shirley stepped down to second the motion. All were in favor and the motion passed.

Motor Vehicle Service Stations

This was the only by-law for the February 27th public hearing to warrant discussion. The Planning Board had informed the committee that the Fire Lieutenant had considered the attached canopy requirement to be a fire hazard so it had to be removed from the document.

Although (j) (ix) in the Site Plan Review states that proposed development shall be related harmoniously to the surrounding townscape, Shirley suggested that adding the Medway language referencing New England style architecture would be a further guarantee that a developer would build an attractive service station. Patrick agreed with this.

Table of Uses and Related Notes

In reviewing issues related to the first half of the uses, Shirley had gotten negative feedback on the idea of banning roosters so the committee decided to leave any disputes up to the newly formed Agricultural Commission. Kennels and Research and Development were set aside as Liana was looking into those uses. The Drive Thru Window uses were also set aside. Shirley raised the question of whether or not the uses should include those in overlay districts and it was decided that, since overlay districts each have their own section, it was not necessary. Patrick added that that Transportation Facilities, would need a definition. He also advised that playing fields owned by a non-government agency should be allowed in all districts. The committee agreed that a Bed and Breakfast use should be allowed in all districts except Highway Business and that the note should read as follows: Private, owner occupied building with no more than 5 guest rooms which includes a breakfast in the room rate and which serves meals to overnight guests only.

Accessory Uses

Shirley had found a definition for Accessory Use that provided residents with more detailed information. It reads as follows:

Accessory uses in all districts: An “accessory use” is either a subordinate use of a building, other structure or tract of land:

- 1) Whose use is customary in connection with the principal building, other structure or use of land, and
- 2) Whose use is clearly incidental to the use of the principal building, other structure or use of land, and
- 3) Which is located on the same lot with the principal building, other structure or use of land or on a lot adjacent to such lot, if in the same ownership, and
- 4) Which does not constitute a conversion of the principal use of the premises to one that is not permitted.

Patrick agreed and the existing draft definition would be replaced with the new version.

Home Occupations

The committee agreed that the rules for Home Occupations could appropriately be added to the notes section of the table. The existing section would be used with a few exceptions. Shirley pointed out that the regulations were written prior to the passage of a by-law requiring one and one half acre house lots. The maximum 35% of a house lot area therefore seemed excessive. Patrick thought 5 parking spaces would be sufficient and Shirley agreed. Metals, woodworking, millinery and clothes washing were deleted.

Existing Uses

From the list of existing uses, Marina, Drive-in theater, Golf driving range and Wholesale business and storage would be retained in the General Business District and Retail stores that may include fabrication, assembly, and processing in the General Business and Highway Business Districts.

Portable Trailers

The committee decided to add a note indicating that non-permanent storage containers shall not be visible from the right of way or from any residential property.

Additional Material for February 27th Planning Board Presentation Amendment to Section 1.03 Delineation of Districts

The committee agreed that it would not be necessary to have a separate section for the Highway Business District as it would be included in Section 1.03, Delineation of Districts. There were, however, buffer requirements and Patrick thought these should be added to Section 2.01, Dimensional Regulations.

Parking Regulations

Based upon work completed at previous meetings, Shirley had put together a table of parking regulations. She had also listed excerpts on parking from 7 other towns for committee evaluation and consideration. Patrick said he would study these for the next meeting.

The date for that meeting was set for February 20th. Patrick made a motion to adjourn. Shirley stepped down and seconded the motion. All were in favor and the meeting adjourned at 7:55 P.M.

Respectfully submitted,
Shirley Smith