

Marblehead Planning Board
Minutes of Meeting
February 13, 2018

Members present: Robert Schaeffner, Ed Nilsson, Rossana Ferrante, Andrew Christensen and Steven Leverone. Others present Rebecca Cutting town planner. A quorum being present the chairman called the meeting to order at or about 7:30 PM.

Zoning Article for 2018 Town Meeting Warrant

Town Planner explained the article sponsored by the board and the changes that had been made. She read a prepared a draft handout on the article. This project is the result of a multiyear project to recodify, reorganize, and update of the town's zoning bylaw. This project was done together with the town's counsel, the town planner, building commissioner (past and present), the local inspectors, members of the planning board and board of appeals. The project was a high level review of the town's zoning bylaw focusing on identifying internal inconsistencies, noncompliance with statute or case law and clarification. The goals of this effort were to create a document that is easier for users to navigate; simplify and update the language of the Bylaw; and ensure the Bylaw is consistent with internal and external laws and regulations, e.g. conformance with Massachusetts General Law Chapter 40A The Zoning Ac, Building code and other regulations. The majority of this article is a recodification including changes to make the bylaw more organized by changing the order of various sections and sub sections Make the bylaw easier to understand by eliminating inconsistencies and redundancies legal conformity which includes changes to reflect new case law or statutes, resolution of internal inconsistencies. This type of change is not intended to change the meaning of the bylaw. Additionally there are what we are calling technical changes to bring the bylaw into, conformance with practice and interpretation changes to reflect new case law or statutes. Ut adds new definitions, modernizes others, and the addition of current practices. these changes add language to the bylaw either current practice or to reflect requirements due to case law. These changes represent things that are presently done but not included in the bylaw. Nothing would change if these changes were not made but they do make the process easier to understand and clearer. Then there are revisions that change the bylaw or add new provisions and are substantive changes. The board after discussion decided not to move forward with the administrative site plan review – no need, certain limit on accessory structures – this will be looked at more holistically when the board studies accessory uses this coming year or eliminate site plan approval for assisted living facility special permits – experience has shown that it is useful. The planner will make those changes. The board then set the date for the required public hearing date on the zoning changes - Tuesday April 10, 2018.

Old/new business

MAPC representative opening

The passing of Jim Bishop created a vacancy in this position that Mr. Bishop held for years as the Metropolitan Area planning council MAPC representative. The Board of Selectmen

appoints an MAPC representative every three years. They have appointed Jim Bishop since 1983. The planner asked if any planning board member might be interested. If not, there are some people that have expressed interest. The planner explained that MAPC holds three full Council meetings every year to which Council members are invited. There's a business portion to every meeting with a Treasurers Report, Executive Directors Report, and approval of meeting minutes along with other regularly scheduled business addressed at particular meetings. There is a presentation, panel discussion, mayors' forum or some other event at each meeting that would be of interest to the Council. Discussion ensued and Board members agreed they would think about it. The planner will bring minutes from the minutes to give an idea of what the board does.

Airbnb regulations

The town planner updated the board on regulations on Airbnb. The regulations are not zoning bylaws but rather a general bylaw which would be under the board of selectmen. The planner and building commissioner has received inquiries into regulation of this use, mostly by abutters to these uses which concerns that it changes the character of the neighborhood. Mr. Ivers and Mr. had seen the item on the board's agenda and came to give their positive experiences operating "Airbnb" in town. Discussion ensued and the board decided to approach the selectmen about setting up a study committee to look at the issues and what other communities are doing. The town planner will draft a letter for the next meeting.

Complete Streets

The planner explained the purpose of the Complete Street Policy. Adoption of the policy by the board of selectmen is the first step. The policy will be applied as a guide in decision-making in related infrastructure planning and construction. Complete Streets principles contribute toward the safety, health, economic viability, and quality of life in a community by providing accessible and efficient connections between home, school, work, recreation and retail destinations by improving the transportation system through the community and its connection to the region. This policy will focus on developing a connected, integrated network that serves all users of roads, trails and pedestrian ways. A motion was made and seconded to approve the complete streets policy as written. All in favor.

Other

The planner updated the board on the rail road right of way.

Respectfully submitted,

Rebecca Cutting