

November 18, 2008

Members present: J. Marot, B. Hoeg, and Walter Healey

Meeting called to order at 7:30 p.m.

Neighborhood Business Zone Hearing (Continuation)

Walter – I make a motion that we re-open the hearing. Brian – 2nd the motion.
Jim – We have had quite a bit of discussion about it moving forward and we wanted to discuss it with the Master Plan Committee. Bob lafrate—first I would like to apologize for not being able to attend you previous meeting. I would be glad to answer any questions that the Board might have. Also this is Ted Bund who is also on the committee with me. We were looking at this as a test area. We went to other areas and we narrowed it down to the Bedford and Main Street area. The yellow area on your handout is the target area. Red is the business zone. In the target area we noted the parcel numbers and we are trying to stay away from Old Main Street as it is a scenic road. We had suggestions from your Board and we are trying to work with it. Jim – I think it is a good idea. The only discussion at our last meeting was maybe looking at a different area. We felt there were more appropriate areas. We also talked about taking out bait and tackle. Rita – those have been taken out. I will give you a copy. Chuck – when it left our desks it was not to be listed as an item. Jim – I never understood that we were going with the 20,000 foot lot. Bob – there is no lots that are that big. Jim – are you talking prior to 2000. It was minimum 70,000 prior to 2000. Nancy – I don't think it was unanimous. Bob – allowed uses – vet, bait, bank & financial. Jim – we need to concern ourselves because of the drive ups. Bob – you need a special permit and the hours would be set. Brian – I think the people would still be there. Jim – a vet's office – you would have to contend with outdoor kennels. Walter – you would still have people walking dogs. Chuck – would the same thing go for day care. Jim – they are exempt by state law. Adult or child care. Nancy – animal grooming with no overnights. Jim – it would depend on your ability to control it. Bob – I think everyone wants to do something with animals. We need to have some control. Nancy – can't they be permitted to as a kennel. Bill Markson – isn't there a number. Jim – in the Commonwealth I seem to think that it is more than 3 dogs. State law helps to govern. It has to be adopted in our own by-laws. Bill – someone running a law office would not necessarily be on the premises. Aren't you opening up someone coming in and not living there. Jim – if we were to leave in Vet (no boarding). The zoning by-law makes the statement if it is not listed it would not be prohibited. Nancy – Trade profession is wide. Jim – with the Special Permit it would be controlled. Nancy – I have seen so many different things that have come up. Jim – it is import that the by-law suggest and they are trying to do so. Home occupancy, no retail sales. May be some vehicles are to large and the number might be excessive but we are allowing retail sales on a limited capacity. Nancy – trying it in one little area will give us some to show. Jim – this is a zoning article so it will allow a 2/3 majority.

I don't know if I would look at that particular area. County or Taunton would seem to be a better area. Chuck – that area has some very select areas. Either of the other 2 have very long roads. Jim – I think it can be done in the other areas. The copy we have seems to be more restrictive. We were looking at 70,000 square foot lots and buildings of 5,000 square feet. There are certain guide lines that it would give you. Bob – I don't think we are looking for that. We are looking to stay within the area. The Master Plan is not limiting to it in size. Do we want an object. If you have another area in town. County Street did not have enough support. More said no when we had the meeting. Bob – I thought the idea was to take a building that was there. We are looking at it for a test area. Jim – if you are putting a business in a residential area we are not getting anything extra. Rita—I thought we were looking for a pedestrian friendly area. Chuck – we are looking at the Massachusetts highway, elementary school to the old library and the new library. Your answer is no if it was large it would still go into the business or industrial area. Jim – it is related to lot coverage. Chuck – 80% maximum on 70,000 square feet. Jim – why would you want to limit the size of your lot. Chuck – so that we allow only some of it. They can always petition the town. Brian – large lots should be strictly business Jim – the Cape is mostly Neighborhood Business is basically a transition for residential to business. This is not a transition it is a trial zone. Bill Markson – County Street is a business zone. Jim – why would you limit the lot size. Bob – from another area – we are talking Main Street and we don't have that size of lots. Nancy – we would have to have another hearing. Bob – I think that we are talking low impact—a vet with no boarding. Walter – expand phases to the intent of the by-law. Jim – Make sure all permit uses require a special permit and they are not to be transferred. Bill Markson – you are limiting the property use. Chuck – we use to do it with ZBA. It was more so that the new person should be aware. Jim – it is a way to maintain control. Nancy – I think it is good to see the changes. Jim – it is a work in progress. Brian – do you have a target in mind. Bob – we were thinking 4 or 5 and we were told to work with the one area. Chuck- originally she was short on signatures. Lets no go straight business. Jim – we as a Board were opposed to it. We are asking why do it at all. Our answer is because we have been asked to. We need to be restrictive so that it does not become a big problem. It reflects on some state laws. The simpler the law is the easier it is to work with. I thought the flower shop is a perfect business. We need to establish something that protects the neighbors. Nancy – all the uses should be required. Rita – it is a new section. Bob – we are talking 30 – 15 -15 currently it is 40 – 20- 20. Jim – if we are looking at existing home. None of them have the 40. It would not conform. No objection to the 40/20/20. Bob – every lot there is non-conforming. I think it should be for new structures not existing. Bob – 5,000 square foot building size new or proposed. Jim – the difference is that total business area 25,000. Walter are we going with owner occupancy. Bob – retail or apartment rental upstairs. Jim – if people don't live there the maintenance goes way down. Rita – if we ever sold the assessors – depending on what went in there they might not live there. Walter – if you are talking a NBZ I feel they should live there. Bob – I think that we need to do a lot more work on this. Would the Board

be agreeable to continue this to a later date. Jim – I believe that it would be beneficial for the Boards to talk further about this. How would February 2, 2009 at 7:30 be? At this time I will continue the hearing to February 2, 2009 at 7:30 p.m.

Bill Markson

I understand that the trees need to be put in. I have spoken with Mike Schroder about what trees she would suggest. I am looking for plant recommendations from Open Space. Jim – I understand that you will be checking with the electrician prior to 12/1/08.

Peter Souza

This is a Form A. We have basically done a land swap with Mr. Francescon. Walter – I make a motion that we sign the plan as submitted. Brian – 2nd the motion. Jim – all in favor. Vote was unanimous. Check in the amount of \$100.00 was received.

Roan Barber

I have been in previously concerning the release of a lot. Walter – I make a motion that we approve the same. Jim – we need to have the form filled out indicating the lot # that he would like released. Brian – 2nd the motion. Jim – all in favor. Vote was unanimous. Roan to fill out form and return once he has decided on the lot that he would like released.

Harrison Lee – 60 Taunton St.

Jim – he is looking for a variance of the upland circle and frontage. You have shown us that you can provide a road that would give you 2 house lots. I would recommend to the ZBA that they grant you the variances concerning the upland circle and frontage which would preferable then the road being build. Brian – so moved. Walter – 2nd the motion. Jim – all in favor. Vote was unanimous. Letter to be sent to ZBA.

Logan Petition – ZBA

Jim – does the Board want to make a recommendation on this. Brian – I make a motion that we recommend approval of the same. Walter – 2nd the motion. Jim – all in favor. Vote was unanimous. Letter to be sent to ZBA recommending approval.

Mail

Notice from the Army Corp of Engineers—2 meetings 12/2/08 – at U Mass Dartmouth and 12/3/08 at Taunton, MA.