

PLANNING AND ECONOMIC DEVELOPMENT BOARD

SELECT BOARD RECOMMENDATION: To be determined

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 26: (Amend Zoning Bylaws: Housekeeping)

To see if the Town will vote to amend the Zoning Bylaw as follows, new language shown in bold, deleted language shown in strikethrough:

1 Amend Section 3.2.B by adding a new subsection 6:

B. Powers. The Board of Appeals shall have the following powers:

1. To hear and decide appeals in accordance with G.L. c. 40A, § 8, as amended.
2. To hear and decide, in accordance with the provisions of G.L. c. 40A, § 9, applications for special permits when designated as the special permit granting authority herein.
3. To hear and decide, in accordance with the provisions of G.L. c. 40A, § 6, applications for special permits to change, alter, or extend lawfully pre-existing non-conforming uses and structures to the extent allowed by Section 5.5.
4. To hear and decide petitions for variances in accordance with G.L. c. 40A, § 10, including variances authorizing a use or activity not otherwise permitted in a particular zoning district.
5. To hear and decide applications for comprehensive permits for construction of low or moderate income housing, as set forth in G.L. c. 40B, §§ 20-23.

6. To act on appeals under G.L. c. 41, §81Y and 81Z.

2. Amend Section 5.5.B

B. Commencement of Construction or Operation. Construction or operations under a building permit ~~or special permit~~ shall conform to any subsequent amendments to this Zoning Bylaw, unless the use or construction is commenced within a period of not more than twelve months after the issuance of the permit and in any case involving construction, unless such construction is continued through to completion as continuously and expeditiously as is reasonable. **Construction or operations under a special permit or site plan approval shall conform to any subsequent amendments to this Zoning Bylaw or of any other local land use regulations unless the use or construction is commenced within a period of 3 years after the issuance of the special permit or site plan approval and, in cases involving construction, unless such construction is continued through to completion as continuously and expeditiously as is reasonable. For the purpose of the prior sentence, construction involving the redevelopment of previously disturbed land shall be deemed to have commenced upon substantial investment in site preparation or infrastructure construction, and construction of developments intended to proceed in phases shall proceed expeditiously, but not continuously, among phases.**

3. Amend Section 5.6.5.G.4:

4. Where practicable, surface parking shall be located to the rear or side of the principal building and shall not be located ~~not~~ within the minimum setback between the building and any lot line adjacent to the street or internal access drive. No surface parking shall be located between the front building line of a residential building and the front lot line.

Or act in any manner related thereto.