

To: Julian

I think taking 27 1st to allow a full discussion, possible amendments if necessary and vote is the right idea. 26 can be taken up with a detailed motion if 27 fails or it can be amended to a “no action” motion.

My personal feeling is that if people are able to discuss and debate and vote everything together, they will be more satisfied with the outcome and there is extant literature that concludes the same.

I have great hopes that a well-discussed combined motion will also make it clear to other PB members that people are serious about the PB following the zoning bylaw on special permits.

From: Cathi

From Julian

Hello All-

Saul and I had an extended and detailed conversation earlier today, this email is to keep all parties apprised.

First; we both acknowledge that I do not speak on behalf of the Planning Board, or anyone else; and Saul is also not in a position to obligate the myriad of interests behind the original Article 26.

We agree that the least favorable outcome is for nothing to happen and for the current flawed bylaw to stay in place.

What is most important is for the citizens of the Town to have faith that the bylaws and their implementation protect the interests of the residents.

An approach we believe will achieve this purpose with the highest chance of delivering an instrument that will protect the interests of the townspeople would play-out as follows:

The parties would request that Town Meeting take up Article 27 first, and then Article 26. The allowed scope of Article 27 would enable for full debate and deliberation on the topic. The requested action from the Planning Board would be:

- 1) Recommendation of favorable action for Article 27; &
 - 2) A detailed report to Town Meeting as to how the combination of the restrictions of Home Occupation, plus Site Plan Review, plus the purpose of the Zoning Bylaw would be a superior method of protecting residents’ interest over the current Bylaw.
- As a contemporaneous expression of the intent of the Bylaw, the recommendation would serve as a strong directive to any future Board as to the how the bylaw was intended to be implemented.

Article 26 would remain as a back-stop should Article 27 not attain 2/3rds support at Town Meeting. Article 26 would remove the dangerous ambiguity of the current definition. Article 26, in this instance, would act as a “moratorium” that would prevent harmful application of the current bylaw while the Town worked on a more optimal solution to be taken up at a future Town Meeting. Should Article 27 pass, then no action would take place with Article 26.

Let us know how this sounds for everyone.

Saul and I also discussed some of the other ideas for regulation and restriction. I went over my attempts to find an algorithm or formulae to limit dogs per acre, or trips per day, or time limitations of Permits. These all fell short in large part due to the number of variables inherent to the topic. This essentially is the stuff that a review by the SPGA should look into on a case by case basis. The combination of the requirements for Home Occupation and Site Plan Review, with the specific wording of Article 27 establish a good foundation for that to occur. A detailed recommendation from the Planning Board to Town Meeting also sets the stage.

I’m sure we all wish there was more time ... but this looks like a good approach and a good product.

-Julian