

Melissa Tryon

From: Ethan Croce
Sent: Wednesday, September 07, 2016 5:16 PM
To: Melissa Tryon; Nathan Poore; Amanda Stearns
Cc: Lisa Sangillo
Subject: MRA Public Hearing - Section 19-31 - Contract Zoning

At its September 6, 2016 meeting, the Planning Board, acting as the Town's designated Municipal Reviewing Authority, held a public hearing on proposed amendments to enact a contract zoning provision in the Zoning and Site Plan Review Ordinance.

Summary of public comment received:

Stephen Mohr, with Mohr and Seredin Landscape Architects, thanked the Town for pursuing the adoption of contract zoning. He believes contract zoning is an important tool for people working in the community and for advancing rational land use planning. He has three comments tonight regarding the proposal:

1. He hopes that the Town will give additional thought to clarifying the term "consistent with" as that term is used in Section 19-31.E.2. There are many different definitions of the word "consistent" depending on which dictionary is consulted. His concern is that the term will be subject to interpretation and that some people will interpret the word "consistent" too narrowly when considering, for instance, what uses might be allowed in contract zones.
2. He recommends that the language is written flexibly to allow for deviations from most all ordinance standards including lot size, road widths, etc. Allowing flexibility to deviate from most ordinance standards allows for more creativity when designing developments.
3. He stated that he works with contact zoning in other municipalities and he would like the town to consider including language that allows for phased developments in contract zones where appropriate. Many contact zone projects are larger, more complex projects and having the ability to phase larger projects has allowed projects to be more economically viable in his experience.

Summary of Planning Board deliberations:

Chris Hickey noted that Section G.3 only requires that abutter notice be provided to immediate abutters. He believes this is inadequate in the case of contract zoning because the impacts of rezoning for larger contact zone projects will often be more far-reaching. Tom McKeon agreed due to the fact that these can often be bigger projects and getting more public input early on in the process makes sense. Jason Cole and Jay Chace also agreed.

Ethan Croce mentioned that this reduced abutter notice was at the CDC level and that the statute may require an expanded abutter notice requirement later in the process. Chris Hickey thought it made sense to add any expanded abutter notice requirement in the statute to the CDC stage as well.

The Planning Board voted 5-0 to recommend that the Council approve the proposed contact zoning amendment as written with the exception of adding an expanded abutter notification at the CDC "Conceptual Review" stage under Section G.3.