

Joint Meeting of Zoning Board of Appeals And Topsfield Planning Board
February 24, 2009

Zoning Board of Appeals Chairman Robert Moriarty called the meeting to order at 8:30 PM. Board members present were Bob Moriarty, Kristin Palace, Tony Penta, Lisa Stern-Taylor and Scott Dow. Planning Board members present were Janice Ablon, Gregor Smith, Ian deBuy Wenniger and Jonathan Young. Roberta Knight, Community Development Coordinator was also present.

Visitors: Selectmen Martha Morrison

Review Zoning Amendments: Planning Board Member opened the discussion with the review of amendments to Section 9.05 relative to the distribution of plans for site plan review. This amendment was an effort to streamline the process and tie it to the Planning Board Rules and Regulations for a definitive plan. The ZBA members were in agreement and suggested language revisions for 9.05 b. Refer to Draft 4 for specific details.

Next, the group reviewed Changes to Table of Dimensional & Density Regulations in regards to "Maximum Building Area". Ms. Knight explained that Bob Winship had requested a definition be placed as a note for "Maximum Building Area", and the ZBA members suggested new language for the definition. Chairman Moriarty questioned the need for the definition and noted that if was not an issue to leave it alone.

The group then discussed the revisions to the definition for "Restaurant" and the required parking for the new sub-categories. Planning Board Member Gregor Smith reviewed the five definitions for restaurant: Restaurant, Full Service; Restaurant, Limited Service; Restaurant, Formula Fast Food; Restaurant, Snack and Non-Alcoholic; Retail Specialty Foods. He noted that the Planning Board's position was that some of these categories should not have the same parking requirements.

In response to questions from the ZBA members, Mr. Smith clarified the definitions for counter service as opposed to full service. In terms of the description in the proposed Bylaw counter service would mean an individual walks up to a counter, orders, pays and the sits down at a table.

There was an extensive discussion relative to parking requirements. ZBA Member Kristin Palace noted that she preferred the development of a standard for the various restaurant categories rather than eliminating parking for one or more categories. Special permit decisions would have more legal standing if the decisions are based on standards with the ability to waive and would not limit the authority to deny.

ZBA Chairman Bob Moriarty stated that he favored different parking requirements for different categories.

The members discussed the need for standard for employee parking, and possibly using 1-3 seats per parking space for full service and 1-6 seats for take-out.

In summary, Gregor Smith noted the following for the Planning Board to consider:

- Baseline requirements for each category
- Distinction between zones in parking requirements

For specific details, please review attached “Draft 3 2009 Warrant Articles” that was discussed and revised during the February 24, 2009 joint ZBA/Planning Board meeting. Said revisions now described in attached document entitled “Draft 4 2009 Warrant Articles”.

The meeting was adjourned at 10:40 PM.

Respectfully submitted,

Roberta M. Knight
Community Development Coordinator