

**Minutes of the JOINT MEETING  
Zoning Board of Appeals  
&  
Topsfield Planning Board  
Town Hall Conference Room  
January 31, 2017**

Planning Board members present were Chairman Martha Morrison, Jeanine Cunniff (8:34PM), Joseph Geller, Steven Hall and Josh Rownd. Zoning Board members present were Chairman Bob Moriarty, Gregor Smith, David Moniz and Jody Clineff. Dave Merrill was absent. Of the Planning Board & Zoning Board staff Community Development Coordinator Donna Rich was in attendance.

Chairman Martha Morrison called the meeting to order at 7:36PM followed by introductions of the members from each Board.

Potential Zoning Bylaw Changes for the 2017 Annual Town Meeting Warrant:

Additional Accessory Use Regulations: Chairman Morrison described suggested language changes to Article 3.15 Additional Accessory Use Regulations of the Zoning Bylaws. There was a discussion relative to the proposed language and the two Boards agreed on the proposed language:

3.15 Additional Accessory Use Regulations. In addition to the uses permitted in Table of Use Regulations the following accessory uses shall be permitted in the Central Residential District, ~~Business District Village, Business District Highway, Business District Highway North, and~~ Inner Residential and Agricultural District and Outlying Residential and Agricultural District:

~~a. Storage of one unregistered motor vehicle in the open.~~

~~b. Storage of trailer, boat or motorized home in the open. (Art. 23, 5/5/81; Art. 14, 5/7/85; Art. 39, 5/6/2008)~~

add: a. Storage containers used for the storage of household material or equipment owned by the resident of the property for a period not to exceed six (6) months in any twelve (12) month period. Said period may be extended for an additional period of time with a Special Permit.

The Boards then discussed and agreed on the following language for the addition to Article I, Definitions for Storage Container: a portable structure of 350 cubic feet or greater designed for the temporary storage of materials or equipment.

Temporary Moratorium on Recreational Marijuana Establishments: Chairman Morrison relayed information obtained by KP Law, Lauren Goldberg and Amy Kwesell on approaches available to the Town of Topsfield and how to deal with the newly passed Marijuana Law. The Boards had further discussion on the timing of the legislatures and approval of any action a Town may take referencing the final approval of the Attorney General's office. Chairman Moriarty suggested that the Board of Selectmen vote on placing a ballot question on the May 4<sup>th</sup> ballot. There was also a general discussion of the three different items that would have to take place at this Town Meeting to deal with the

Minutes of 01/31/2017

newly passed law. Chairman Morrison stated that the Planning Board would take this topic up at their next meeting, knowing that the Tri-Town Council would be in attendance.

Density and Dimensional within IRA: Chairman Morrison explained historical information of a MAPC study performed for Topsfield buildout on unbuilt properties. Further explained was that presently there are smaller properties being reviewed for development which would impact the capacity of the Town's infrastructure and the safety of those developments on the existing country roads. The discussion went to the legality of potentially changing the Zoning Bylaws as they stand today and how could this be achieved. Chairman Morrison stated she would draft language for the Boards to review.

At 8:56 PM, Planning Board Member Jeanine Cunniff made a motion to adjourn and Planning Board Member Joe Geller seconded the motion; so voted: 9-0.

Respectfully submitted,

Donna C. Rich  
Community Development Coordinator

Per the Open Meeting Law, the documents that were either distributed to the Planning Board before the meeting in a packet, or at the meeting were:

1. Agenda
2. KP Law's The Regulation and Taxation of Marijuana Act
3. KP Law's sample language for Recreational Marijuana Establishment Ban Warrant Article, and Ballot Questions
4. Suggested language for Additional Accessory Use Regulations 3.15

*Approved as amended at the May 23, 2017 Zoning Board of Appeals meeting.*

Pursuant to the 'Open Meeting Law,' G.L. 39, § 23B, the approval of these minutes by the Committee constitutes a certification of the date, time and place of the meeting, the members present and absent, and the actions taken at the meeting. Any other description of statements made by any person, or the summary of the discussion of any matter, is included for the purpose of context only, and no certification, express or implied, is made by the Committee as to the completeness or accuracy of such statements.