

JOINT MEETING

Topsfield Zoning Board of Appeals

And

Topsfield Planning Board

February 3, 2015

Zoning Board Clerk David Merrill called the joint meeting to order at 8:36 PM at the Town Hall. Zoning Board members present were, Jody Clineff, David Merrill, David Moniz and Gregor Smith. Planning Board members present were Chairman Martha Morrison Jeanine Cunniff, Ian De Buy Wenniger, Joseph Geller and Steven Hall. Roberta Knight, Community Development Coordinator and Selectman Richard Gandt were also present.

Clerk David Merrill deferred to Planning Board Chairman Martha Morrison who proceeded to review with the members of both boards the proposed revisions to the Topsfield Zoning Bylaw and referred to the handout entitled "Draft 2A 2015 Warrant Articles, dated February, 2015". Ms. Morrison noted that the Planning Board is seeking comments and recommendations from the Zoning Board members relative to the proposed amendments since it is the Zoning Board's responsibility to enforce the Zoning Bylaw through the appeals process. The members discussed the following zoning amendments:

1. **Article III, Section 3.05:** amends nonconforming uses section by removing quotations from the first paragraph, inserting of alphabetic ordering to existing paragraphs and the addition of a new section which would allow a nonconforming single family residential structure located on a lot with insufficient area or insufficient frontage to be altered if the structure as altered complies with all current setback, yard, building coverage and building height requirements as determined by the Inspector of Buildings.
2. **Article IV, Section 4.12B:** amends the distance requirement for the use of off street parking areas from two hundred feet to five hundred feet from the premises which is accessible by foot and which the user has a legal right to use.

Planning Board Chairman noted that the revisions to nonconforming uses were based on last year's request from Inspector of Buildings Glenn Clohec. Both Boards agreed last year in 2014 to delay action pending a review during the next 12 months of the issues involving finding applications.

The members then worked on clarifying language. Member Ian De Buy Wenniger recommended the following language:

"C. Exemptions for nonconforming single and two-family residential structures:

Nonconforming single and two-family residential structures may be altered upon a determination by the Inspector of Buildings that such alteration is the alteration of a structure located on a lot with insufficient area or insufficient frontage which complies with all current setback, yard, building coverage and building height requirements”;

After a continued discussion on the merits of the proposed revisions, the Zoning members noted their agreement and approval of the proposed revision drafted by Planning Member Ian De Buy Wenniger.

The members then reviewed the proposed zoning amendment which revises the distance requirement for the use of off street parking areas from two hundred feet to five hundred feet. Chairman Morrison introduced the discussion by noting that many communities have increased the distance requirements for parking in order to promote revitalization and business vitality in the downtown areas and noted Ipswich and Amesbury as examples.

Planning Board Member Jeannine Cunniff and Alternate Member Stephen Silvieri reviewed the updated parking inventory study which they jointly worked on for the downtown area. Although some members noted that they would like to see the elimination of parking requirements, this amendment as noted was a “baby step” to broaden the parking available for businesses, but does not eliminate the restrictions.

It was the consensus of the members of both Boards that they were in agreement with the extension to 500 feet for the distance requirement for parking.

The meeting was adjourned at 10:28 PM

Respectively submitted,

Roberta M. Knight
Community Development Coordinator