

**Zoning Bylaw Committee**  
**Minutes for January 23, 2023**

1. Called to order at approx. 6:31 PM by Tom Callahan. Attending: Tom Callahan (TC), Clark Brewer (CB), Cassie Malatesta (CM), Dave Farrag (DF). CB dropped out during discussion of Art. 20, and Jack Creighton (JC) joined after discussion of the same article. Also attending: staff, Cassandra Thayer, Judge Cutler from KP Law and Tanya Bodell from Alt. Energy Comm. for the discussions on Arts. 19 & 20.
2. Final discussion re: changes to Art. 8. Moved and seconded to approve as a 2-step warrant article; voted to approve 4-0.
3. Final discussion re: changes to Art. 3. Critical missing piece is to be sure a new map is ready for Town Meeting that includes the TOD District, GMSP Overlay District and the changed zoning to the Whitney Woods rail spur. Consensus reached that it would not be critical if this article were postponed if the map is not ready.

Also discussed need to update the Mass. Geodatic Datum reference.

The sole substantive change is in defining the boundary of the district and which district rules apply when a district boundary goes thru a single lot.

Moved and seconded to approve the warrant article subject to receiving the map change; voted to approve 4-0.

4. Review and discussion on Art. 20. Because of the many changes to the Table of Uses needed and the possible flagging of the article with the AG if we only do housekeeping in this step rather than also include changes needed due to case law, Judge Cutler suggested putting the entire re-write of this Article off until the fall and do all changes at once. Judge Cutler explained that while we remain in a gray area should someone come along and try to permit a large array, Ms. Bodell explained the risk is low due to National Grid's hold on applications.

Ms. Bodell also explained the history of locating the array at the RTF as of right in order to get Green Communities designation.

Resolved that ZBC and AEC will work closely on the article for the fall.

5. Review and discussion on Art. 19. Agreed we would go ahead with housekeeping changes but hold off the idea of permitting individual-building scale turbines until the fall. AEC is to review Judge Cutler's diagnostic comments at its next meeting and get back to ZBC at its second Feb. meeting to vote on.

Ms. Bodell also recounted the history of Art. 19 – arising from and written by the opposition to the Turkey Hill turbine proposal, and written to make it almost impossible to site a large turbine. She advised that we be cognizant of the opposition.

6. Discussion re: proposed changes to Art. 6. Judge Cutler explained the largely housekeeping/clean-up changes. All agreed to keep town signs exempt from permitting and to remain silent on holiday signs. Judge Cutler will complete edits and vote to be held at 2/1 meeting.
7. Judge Cutler briefly mentioned that changes to Art. 12 will include removing the reference to the use variance, insofar as it is also included within Art. 4.
8. Discussion of Art. 2 changes. All of Judge Cutler's changes agreed upon to go forward into the article. Further discussion of the height definition to be held on 2/1 owing to CB's comments about it.
9. Discussion had regarding the planned forums for 1/30 and 2/27. (Post-meeting, decided with staff to consolidate into one on 2/27). TC working on slide presentation and intent to use this as a test run for Town Meeting.
10. Minutes of 1/9/23 with CB edits approved 4-0.

Meeting adjourned at approx. 8:48 pm.