

**TOWN COUNCIL MINUTES
ORDINANCE COMMITTEE
Town Hall Council Chambers
May 30, 2017, Monday**

Present: Kenneth DiFazio, Chairman
Michael Smart, Vice Chairman
Arthur Mathews, Councilor

Absent: Jane Hackett, Councilor
Patrick O'Connor, Councilor

Also Present: Joseph Callanan, Town Solicitor
Paul Milone, Harbormaster
Bob Luongo, Planning Director
Eric Schneider, Principal Planner
Georg Berg, Planning Board

Recording Secretary: Mary Barker

Chairman DiFazio called the meeting to order at 6:30 PM.

17 036-Waterways Ordinance Revision-Chapter 12-100

This matter was referred to the Budget/Management Committee on May 1, 2017. The committee members have two handouts, a draft proposal and memo from the Mayor to the Town Council dated 4/27/17 and a red-lined version of the proposed revisions. Mr. Milone was invited to the table to review the request. The red-lined copy appears to be a newer version. Vice Chairman Smart noted this copy is the original version. He asked who did the red-line version- as they don't match?

Councilor Mathews asked if the Solicitor was scheduled to be present to review. Diane Hachey provided the red-line version as it was provided to her by Marsha Conley. So it appears the solicitor or his paralegal produced the red-line version. During this discussion, Solicitor Callanan arrived and explained that the version that is red-lined was requested by Diane-as a Councilor asked for it. The measure is the one they will review; the red-line version shows the changes. Councilor Mathews noted that there appears to be a discrepancy between which document to review and it could affect how this meeting was advertised. Chairman DiFazio noted the May 1, 2017 document is the one they will be reviewing.

Mr. Milone provided an overview. This is the third revision in 25 years. These are items that should be corrected, mainly with regard to safety and organizational skills in the department. People tend not to attend to their paperwork and this will make it easier. It also addresses professional mooring installation. Nothing in this ordinance applies to inland bodies of water; only water that ebbs and flows twice a day. Councilor Mathews

asked if there has been a significant ordinance change since he has been on the Council? Mr. Milone responded that these are the most major changes. Councilor Mathews asked if Whitman's Pond is included; does he envision another ordinance for the pond? Mr. Milone responded that they have to meet the requirements of the state, but Whitman's Pond is not included in this. He noted that it isn't his intent to put in any regulations regarding inland bodies. It had been taken out after discussion with the Whitman's Pond Association.

Chairman DiFazio noted that the language states "inland water, unless specifically noted" but it is contradicted later in the document. Mr. Milone recommended they strike the word "pond." Vice Chairman Smart asked if there is a separate ordinance that covers the pond? There is not. Do they want to take this opportunity to do it now? How will they make it enforceable if there isn't an ordinance? Mr. Milone responded that the state regulations apply. All references to "pond", should be stricken.

Page 1- no comments

Page 2- Vice Chairman Smart asked if there is an Assistant Harbormaster? Yes, two were hired this year- seasonal part-time positions.

Chairman DiFazio asked if there are descriptions that should be defined, such as "swim float." Mr. Milone responded that it should be self-evident, but if they need a definition he can include one.

Vice Chairman Smart –noted that there are a number of grammatical corrections that will be needed before it is voted. Something will need to be submitted to the administration.

Vice Chairman Smart asked for the definition of removed and Mr. Milone explained why it was added (for liability).

Page 3- Councilor Mathews asked if the term "Personal Watercraft" should be clearly defined since there are so many new crafts. Mr. Milone responded that the word "small" indicates that it is propelled by jet-drive. It defines the number of people it can hold and the propulsion unit. Councilor Mathews responded that he would like to ban jet-drive boats. Chairman DiFazio asked if personal watercraft is a subset? Should it be further defined? It isn't clear in the definition- and he questions what differentiates the type of craft.

Chairman DiFazio asked how would he as a resident find out about all of this? Would he need to read the ordinance? Is the onus on the resident? Mr. Milone responded that there is no license to operate a boat in Massachusetts. If a resident wants a boat, then innocence of the law is no excuse. If a resident puts in an unauthorized mooring, he has it removed and educates them. Vice Chairman Smart asked where a resident goes for special dispensation. Can they request to encroach? Mr. Milone responded that there is a process.

Vice Chairman Smart asked about floats, rafts, docks, etc. Mr. Milone responded how the process works, and agreed to include language in the ordinance.

Page 4-Chairman DiFazio asked about the first and second paragraphs- does it apply to someone gassing up at a dock? Mr. Milone responded that it applies to diesel or home heating oil; both of which does not burn off and needs to be removed. Mr. Milone noted that this mainly applied to commercial vessels. It needs to be delineated better in the language- specifically say what it applies to – type of fuel or size of vessel. He could use the term “contaminating fuel.”

Vice Chairman Smart agreed with Chairman DiFazio that it needs to be better defined. Prevention of leaks from “cargo or ...vessels.” Vice Chairman Smart asked if there are other sections to be further defined in MGL and maybe should include the rest of the sections of the chapter. They all are relevant, so perhaps consider referencing the entire chapter. Chairman DiFazio noted that it looks like there will need to be another draft.

Page 5-Vice Chairman Smart noted the word “sole” to replace “soul.”

Page 6- Chairman DiFazio noted this is the first reference to “Motorboat Operations” - is a motorboat a vessel or a boat? He would like to see some consistency in terminology - vessel/boat operation. Definition of dangerous operation, to include speeding – there are not speeding zones posted? Mr. Milone responded there are “no wake” zones. If someone is pulled over for speeding, how is it backed up? Mr. Milone responded that the state law defines speeding. “No wake zone” covers it. The suggestion was made to change the language to include “speeding in a no wake zone.” The word “pond” is being stricken throughout the ordinance. There was a brief discussion of speed in Whitman’s Pond. Replace “upon any pond” with “any Weymouth waters.”

Chairman DiFazio requested “any ordinance” be more clearly defined to the waterways ordinance in section C.

Councilor Mathews asked about the penalty phase, type and fine will be defined? Mr. Milone responded that there are specific fines for the waterway ordinances. What is the fine for speeding through a “no wake zone”? \$100. The fines are listed in the ordinance.

Vice Chairman Smart asked the Solicitor where the other fines are listed- he found the mooring violations- is there a penalty section? If they aren’t included in the original version, there needs to be a place to find it so that the ordinance is complete. Vice Chairman Smart suggested they can put it in at the end- a definition and a penalty section where it is appropriate? Chairman DiFazio responded that it needs to be somewhere in the ordinance. Councilor Mathews agreed; and especially if there is a court challenge. Mr. Milone responded that the last page of the ordinance indicates the fines. Violators are also subject to state penalties.

Chairman DiFazio noted in section D- replace “were” with “where.”

Section D- Chairman DiFazio asked when the entire Back River became a no wake zone? Mr. Milone responded that it was several years ago and for two reasons; to prevent

erosion and for safety in an area that is very congested. Water skiing is still allowed at the basin before and after high tide and outside the buoy line at Webb State Park. It starts before the estuary begins. The wake doesn't affect anyone in the basin. It is referenced as "permitted in areas designated by the Harbormaster."

Chairman DiFazio asked if Hingham has the same regulations. Mr. Milone responded that he will find out what Hingham allows. Chairman DiFazio suggested the "no wake" area needs to be delineated. No jet skis are allowed in the no wake zones – areas of critical environmental concern. Chairman DiFazio asked if tubing is included in water skiing; Mr. Milone asked if that was inferred in the description of "water skiing." Mr. Milone responded that he can include a description that encompasses all devices.

Page 6- Chairman DiFazio asked if "non permitted or guest...must contact the Harbormaster...if not previously arranged..." means that the HB must be contacted whether or not it is safe? Mr. Milone responded that it is a daunting task...he would like to know who it is if there is an unknown party in the harbor...noting that He doesn't get many calls. Chairman DiFazio responded that he was unaware this was required. It appears to be overly burdensome. He deferred to the Solicitor. (Solicitor was not near a microphone and his response was not legible.) Mr. Milone noted that he never gets calls; he finds these situations on his own. Should they strike the language? Vice Chairman Smart agreed. Councilor Mathews responded that he didn't mind if it had a time limit attached. Maybe if it were for more than 24 hours it should be considered. Mr. Milone responded that if a vessel is tied up to a mooring, that it isn't rated for, it could result in an issue. By consensus the committee agreed it should have a time frame. It is difficult to enforce. The Harbormaster is policing it better than an ordinance could, but he has something to fall back on if there is language in the ordinance.

Section C- Councilor Mathews asked if the section applies to Lane Beach with the new floating docks? The wording should be further elaborated. Chairman DiFazio asked if it could be limited to the boat dock area. There is a walkway planned between the beaches. The Harbormaster doesn't want to see them swimming off it. Mr. Milone responded that it was meant to prohibit swimming off the boat launch; he can change the language to "beach floats."

Section D- Vice Chairman Smart asked if MGL should be referenced? It is not a Massachusetts law.

Section E- Vice Chairman Smart – asked who this pertains to- individuals? Mr. Milone responded, yes- to prevent someone from putting boats on the shoreline.

Page 7-Section H – Chairman DiFazio – asked about the 12' length; should it read 12' or over in length...Mr. Milone will make the change. Councilor Mathews asked about the user fees; are #1 and 2 separate fees? Mr. Milone responded they are the same- one fee-- and they are separate from the excise tax fee.

Vice Chairman Smart asked about number 4 – why the change? Mr. Milone reported that it is because of safety issues. 3 years is better than 5, and it is the responsibility of the moor owner to make sure it is safe. The initial cost to install a mooring is about \$1200-1500. Mr. Milone noted that discussion of the waterways is a very complex one. The harbormasters do share information. Vice Chairman Smart asked where the funds are deposited? Mr. Milone responded that funds are applied to the waterways fund. There isn't an enterprise fund. Chairman DiFazio asked if the Harbormaster keeps track of when a moor owner installs and is due for inspection. Mr. Milone responded that he doesn't have a formal process, but he has an installation list. There are 150 moorings and they depend on the owners to be responsible.

Vice Chairman Smart asked if H is a new section? It is not.

Page 8- Vice Chairman Smart asked about the fees for additional moorings. Mr. Milone responded that the fee would be based on the length of the original boat moored. There isn't a town pier. If there ever is one, this will cover it. The site proposed for the compressor station could have been an ideal spot for one. If they tie boats to a town-owned pier; eventually will need to include a fee structure. Chairman DiFazio asked to strike the last sentence of the bottom paragraph- it can be amended if the town ever gets a pier.

Vice Chairman Smart asked about 104 A – does this only apply to mooring? Mr. Milone responded that it includes all floating devices. It is incorporated on the previous page under #2, user fees, permits. Once user fees are paid they receive a permit. Mr. Milone responded that section A should be kept; it refers to the permit.

Chairman DiFazio asked about the third paragraph...they “should” contact the Harbormaster...if they haven't the burden is on them; change the language to “must.”

Page 9- no comments

Page 10- Vice Chairman Smart noted that the Harbormaster will provide a list of certified installers? Mr. Milone responded that it is necessary for safety – it's too unsafe for unqualified installers. He highly recommends that it becomes mandatory. They also are required to use certified divers.

Page 11- Vice President Smart asked that the Harbormaster incorporate the three colored document that the Harbormaster had. The Harbormaster had also been asked to revise certain sections. Councilor Haugh who is also present will provide an executive summary as well.

Page 12 and 13- Councilor Mathews asked about the trailers. It states “shall display current permit or proof of payment”...how do you do that? Mr. Milone responded that in order to obtain a sticker, the excise must be paid. Chairman DiFazio asked if the yacht clubs have mooring field charts? Mr. Milone responded yes. Mr. Milone noted that the legal department has been very helpful getting the documents ready. Vice Chairman

Smart asked about the dates for the yacht clubs to have their applications in and on file? Isn't it too late? Mr. Milone responded that it is the end of the fiscal year. Councilor Mathews asked if the Harbormaster has reached out to the yacht clubs and received any feedback? Mr. Milone responded that the Waterways committee has given it their blessing, and some of their members represent the yacht clubs.

The matter will remain in committee. No action taken at this time.

Issue-Request/Petition for moratorium on new construction pending review of Zoning by-Laws

Chairman DiFazio noted that there is an update to be provided on this- a handout was provided to the committee. Mr. Luongo reported that they have some proposals to offer, particularly with regard to the commercial corridors. They looked at ways to enhance economic development opportunities along those corridors. They hope to continue to meet over the summer with the Planning Board and the public in order to have a well-crafted ordinance to present for consideration in the fall. There are two obsolete zoning districts. They propose changes to the B-2 zoning district to make it responsive to market demand. The current B-1 zoning does not allow a mix of residential and commercial use; it allows up to a 6-story commercial building, but does not allow a mixed use. If they aren't in tune with market demand, they can't keep up. There isn't a strong demand for commercial use in these corridors; it could be mainly because the lots are too small. The purpose and intent needs to be kept in mind; if they don't agree on the goals they aren't going to agree on the detail. This is a vetting process; no decision is required tonight.

Councilor Mathews asked if the goal is to eliminate the Highway Transition Zone and create a new overlay district. Mr. Luongo responded that they haven't determined that yet. It may be an overlay district; it may be a new zoning district. He has some idea of what should be prohibited in some of these commercial corridors that are allowed in the Highway Transition, but they are his personal opinions. Those would include self-storage and used car sales facilities. There are 32 used car facilities in this town.

Eric Schneider reviewed in a Powerpoint presentation:

Purpose and Intent

- To promote the economic development, the general welfare and public safety of the community through the use of basic urban design standards in special development areas
- Provide the broadest range of compatible commercial and residential uses and encourage the development and redevelopment of underutilized or obsolete commercial property and ensure development and redevelopment that includes current retail and service trends and allows for a wide variety of mixed uses.
- To encourage reuse and redevelopment of existing buildings and building lots along the gateway corridors of Route 18, Route 53, and Route 3A.
- To encourage the consolidation of lots and curbs cuts.

- To promote urban design that is consistent with the Town of Weymouth's economic development, planning and programmatic efforts.
- To provide flexibility with regard to dimensional requirements in a manner that is consistent with the purposes and intent of this Article.

This amendment will...

- Provide the opportunity to introduce mixed use developments to existing gateway corridors
- Require a special permit by BZA
- Encourage private sector investment
- Encourage redevelopment or underutilized property
- Provide protection for nearby residential areas
- Encourage lot and curb cut consolidation

This Amendment will not...

- Permit the full conversion of existing commercial uses to residential
- Erode the commercial tax base
- Permit anything "by right"

Applicability

- Overlay applies to B-1 and HT properties along Route 53, Route 18, Route 3A and a portion of Columbian Street
- Proposal must be comprised of both a residential and commercial component
- Proposal must maintain a commercial use at ground level
- Lot must be at least 20,000 square feet
- A special permit from BZA required

Sections

- Additional criteria
- Dimension requirements
- Density
- Coverage
- Parking
- Design considerations

Additional Criteria

- Adequacy of the site for the size of the proposed project
- Suitability of the site for the propose use(s)
- Degree to which the proposed project complies with the goals of the Town's vision and Master Plans
- Impact on traffic and pedestrian flow, safety and access for emergency vehicles
- Impact on established residential areas including noise, lighting, and traffic
- The extent to which the project promotes sustainable building and site design
- Extent to which buildings, driveways, parking areas, loading areas, outdoor activity areas, light sources, trash areas and other potential nuisances shall be

- located and designed to minimize adverse impacts on abutting residential properties. In order to limit the adverse impact of any proposed use the special permit may require alternative site layouts, including increased setbacks from residential property lines, different locations of buildings, parking areas, and driveways, the incorporation of loading and trash collection areas as part of the principal building design, and increased screening for light sources and outdoor activity areas.
- Driveway intersections with street and traffic circulation patterns within lots shall be located and designed to minimize congestion and safety problems on adjacent streets and nearby intersections. The Special Permit may require alternative driveway locations and site design in order to alleviate potential congestion or safety problems.

Dimensional Requirements

- A. Proposals will have a minimum of three (3) stories and 45 feet and a maximum of five (5) stories and 70 feet
- B. A front setback of 50 feet is required with the first five (5) feet preserved as a landscaped buffer
- C. Side setbacks shall be 10 feet (see 120-25.17)
- D. Rear setback shall be 15 feet (see 120-25.17)
- E. A 20 foot “no build” and “no parking” buffer will be provided along any property line abutting a residential use. The buffer will consist of a privacy fence and landscape screen as illustrated below.
- F. When abutting an existing residential use, in addition to the 20 foot “no build” and “no parking” buffer, a set-up approach shall be applied to building heights as illustrated below.
- G. Both E and F above are subject to review and approval by the Weymouth Fire Department to ensure safe access for emergency vehicles.

(insert Dimensional Requirements illustrations slide)

Density, Coverage and Parking

- 120-25.18 Density
 - FAR restrictions shall not apply to mixed-use developments under this Article provided at least one of the uses is residential and a no-residential use is located on the ground floor and includes an active and transparent façade provided that the height requirements of this article met.
- 120-25.19 Coverage
 - All proposals under this Article shall dedicate a minimum of 15% of the total land area as open space. Further, a maximum building coverage of 60% shall apply and only 75% of any site shall be of an impervious material.
- 120-25.20 Required Parking
 - Studios and 1 Bedrooms - 1 space per unit minimum with 1.5 space maximum

- All other residential – 1.5 spaces per unit minimum with 2 space maximum
- Restaurant – 1 space per every 3 seats
- Parking requirement for all other uses shall be per Section 120-74 of this Ordinance

Building Orientation, Open Façades and Screening

- Buildings shall generally be sited to face abutting streets and sidewalks with entrances located to provide convenient access from the sidewalk network.
- An accessible, primary pedestrian entrance to the building shall face an abutting street. For interior buildings sites, entrances should connect to a pedestrian way that provides convenient access to the abutting street and sidewalk network.
- Building walls facing the street should present an active façade incorporating windows, doors, columns, changes in materials, modulation of the façade, and similar details to add visual interest.
- Parking for ground level, non-residential uses may be provided along the front and/or sides of the building while parking for residential uses are encouraged to be sited in the rear of the building or within an interior parking structure. A detailed landscape and lighting plan for all parking areas shall be submitted as part of the application.
- Any portion of an above-ground parking structure fronting a public way shall include façade details and landscaping to maintain an attractive streetscape.
- Dumpsters, HVAC equipment and loading docks shall be fully screened from view.

Vice Chairman Smart asked if this presentation includes a review and discussion of design standards? Mr. Luongo responded that not at this point, but it will be included later for discussion. This is basic aesthetic principle. This is a guide for the Zoning Board of Appeals to work with for every project that comes before them for a mixed use. They are harder standards to meet and a guide for what to and not to approve. Vice Chairman Smart noted that these are exactly the issues that their constituents are bringing to them. They want to promote commercial development but protect the rights of abutting residential properties.

The current standard for building height in B-1 district allows 6 stories by right. Councilor Mathews asked what if a developer in the HT district wants to put in commercial only- doesn't this force them to include residential? Mr. Schneider responded that is why they are looking at potentially including an overlay. Mr. Luongo pointed out that with an overlay district, it would still allow all of the underlying to stay in place, some of which is not desirable. They do not want to confine them to including residential in order to build commercial. Mr. Schneider responded that they understand this is different than the Village Center District. The 50 feet setback is an arbitrary figure- it allows for one row of angled parking and adequate drive lane. They propose a 20-foot no build abutting residential and special buffers along residential properties and a step-up approach on the side closest to the residential. Mr. Luongo pointed out this will need to be tested; not all properties in the zone have sufficient depth to meet these guidelines. He

used the Boston Motel as an example. It is a more flexible lot. He also noted the lots on Route 18 that may have potential. It's a parcel-by-parcel approach, but zoning can't be applied that way.

Mr. Schneider noted that widening of Route 18 will force some of the property owners to consider redevelopment. Vice Chairman Smart asked when the work goes out to bid on the widening project. Mr. Luongo responded that it will likely not begin in earnest until next spring. There are many properties along Route 18 that no longer have parking out front because of the land-taking associated with the project and are backed up to wetlands in the back. They are not proposing an FAR requirement. The methods already proposed may be sufficient to manage the density. He reviewed the FAR requirements. Parking has been adjusted slightly to a number of bedrooms instead of unit size. They are looking at parking ordinances that are too restrictive in town; the requirements are double and triple what Braintree and Hingham require. It is ruling the town out of the restaurant market.

Vice Chairman Smart responded that Mr. Luongo's predecessor used a shared parking approach and asked if this would be considered? Mr. Luongo responded yes. Mr. Luongo pointed out this sets out a set of guidelines that a developer will have to meet that are more important than FAR. It's more form-based zoning- how it relates to the area. Mr. Schneider responded that in addition to shared parking they are looking at proximity to public transportation as a reasonable approach to reducing the number of parking spaces that are required. Mr. Luongo noted that there are buildings that do not have a sea of parking in front with the building set back. They want to keep a uniform appearance along the streets. It's not a good streetscape. Mr. Berg pointed out that all of these areas are gateways to the town. Councilor Mathews noted that drive thru's are not incorporated in the proposed zoning. Mr. Luongo responded that drive thru's would be allowed by special permit, and the queuing has to be adequate. It will have to be located in the back or along the side of the building. TD Bank did it right; Bank of America did not. They will need to put in standards. They are asking real estate developers to see if these proposals will be attractive to developers. Mr. Berg responded that currently what is in place is not. They are not trying to force anyone out; but they want to maximize the empty sites. Mr. Luongo noted that not all developers are greedy, but they are trying to look out for all interests and strike a balance between greed and reasonable development.

Mr. Schneider reviewed the photographs of existing sites in the zone as examples. They are reaching out to property owners. There are aging big-box stores and they want to plan for the future. The area along Route 53 before Boston Motel is prime for redevelopment. The age of strip malls should be over in Weymouth; they are not sustainable. A mixed use development would be desirable; retail with some residential. Mr. Berg noted that the challenge will be areas where residences abut the businesses along Route 18 heading to the Landing. The challenge is to create zoning incentives that will attract developers. Councilor Mathews pointed out that he has spoken with property owners. The Shaw's and Walmart areas already have a lot of residential apartment and condos. Mr. Luongo responded that not every site will be mixed use, but the market will drive the type of development. They do not want to build another Avalon-type development. Mr.

Schneider suggested it will depend on what is sustainable ten years down the road. When the zoning district was originally developed it was meant to be a transition area from commercial to residential, but what it has become is vacant commercial leading to deplorable conditions. Councilor Mathews responded that some has worked; he referenced Spirito's. The genesis of putting it back in place in 1990 was because it needed to be curbed. Mr. Berg responded that it is meant to give some flexibility. Mr. Luongo responded that they need to do it right; development is hodge-podge.

Vice Chairman Smart noted that signage and electronic scrolling comes up with every BZA case. Mr. Luongo responded that they are working with the Solicitor- they will have to address it in the entire town. Mr. Berg responded that it has been taken advantage of and the zoning has not been adhered to. Signage is a problem everywhere. What is considered a sign? Now they are considering a wrap sign like are used on busses. Mr. Luongo questioned why not make all of the changes at once? Hire a consultant, who will not understand the town the way they and the residents do. It can be done incrementally because the Village Centers will have to be dealt with it and they know the pecking order. It will be time-consuming but worth the effort. They know they will face opposition from those who want no or little growth.

Chairman DiFazio asked what is the next step? The administration will bring it back to the Planning Board to discuss and set up public dialogue and flesh out the information. It will take the summer to vet it so that when the Council convenes in the fall they should have something to present that could be passed. They want to be sure everyone agrees with the goals and objectives. He asked the committee to set up a schedule so they can come up with a consensus rather than producing a draft. Chairman DiFazio suggested they could set up public meetings with combined town neighborhood committees. Mr. Luongo is encouraged; he believes they will get a good document. Councilor Mathews recommended they use real property examples and show what might be viable redevelopment.

Mr. Berg responded that one of the things they would want to avoid is to look at global modifications and not turn it into a giant concept of what could go in to a specific site. Councilor Mathews suggested maybe using a vacant property then and show what could be done with it. Mr. Luongo responded that is why they are embedding guides and not as a by right. The majority of the problems in Weymouth are in the design of buildings. Councilor Mathews used the FAR guidelines; in the past he could pull up the guidelines if a resident asked about a potential. Mr. Luongo responded they can put them in if that is what it might take. They do not want to put anyone out of business; they want to see a developer replace with something better than the existing. Mr. Berg noted they have been discussing redevelopment for several years. The idea is to develop a consensus about what the purpose and intent of this is. People will resist change. There will be support and opposition. It's an extremely exciting and there seems to be a general interest in getting it done. They need to absorb as much from the residents, not discounting what they say and have clear mind about it.

Chairman DiFazio noted it is listed on their agenda as a resident's concern. Mr. Luongo reported that he is convinced they will get something good out of it. There are areas that need to be included and excluded; they need to get into uses. Councilor Mathews asked to incorporate parking garages into the discussion. Vice Chairman Smart pointed out that in the 1980's the town was not considered business friendly; they want to entice development and the parking was a prime example. Mr. Berg responded that it is a holistic approach; not just the zoning but changing the image.

Vice Chairman Smart suggested that a presentation to the full Town Council and neighborhood associations should be considered, as this progresses. Mr. Luongo reported that zoning is one of the main tools a town has to direct to development and the power to create value to the town if they use it properly. Doing nothing is not an option; it hasn't worked. Chairman DiFazio asked they continue to contact him as this issue moves forward.

ADJOURNMENT

At 9:30 PM, there being no further business, a MOTION was made by Vice Chairman Smart to adjourn and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

Respectfully submitted by Mary Barker, Recording Secretary

Approved by Councilor Kenneth DiFazio, as Chairman of the Ordinance Committee

Voted unanimously on 5 September 2017