



## **CANTON PLANNING BOARD**

*Members:*

*Robert E. Panico, Chairman*

*David McCarthy, Vice Chairman*

*Patricia McDermott, Clerk*

*Thomas C. Scully, Member*

*Kathy Gibbs McCormack, Member*

### **AGENDA**

## **PLANNING BOARD MEETING** **WEDNESDAY, FEBRUARY 17, 2021** **Virtual “Zoom” Meeting** **7:00 P.M.**

### **Join Zoom Meeting**

<https://us02web.zoom.us/j/82965409264>

Meeting ID: 829 6540 9264

One tap mobile

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### **SCHEDULED HEARINGS:**

**(1) CANTON RESERVE (STILLWATER)**, (Toll Northeast, Owner; Shawn Nuckolls, Sr. Vice President, MA Division) Requesting the release of the balance of Phase 1 lots #1, 3, 4, 5, 6, 7, 35, 36, 37, 38, 39, 40.

**(2) 221 & 225 HIGH STREET (ANR)** (Lisa Brown, Applicant; Kristine Meaney, Site Design)

**(3) AMEND ZONING BY-LAWS SECTION 9.5 – BILLBOARD ZONING OVERLAY DISTRICT (BZOD)** –

**ARTICLE ( )** - To see if the Town will vote to amend Zoning By-Law Section 9.5 (currently unused) to add a Billboard Zoning Overlay District (BZOD) **(Board of Selectmen for Planning Board)**

**(4) AMEND ZONING BY-LAW SECTION 6.3.10 NON-ACCESSORY SIGNS** -

**Article ( )** To see if the Town will vote to amend Zoning By-Law Section 6.3.10 to clarify language around non-accessory signs (billboards) to add a reference to the Billboard Zoning Overlay District (BZOD) **(Select Board for Planning Board)**

**(5) AMEND ZONING BY-LAWS SECTION 11.0 DEFINITIONS RELATING TO SHORT TERM RENTALS –**

**ARTICLE (38)** - To see if the Town will vote to amend Zoning By-Laws Section 11.0 as follows, with new word definitions being incorporated into the existing text in order alphabetically with the existing word definitions - ***(Select Board for Planning Board)***

**(6) AMEND ZONING BY-LAW SECTION 3.1.4 TABLE OF USE REGULATIONS RELATED TO SHORT-TERM RENTALS –**

**ARTICLE (37)** - To see if the Town will vote to amend Zoning By-Law Section 3.1.4 Table of Use Regulations as follows or take any other action related thereto.

1. By amending the Zoning By-laws Section 3.1.4, Table of Use Regulations, Section J Accessory Uses by adding the accessory use zones for “Short term rentals” by allowing their use by right in all residential zones and the Business and Central Business Districts. The use would not be allowed in the Limited Industrial Districts, Industrial District, and Parkland and Open Space.

<b><i>J. Accessory Uses</i></b>	<b>SR</b>	<b>GR</b>	<b>B</b>	<b>CB</b>	<b>LI</b>	<b>LI(B)</b>	<b>LI(C)</b>	<b>I</b>	<b>POS</b>
<b>Short-term rental</b> <sup>2</sup>	<b>Y</b>	<b>Y</b>	<b>Y</b>	<b>Y</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>N</b>

2. Subject to applicable State and Town registration, administrative regulations, and inspection requirements
2. *By amending the Zoning By-laws Section 3.1.4, Table of Use Regulations, Section A Residential Uses by adding the principle use zones for “Short term rentals” by allowing their use by right in all residential zones and the Business and Central Business Districts. The use would not be allowed in the Limited Industrial Districts, Industrial District, and Parkland and Open Space.*

<b><i>A. Residential Uses</i></b>	<b>SR</b>	<b>GR</b>	<b>B</b>	<b>CB</b>	<b>LI</b>	<b>LI(B)</b>	<b>LI(C)</b>	<b>I</b>	<b>POS</b>
<b>Short-term rental</b> <sup>2</sup>	<b>Y</b>	<b>Y</b>	<b>Y</b>	<b>Y</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>N</b>

3. Subject to applicable State and Town registration, regulations, and inspection requirements

***(Select Board for Planning Board)***

**(7) AMEND ZONING BY-LAW SECTION 4.1.4 TABLE OF DIMENSIONAL REQUIREMENTS – RESIDENCE DISTRICTS –**

**ARTICLE (39)** - To see if the Town will vote to amend Zoning By-Law Section 4.1.4 Table of Dimensional Requirements – Residential District to remove footnote references for the accessory structure rear yard setbacks. ***(Board of Selectmen for Planning Board)***

**(8) AMEND ZONING BY-LAW SECTION 7.8 TO REMOVE THE EXPIRED TEMPORARY MORATORIUM ON THE SALE AND DISTRIBUTION OF RECREATIONAL MARIJUANA –**

**ARTICLE (41)** - To see if the Town will vote to amend Zoning By-Law Section 7.8 by deleting Section 7.8 for “Temporary Moratorium on the Sale and Distribution of Recreational Marijuana.” ***(Select Board for Planning Board)***

**(9) AMEND ZONING BY-LAW SECTION 3.1.4 TABLE OF USE DEFINITIONS, SECTION J ACCESSORY USES RELATED TO THE KEEPING OF OVERNIGHT MOTOR VEHICLES-**

**ARTICLE ( 36)** - To see if the Town will vote to amend Zoning By-Laws 3.1.4, Table of Use Regulations, Section J Accessory Uses to remove the first use of the word “not” in the use description for “The keeping overnight of not more than five motor vehicles...” so that the revised use description reads as follows, “*The keeping overnight of more than five motor vehicles, one of which may be a commercial vehicle. Such commercial vehicle shall not exceed a gross vehicle weight of twelve thousand, five hundred (12,500) pounds, or measure more than seven feet, six inches (7’6”) from the ground to the top of the roof, or measure more than twenty-one feet (21’) from the front bumper to the rear bumper. For the purpose of this section no, so-called, pickup truck shall be deemed to be a ‘commercial’ vehicle. Nothing in this section shall be construed to prevent any person from bringing a commercial vehicle otherwise prohibited by this section into a residential neighborhood for the purpose of making a delivery, or performing work, or during lunchtime, or on an irregular basis*” ***(Select Board for Planning Board)***

**(10) ADD ZONING BY-LAW SECTION 4.2.9 RETAINING WALLS ALONG SCENIC WAYS –**

**ARTICLE (40)** - To see if the Town will vote to add Zoning By-Law Section 4.2.9 Retaining Walls Along Scenic Ways to the Special Regulations as follows: ***4.2.9 Retaining Walls Along Scenic Ways. Retaining walls along frontage facing a scenic way (in any district) shall be constructed to a maximum height of six (6) feet. If site conditions require elevation changes of greater than six (6) feet, retaining walls along frontage facing a scenic way (in any district) shall be terraced and landscaped. Retaining walls along frontage facing a scenic way (in any district) shall be solid fieldstone or fieldstone veneer or other similar material or appearance, and vertical cast in place concrete or concrete blocks shall not be permitted. (Select Board for Planning Board)***

**(11) AMEND ZONING BY-LAW SECTION 9.1 FLOOD PLAIN OVERLAY DISTRICT (FPOD) –**

**ARTICLE ( )** - To see if the Town will vote to amend Zoning By-Law Sections 9.1 of the Flood Plain Overlay District, by removing in its entirety and replacing as follows - ***(Board of Selectmen for Planning Board)***

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**(12) AMEND ZONING BY-LAW SECTION 11.0 DEFINITION TO ADD DEFINITIONS RELATING TO THE FLOOD PLAIN OVERLAY DISTRICT-**

**Article ( )**. To see if the Town will vote to amend Zoning By-Laws Section 11.0 as follows, with new word definitions being incorporated into the existing text in order alphabetically with the existing word definitions – ***(Select Board for Planning Board)***

**(13) AMEND ZONING BY-LAW SECTION 10.7 CANTON CENTER DESIGN REVIEW BOARD**

**ARTICLE (35)** - To see if the Town will vote to amend Zoning By-law Section 10.7 as follows: (1) Replace all references in Section 10.7 (and all subsections) to the “Canton Center Design Review Board” or “Design Review Board” or “CCDRB” with the Planning Board; (2) Remove the language of Section 10.7.14 “Canton Center Design Review Board; Composition”, and replace it with the words “Not Used”; (3) Remove the language of Section 10.7.15 “CCDRB; Method of Appointment” and replace it with the words “Not Used”; (4) Remove the language of Section 10.7.16 “CCDRB; Organization” and replace it with the words “Not Used”; and (5) Amend Section 10.7.17 CCDRB; Administrative Procedures - ***(Select Board for Planning Board)***

**(14) VOTE FOR THE ACCEPTANCE OF MAGNOLIA WAY AS A TOWN WAY–**

**Article (34)** - That Magnolia Way be laid out and accepted as a town way, as recommended by the Planning Board and as laid out by the Board of Selectmen pursuant to G.L. c. 41 and c. 82, as shown on a plan entitled “As-Built Plan View Magnolia Way and Bazin Lane, prepared by Civil Environmental Consultants, LLC, dated December 10, 2020” (hereinafter referred to as “Acceptance Plan”); and that the Board of Selectmen be hereby authorized to acquire by purchase, gift, or eminent domain such land and easements for the creation, maintenance and operation of a public way, including but not limited to easements for access, grading, drainage, sloping, construction and utilities, as described in the Acceptance Plan; and further that the Board of Selectmen and Town officers be hereby authorized to take any and all related actions necessary or appropriate to carry out the purposes of this vote. ***(Select Board for Planning Board)***

**(15) VOTE FOR THE ACCEPTANCE OF BAZIN LANE AS A TOWN WAY-**

**Article (33)** That Bazin Lane be laid out and accepted as a town way, as recommended by the Planning Board and as laid out by the Board of Selectmen pursuant to G.L. c. 41 and c. 82, as shown on a plan entitled “As-Built Plan View Magnolia Way and Bazin Lane, prepared by Civil Environmental Consultants, LLC, dated December 10, 2020” (hereinafter referred to as “Acceptance Plan”); and that the Board of Selectmen be hereby authorized to acquire by purchase, gift, or eminent domain such land and easements for the creation, maintenance and operation of a public way, including but not limited to easements for access, grading, drainage, sloping, construction and utilities, as described in the Acceptance Plan; and further that the Board of Selectmen and Town officers be hereby authorized to take any and all related actions necessary or appropriate to carry out the purposes of this vote. ***(Select Board for Planning Board)***

**GENERAL BUSINESS:**

**(16) Town Planner Comments**

**(17) Discussion & Appointment to Bike/Hike/Walk Committee**

**(18) Review & Approval of January 6, 2021 Minutes**

**Topics not reasonably anticipated by the Chairman 48 hours in advance of the meeting.**

**Next Meeting: March 3, 2021**