



Town of Hull Zoning By-Law Study Committee

Committee Report

March 28, 2017

The Zoning By law study committee met on 10/13/16, 12/8/16, 1/12/17, and 2/23/17. A number of zoning changes were referred to the Planning Board for consideration and submittal for the May 2017 Town Meeting.

I have attached the proposed changes that have been submitted.

Sincerely,

**Bartley Kelly
Chairman**

To see if the Town will amend the Zoning By-law Article IV Section 40-3.G Site Plan Review Application Fee with the following language (~~strike out to be removed /~~ underlined to be incorporated):

G. Application Fee: The fee for filing a Site Plan Review Application is ~~1/40 of one percent of the cost of the project work. It cannot be less than \$200.00 nor more than \$1,000.00~~ as indicated in the Planning Board Rules and Regulations Fee Schedule. The fee shall be paid at the time of application.

Or take any other action relative thereto.

To see if the Town will amend the Zoning By-law Article VI Section 61 Non Conforming Uses,
61-2f (iii) with the following language (~~strike out to be removed /~~ *underlined and italicized* represents language to be incorporated):

61-2, f, (iii) A pre-existing *one or two family* dwelling on an undersized lot shall not be considered as non-conforming provided the structure conforms with all of the other provisions of the zoning bylaw, including parking.

Or take any other action relative thereto.

To see if the Town will amend the Zoning By-law Article V Section 50 with the following language (~~strike out to be removed /~~ *underlined and italicized* represent language to be incorporated):

Section 50 – Dimensional Requirements and Intensity Regulations

50-1. Tables

Table 50 (Continued). Minimum requirements for construction within districts zoned Single-family A, Single-family B, Single-family C, Multi-family A, Multi-family B, Business, Commercial Recreation A, Commercial Recreation B, Commercial Recreation C, and Public Open Space are set forth below.

NOTE: Parenthetical letters refer to footnotes in Paragraph 50-2.

	<u>Bus</u>	<u>CR-A</u>	<u>CR-B</u>	<u>CR-C</u>	<u>POS</u>
<u>Minimum Yard Dimensions</u>					
Front in linear feet	10 <u>(a)(c)(k)(r)(u)</u>	25 <u>(a)(c)(k)(r)</u>	25 <u>(a)(c)(k)(r)</u>	25 <u>(a)(c)(k)(r)</u>	
Side in linear feet	N/A (w)	10 (b)(r)(w)	10 (b)(r)(w)	10 (b)(r)(w)	
Rear in linear feet	N/A(w)	20 (b)(r)(w)	20 (b)(r)(w)	20 (b)(r)(w)	(q)

50-2. Footnotes to Tables in Section 50

(a) Front yard ~~dimensions are to~~ setback shall be measured from the right-of-way line where a plan of the way is on file with the Registry of Deeds or in Town Records. ~~or in~~ In the absence of such plan, the front yard setback shall be measured from the nearest side line on the traveled way to the outer front wall of the ~~dwelling,~~ building. ~~provided however that the~~ The Building Commissioner may waive this requirement and establish a front yard setback to conform ~~with the residences~~ to buildings on the same side of the street within two hundred (200) linear feet of the property.

(a.a) The special permit granting authority may in its discretion issue a special permit allowing new or existing buildings located in with a Special Flood Hazard Area, as defined by the latest edition of 780 CMR, to be elevated beyond the prescribed height limit to ~~provide flood proofing~~ said building by meeting or exceeding the flood elevation requirements of said CMR. Building cannot exceed the elevation required to comply with 780 CMR by more than four (4) feet.

Or take any other action relative thereto.

(Inserted at the request of the Planning Board)

To see if the Town will amend the Zoning By-law Article VI Section 62 Construction or Operations under a Building Permit, 62-1 with the following language (~~strike out~~ to be removed / underlined and italicized represents language to be incorporated):

Section 62 – Construction or Operations under a Building or Special Permit

62-1. Construction or operations under a building or special permit shall conform to any subsequent amendment of this bylaw, unless the use of the property or construction is commenced within ~~six months~~ one year after the issuance of the permit. In ~~and in~~ cases involving construction, ~~unless such construction is~~ must be continued through to completion as continuously and expeditiously as is reasonable.

Or take any other action relative thereto.

To see if the Town will amend the Zoning By-law Article V Section 52 Parking and Loading Requirements, 52-1 Parking Capacity, Table 55 with the following language (~~strike out~~ to be removed / underlined and italicized represents language to be incorporated):

TABLE 55. Parking Requirements

Building Use

Stores, offices and other lawful uses except hotels, motels, residences, boarding houses, and rooming houses which are located between Rockland House Road on the south and ~~Wharf Avenue~~ Water Street on the north

Or take any other action relative thereto.

To see if the Town will amend the Zoning By-law Article III Section 34 Business and Mixed Use Residential Districts, 34-1A.1, A, 15; Article III Section 39 B Nantasket Beach Overlay District, 3, 3.7; Article VIII Section 80 Board of Appeals, 80-3 with the following language (~~strike-out~~ to be removed / *underlined and italicized* represents language to be incorporated):

34-1A.1, A, 15 The special permit shall automatically lapse ~~two~~ *three* years from the date of the grant of a special permit unless substantial use or construction is commenced except for good cause, or an extension has been granted by the Planning Board for not more than six months. Excluded in the ~~two-year~~ *three-year* time period is the time required to pursue or await the determination of appeal referred to in Section 17 of the Massachusetts General Law, Section 40A.

39B, 3, 3.7 The special permit shall automatically lapse ~~two~~ *three* years from the date of the grant of a special permit unless substantial use or construction is commenced except for good cause, or an extension has been granted by the Planning Board for not more than six months. Excluded in the ~~two-year~~ *three-year* time period is the time required to pursue or await the determination of appeal referred to in Section 17 of the Massachusetts General Law, Section 40A.

80-3 The special permit shall automatically lapse ~~two~~ *three* years from the date of the grant of a special permit unless substantial use or construction is commenced except for good cause. ~~Included~~ *Excluded* in the ~~two-year~~ *three-year* time period is the time required to pursue or await the determination of appeal referred to in Section 17 of the Massachusetts General Law, Section 40A.

Or take any other action relative thereto.