

# A.G. JENNINGS, LLC

---

128 BELKNAP STREET CONCORD, MA 01742

Telephone  
617-719-1019

Email  
[agjennings@icloud.com](mailto:agjennings@icloud.com)

October 3, 2013

Lee Hartmann, AICP  
Director of Planning and Development  
Town of Plymouth  
11 Lincoln Street  
Plymouth, MA 02360

**RE: Zoning Bylaw Initiative, Kick-off Meeting with Planning Board**

Dear Lee,

This memo is submitted for distribution to the Planning Board in preparation for our kick-off meeting this Monday, October 7 at 7 PM.

As you know, my office was retained to support the work of Kopelman and Paige, P.C. to work with the Town of Plymouth to review and revise the Zoning Bylaw. As the work proceeds, and to the extent that graphical illustrations of zoning concepts and/or aspects of regulation will be helpful to inform the process or ensure clarity in the end product, we will draw upon the expertise of the architectural and planning firm Carr, Lynch and Sandell in Cambridge.

This project was authorized by a vote of Town Meeting in Spring 2013, and we are aware that the Town's objectives for this project include both an overall update to resolve typographic and editorial changes, minor changes, and improvements to the overall structure and format of the Bylaw to make it more user-friendly. Work toward these "baseline" changes has already begun, building on the Bylaw critique provided by your office based on in-house review.

Our work will also include one or more major changes to the Bylaw to advance the Town's land use policy objectives. Our project team has a broad range of experience with all aspects of zoning, and is prepared to delve into specific topics in as much detail as needed in the context of the overall project priorities. We view Monday's kick-off meeting as the beginning of the public discussion of such priorities.

[WWW.AGJENNINGS.COM](http://WWW.AGJENNINGS.COM)

The policy element of our work will be organized based on public comments and Planning Board priorities, and we will work with your office to determine the scope of any such major amendments. We will organize a public process to ensure meaningful public engagement as such amendments take shape.

Monday's meeting will formally begin this planning process. We will introduce ourselves to the Board and to members of the public, and provide an overview of what they can expect as we move forward in the months ahead. We will also provide an update regarding our review of the in-house Bylaw critique, and offer initial observations.

However, our primary objective for the meeting on Monday is to open the lines of communication for public input regarding this initiative, both relative to the "baseline" work and to the major Bylaw changes that will result from our work. Following our brief opening presentation, we will welcome comments and suggestions from the Board, Plymouth Town Officials and from all of those in attendance. In addition to inviting verbal comments, attendees and others will be invited to provide written comments and suggestions; and a survey will be distributed to facilitate this input. The Board's discussion, including public participation, will comprise the majority of the meeting.

It is our goal to provide as many avenues for public input regarding this initiative as necessary to ensure that our work reflects the collective knowledge base and interests of Plymouth residents and businesses, and of those who routinely work with the Bylaw and have direct knowledge of what works well, and where there are opportunities for improvement. In addition to formal public meetings, we will work with your office to establish methods for circulation of project updates and draft work products, and to provide other avenues for public comment throughout the process.

As is the case with zoning work, the proposed zoning amendments that result from this initiative will reflect a balancing of interests among many points of view. Our goal, therefore, is to solicit as broad a range of input as possible - both early and as we move forward - in order to inform the substance of the work.

We are pleased for the opportunity to work with the Town of Plymouth on this important initiative, and we look forward to a productive kick-off meeting on Monday.

Sincerely,

Angus Jennings, AICP  
Principal

**Attachments:**

Scope of Work

Public Notice of Meeting

## **SCOPE OF WORK**

February 7, 2013

The Town adopted the Current Zoning Bylaw in 1972. Since that time hundreds of amendments (additions, modifications and deletions) have occurred.

In 2004, the Town retained the services of General Code Publishers Corporation to re-codify the 1972 Zoning Bylaw. The re-codification process involved a review of every amendment made to the bylaw, a restructuring of the Bylaw and a brief critique.

In 2012, in preparation of a major redrafting of the Zoning Bylaw, Planning Staff conducted a page-by-page critique of the Zoning Bylaw that identified weaknesses, errors, conflicting language and other issues. This critique will serve as the starting point for this project.

The Town seeks the services of a team that will include Town Counsel and consulting services from a Professional Planning Firm to redraft the Zoning Bylaw.

### **Note of Caution**

The Town of Plymouth has over 40,000 existing lots. Amendments that change certain standards (i.e. changes in lot sizes or dimensions, uses, & structures) could create thousands of pre-existing non-conforming lots, uses and/or structures. Such changes should be avoided whenever possible.

Plymouth seeks to have Town Counsel and a Planning Consultant prepare three sets of recommended changes:

1. Typographic and editorial changes that do not change the way the existing Bylaw is interpreted;
2. Minor changes that may change requirements and standards but not significantly alter the bylaw's intent (for example clarifying existing ambiguous language or changes needed for consistency with state or federal law); and
3. Major changes (for example new standards and regulations, significant changes to existing language and major changing in the review and permitting process).

Items identified in items 1 and 2 above will be presented at the next available Town Meeting for acceptance. Major changes will be presented as deemed appropriate by the Planning Board.

**Task 1 – Workshop with Elected Officials, Appointed Officials and Other Interested Parties**

After reviewing the Zoning Bylaw, Planning Staff’s Zoning Bylaw critique and meeting with staff, Building Commissioner and the Planning Board Chairman, the consultant team in conjunction with Planning Staff will hold a public workshop to solicit comments and suggestions from various town officials as well as the general public.

**Task 2 – Zoning Bylaw Diagnosis and Annotated Outline**

The purpose of Task 2 is to provide general overview to the Planning Board of the strengths and weaknesses of the current Zoning Bylaw, identifies potential solutions, suggest changes based on the guidance received at the workshop and outline “best practice” approaches, to update the bylaw. This task will provide a structure to the update process and provides focus for the redrafting of the Zoning Bylaw.

**Task 3: Zoning Bylaw Critique**

Prepare a general critique of the current Zoning Bylaw that will:

1. Identify ways in which the current standards are outdated, ineffective or difficult to use;
2. Identify ways to make the revised document more user-friendly;
3. Propose methods of streamlining procedural review of development; and
4. Suggest major changes and new sections.

Additionally, the critique will identify other areas in need of modification. These areas are anticipated to include, but are not limited to:

1. Review and update various definitions contained within the Zoning Bylaw
  - a. Delete old or un-used definitions,
  - b. Revise outdated definitions, and
  - c. Add new definitions;
2. Clarify enforcement and review procedures; and
3. Clarify prohibited uses
4. Identify typographical errors
5. Identify outdated or unused sections for deletion
6. Reformat sections as needed

Seek feedback of the critique from the Planning Board, Planning Staff and Building Commissioner.

**Task 4: Zoning Bylaw Revisions**

Present revisions and options in a number of areas that could include among others:

1. Re-structuring and making the document more user-friendly;
2. Organizational and format changes;
3. Procedural streamlining;
4. Revisions, changes, and additions
5. Substantive changes (e.g., new standards);
6. Suggestions for making the zoning code more responsive to contemporary development trends; and
7. Identify sections to be deleted.

Seek feedback of the critique from the Planning Board, Planning Staff and Building Commissioner.

**Task 5: Public Participation**

Prepare for a public review a summary report and draft of the proposed changes to be distributed to the elected and appointed officials and made available to the public.

The consultant team and Planning Staff will facilitate a public meeting with various Town officials and the public where the proposed changes are presented. This meeting will allow for feedback on any significant changes that are proposed for the Zoning Bylaw.

**Task 5 – Final Review of Zoning Bylaw Changes**

Based on the direction received from the Town the consultant will prepare a revised Zoning Bylaw and create stand-alone major change/amendments to be considered at future Town Meetings.

**Task 6 – Public Hearing & Town Meeting**

Assist the Planning Board and Planning Staff in presentations of the final Zoning Bylaw at a total of four public meetings (Planning Board, Board of Selectmen,

Advisory and Finance Committee and Town Meeting) for the adoption of the final Zoning Bylaw.

Prepare copies of the proposed amendments

Prepare copies of the final Zoning Bylaw

An edit enabled copy of all documents (Word format)

Copies of the Final Zoning Bylaw in a PDF format on CD ROM disks

## **PUBLIC NOTICE OF MEETING**

Plymouth Planning Board  
Zoning Bylaw Revisions

The Town adopted the current Zoning Bylaw in 1972. Since that time hundreds of amendments (additions, modifications and deletions) have occurred. The Planning Board is beginning a process to review and revise Plymouth's Zoning Bylaw , as authorized by Spring Town Meeting 2013.

The Planning Board will be holding a public workshop on Monday, October 7, 2013 at 7:00 p.m. in the Mayflower Room, Town Hall, 11 Lincoln Street. The purpose of this workshop is will be to solicit comments and suggestions from Town Officials as well as the general public and the business community about the current bylaw.

The Planning Board encourages anyone interested to attend.

In addition, the Planning Board would like your feedback on the bylaw as work progresses. The Planning Department will be forwarding various drafts to interested parties for review and comment. Anyone interested in receiving copies of drafts should forward their email address to [lhartmann@townhall.plymouth.ma.us](mailto:lhartmann@townhall.plymouth.ma.us)

Draft Documents will also be posted on the Planning Board's Website:

[http://www.plymouth-ma.gov/Public\\_Documents/PlymouthMA\\_Planning/  
Zoning\\_Update/Zoning\\_update](http://www.plymouth-ma.gov/Public_Documents/PlymouthMA_Planning/Zoning_Update/Zoning_update)