ADVISORY & FINANCE COMMITTEE

The following meeting of the Advisory & Finance Committee has been posted and will be held

At: **Plymouth Town Hall**
Mayflower II Meeting Room
11 Lincoln Street
Plymouth, MA 02360

On : **Wednesday, September 30, 2015 at 6:30PM**

Items on the agenda will include but are not limited to the following.
Other discussion may include items that were not reasonably anticipated by the Chairman 48-hours in advance of the meeting posting.

AGENDA ITEMS:

Public Comment

Town Meeting Items:

- Article 24: Charter Review – Elect ZBA: Review New Warrant Language
- Caucus Discussion & Schedule

Public Comment

Old/New/Other Business

- Sub-Committee & Committee Liaison Updates

Meeting Minutes

- August 19, 2015
- September 16, 2015
- September 17, 2015

Next Meeting: Saturday, October 17 at 7:30AM, Plymouth North High School – Band Room

CURRENT LANGUAGE IN CHARTER

Section 12 Zoning Board of Appeals

3-12-1 The Board of Selectmen shall appoint a Zoning Board of Appeals of five (5) members and two (2) associate members for three-year (3) overlapping terms.

3-12-2 The board shall exercise such powers and duties as prescribed by general law, this Charter, and town by-laws.

ARTICLE 24 – First draft of warrant language:

ARTICLE 24: To see if the Town will vote to amend Chapter 3-12-1 as follows:

3-12-1 The ~~Board of Selectmen~~ *Town of Plymouth* shall ~~appoint~~ *elect* a Zoning Board of Appeals of five (5) members and two (2) associate members for three-year (3) overlapping terms.

CHARTER REVIEW COMMITTEE

ARTICLE 24 – Second draft of warrant language:

ARTICLE 24: To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation to amend the Town Charter as recommended by the Charter Review Committee as follows; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approve amendments to the bill before enactment by the General Court, and authorizing the Board of Selectmen to approve amendments which shall be within the scope of the general public objectives of the petition,

Amend Chapter 3-12-1 by deleting the existing section and adding a new Chapter 3-12-1 as follows:

Section 3-12-1 Zoning Board of Appeals

(a) Composition, Term of Office. There shall be a zoning board of appeals composed of five members elected for terms of 5 years each with their terms consisting of 5 overlapping terms. There may be 3 associate members of the zoning board of appeals appointed jointly by the Board of Selectmen and Zoning Board of Appeals. The terms for the three associate members shall be for 3 overlapping terms.

(b) Powers and Duties.

The Board of Appeals shall have and exercise all the powers granted to it by G.L. c. 40A, 40B, 41, and by this chapter. The Boards powers are as follows:

(1) To hear and decide applications for special permits. Unless otherwise specified in the Zoning Bylaw, the Board of Appeals shall serve as the special permit granting authority, to act in all matters in accordance with the provisions of G.L. c. 40A, Section 9 and the Zoning Bylaw.

(2) To hear and decide appeals or petitions for variances from the terms of the Zoning Bylaw, with respect to particular land and structures, to act in all matters in accordance with the provisions of G.L. c. 40A, Section 10 and the Zoning Bylaw. The Board of Appeals shall not grant use variances.

(3) To hear and decide appeals taken by any person aggrieved by reason of his or her inability to obtain a permit or enforcement action from any administrative officer under the provisions of G.L. c. 40A, Section 8 and 15.

(4) To hear and decide comprehensive permits for construction of low or moderate income housing by a public agency or limited dividend or nonprofit corporation, as set forth in G.L. c. 40B, Sections 20 to 23.

(c) Existing appointed members of the Zoning Board of Appeals as of the date of enactment of this section may serve out their term. Following the expiration of the terms of the existing appointed members, members of the Zoning Board of Appeals shall be elected.

Or take any other action relative thereto.

CHARTER REVIEW COMMITTEE

Article 24 - Final warrant language

ARTICLE 24: To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation to amend the Town Charter as recommended by the Charter Review Committee as follows; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approve amendments to the bill before enactment by the General Court, and authorizing the Board of Selectmen to approve amendments which shall be within the scope of the general public objectives of the petition,

Amend Chapter 3-12-1 by deleting the existing section and adding a new Chapter 3-12-1 as follows:

Section 3-12-1 Zoning Board of Appeals

(a) Composition, Term of Office. There shall be a zoning board of appeals composed of five members elected for terms of 5 years each with their terms consisting of 5 overlapping terms, such that one term expires each year. There may be 3 associate members of the zoning board of appeals appointed jointly by the Board of Selectmen and Zoning Board of Appeals. The terms for the three associate members shall be for 3 year overlapping terms, such that one term expires each year.

(b) Powers and Duties.
The Board of Appeals shall have and exercise all the powers granted to it by G.L. c. 40A, 40B, 41, and by this chapter. The Boards powers are as follows:
(1) To hear and decide applications for special permits. Unless otherwise specified in the Zoning Bylaw, the Board of Appeals shall serve as the special permit granting authority, to act in all matters in accordance with the provisions of G.L. c. 40A, Section 9 and the Zoning Bylaw.
(2) To hear and decide appeals or petitions for variances from the terms of the Zoning Bylaw, with respect to particular land and structures, to act in all matters in accordance with the provisions of G.L. c. 40A, Section 10 and the Zoning Bylaw. The Board of Appeals shall not grant use variances.
(3) To hear and decide appeals taken by any person aggrieved by reason of his or her inability to obtain a permit or enforcement action from any administrative officer under the provisions of G.L. c. 40A, Section 8 and 15.
(4) To hear and decide comprehensive permits for construction of low or moderate income housing by a public agency or limited dividend or nonprofit corporation, as set forth in G.L. c. 40B, Sections 20 to 23.

(c) Existing appointed members of the Zoning Board of Appeals as of the date of enactment of this section may serve out their term. Following the expiration of the terms of the existing appointed members, members of the Zoning Board of Appeals shall be elected. In order to implement section (a) above, the Town Clerk shall be authorized to place on subsequent annual election ballots such full and partial terms as required to result in overlapping terms, with all subsequent terms for each position to be for 5 years. In the event that an appointed member shall vacate his or her office prior to the end of the appointed term, such vacancy shall be filled by the Board of Selectmen and Zoning Board of Appeals in accordance with G.L. c.41, Section 11.
Or take any other action relative thereto.
CHARTER REVIEW COMMITTEE

Advisory & Finance Committee
Caucus Meeting Information Response

Submit Date

Submitted By

- Select -

Response Status

Precinct

- Select -

Caucus Date

Precinct Contact

Requested By

Additional Information Needed

○ No ○ Yes

○ Not Sure

Article #

Article Name

Information Requested

Findings/Response

Source(s) for Response

This form is on our webpage:
Plymouth-ma.gov
→Boards & Committees
→→Advisory & Finance Committee
→→→Town Meeting Caucus Form