

**Nahant Planning Board
Minutes of Public Hearing Held March 11, 2014**

Pursuant to posted notice attached, a meeting was called to order at 8:04 pm by Mr. Hastings.

Present were: Richard Snyder, Cal Hastings, Carl Easton, Sheila Hambleton, Thom Donahue, Tony Roossien, Ed Tarlov.

1. With regard to the Public Hearing on the FEMA maps on 3/4/14 Cal Hastings motioned to recommend acceptance of the FEMA maps as shown in "Exhibit A" and also as described in the Public Notice for the public hearing. Tony Roossien seconded the motion and all were in favor.
2. Further discussion on the FEMA maps with regard to incentives. Richard Snyder and Cal Hastings feel this is something the NPB should do in the future. The board agreed and will research in the coming year.
3. Sidewalk by-law discussion as proposed by Mr. Burton at a previous NPB meeting and at the Public Hearing. Questions: who is responsible for enforcement? Who has the right to seek enforcement? Who has the "standing" authority with regard to by-laws? Is it the town or abutters? Discussion of fines. Someone commented that fines should be for each day of violation and each day is a separate violation and should be recorded daily.
4. Mr. Snyder read proposed by-law with edits (see attached). Thom Donahue wanted to further discuss the first paragraph with respect to changing some of the language. Sheila Hambleton read the definition of "structure" from current Nahant by-law.
5. Mr. Snyder asked for thoughts:

TD ó don't think we should rush it just for Town meeting, we should do more research

CH ó thinks it's a step in the right direction

TR ó agree with taking a step with commitment to further research

CE ó in favor of current initiative

ET ó in favor of doing nothing now ó further research needed

SH ó in favor of bringing it to Town Meeting

RS explained vote: Recommend to Town Meeting to amend sect. 5.02k to read "each property owner shall" (see attached). CH motioned to accept, TR seconded. All were in favor, TD abstained.

6. Bed and Breakfast by-law discussion. Mr. Snyder read current by-law section 4.06 "Renting of rooms to" -
7. Thom Donahue read definition of "family" and "dwelling unit" from current by-law. TD feels that these definitions specifically state how many "non-family member can live in the house and that is (2) two.
8. Mr. Snyder disagreed because it says "not for profit" & interpreting those definitions that way says that the "roomers and lodgers" are part of the "family"?
9. Discussion of roomers and lodgers proposed amendment (see attached) to add "Per dwelling unit" after "two roomers or lodgers". Comments:

ET " don't change current by-law

CE " thinks it makes it more clear

TR " makes it more clear, but do we need to make it more clear?

CH " don't think we have had enough representation from the town

TR " Don't think we have had enough of an argument either way to encourage us to take action at this time. Who determines what the by-law was intended to mean by the number 2, or should it be a total of 4 or 6?

CH " doesn't feel comfortable with the limited # of people as mentioned in the proposed amendment

TD " agrees and doesn't think we should make changes for the sake of making changes. He recommends holding on making changes now but is open to researching what other towns do

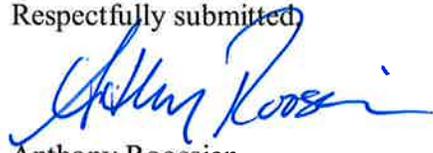
ET " stated that everyone has the chance to come to the public hearing and a small sample is indicative of the town of Nahant

ET " motioned to make no recommendation for change at this time with respect to changes to section 4.06 but the board will make a commitment to look into the issue further. TD seconded. All were in favor except RS and SH who abstained.

CH " asked question to BOH rep. John Coulon " is there a requirement to inspect these establishments?" Mr. Coulon said no but he had been asked by the Town Administrator a time or two. CH asked is there anyone in the town that can initiate inspections? Only through a response to a complaint or permit application. You can only enter the property to make contact, not enter the structure until permitted by the owner.

10. Question from attendee " who enforces the by-law? SH " building inspector and there is a form that needs to be filled out. RS " small town, not Boston services.
11. SH mentioned that the final bill for the Public Hearing postings was \$490.38

Respectfully submitted



Anthony Roossien
Recording Secretary

Ann

NAB

Sub Ann

Proposal for amendment to the Town of Nahant Zoning Bylaws

Proposed by: William A. Burton, 296 Nahant Rd.

Amendment to Section 5, with the addition of article 5.02K:

GROWING ON TRAIL PAVING

P/B
K. ~~Abutters~~ shall trim the branches of trees, hedges, bushes or other shrubbery which encroaches from the ~~abutting property over~~ *ON* a street or sidewalk so as to prevent such tree, hedge, bush or other shrubbery;

- SO ON*
(1) from ~~interfering with~~ *interfering with* pedestrian traffic on a sidewalk; *SIDEWALK*
- (2) from interfering with or affecting the sight lines of any person on a bicycle or in a motor vehicle traveling on the roadway up to a minimum height of 7 feet

Prove

Proposed additional definitions to be added to Section 2.02

~~Abutter~~: The owner, lessee or occupier of any premises or lot in Nahant which abuts a Nahant street.

~~Sidewalk~~: A paved pedestrian path located next to a Nahant Town road.

primary liability

6-ARBITRARY

TOWN OF NAHANT

JAN 31 2014

RECEIVED
TOWN CLERK

Public Hearing March 4th, 2014

Current

SECTION 4.06 – RENTING OF ROOMS TO ROOMERS OF LODGERS

Renting of rooms (lodging units) in a dwelling unit for the use of not more than two roomers or lodgers, who do not constitute a housekeeping unit separate from that of the resident family, is permitted in a residential or business district provided that at least one off-street parking space is provided for each such roomer. Rooms rented to roomers or lodgers shall not have private outside entryways or separate cooking facilities. Roomers must use cooking facilities of resident family.

Proposed

SECTION 4.06 – RENTING OF ROOMS TO ROOMERS OF LODGERS

Renting of rooms (lodging units) in a dwelling unit for the use of not more than two roomers or lodgers **PER DWELLING UNIT**, who do not constitute a housekeeping unit separate from that of the resident family, is permitted in a residential or business district provided that at least one off-street parking space is provided for each such roomer. Rooms rented to roomers or lodgers shall not have private outside entryways or separate cooking facilities. Roomers must use cooking facilities of resident family.