



PLANNING BOARD

Report to Town Meeting

**Article 30. Converted Dwellings – Standards and Conditions
 (Planning Board)**

To see if the Town will amend the Standards and Conditions for Section 3.3241, Converted Dwelling, by adding the language in *bold italics* to Condition #6, and removing Condition #13 [shown as ~~lined-out~~] in its entirety:

6. The proposed conversion shall be suitably located in the neighborhood in which it is proposed, as deemed appropriate by the Special Permit Granting Authority. The conversion, if in a residential district, shall either: a) be located in an area that is close to heavily traveled streets, close to business, commercial and educational districts, or already developed for multi-family use, and shall require owner-occupancy or a ~~Resident~~ *Resident Manager (see definition)* in one of the units; or b) be from one to two units, one of which shall be and shall remain owner-occupied, which shall be made a condition of any Special Permit issued in such an instance.

- ~~13. For any converted dwelling use in the R-G, R-VC, R-N, R-O and R-LD districts, the Special Permit Granting Authority shall require as a condition of the granting of a Special Permit the ongoing services of a qualified professional property management company, the presence of a qualified on-site resident manager, or similar provision for appropriate management of the rental use.~~

Recommendation

The Planning Board voted unanimously 7-0 to recommend that Town Meeting adopt Article 30.

Background

Article 30 seeks to correct a conflict established in the Zoning Bylaw by votes on two different articles during the Fall 2012 Special Town Meeting. Article 14 of that warrant was adopted and included Condition #13 above (proposed for removal). Article 17 (a petition article) was also

adopted and included the (un-amended) language shown in Condition #6 above. Condition #6 requires either owner-occupancy or a resident manager for converted dwellings. Condition #13 provides for a wider range of potential rental property management options, and does not require owner occupancy. This could create confusion for permit-granting bodies trying to determine which requirement to apply.

Article 30 would resolve the conflict by removing Condition #13 and retaining the simpler and more straightforward requirement under Condition #6.

Public Hearing

The Planning Board held a public hearing on Article 30 on Wednesday, February 20. The Zoning Subcommittee reported its recommendation (voted 3-1) to adopt Article 30. After further discussion, public comment regarding the background of the citizen petition which created the revised Condition #6, and further amendments to the proposed language, the Planning Board voted unanimously, 7-0, to recommend that Town Meeting adopt Article 30.