

Questions regarding Attorney Spector-Morgan's October 6, 2021 Letter Re Mill Plaza Buffer

To: Todd Selig, Rick Taintor, Planning Board
From: Peter Wolfe
Dated: October 7, 2021

I hope you read Attorney Spector-Morgan's October 6, 2021 letter with a critical eye.

She says that the notes she took during the Settlement discussions indicate that the plan was to pull the buildings out of the buffer entirely, but that parking and roadways would remain in the buffer.

My question is: How can Attorney Spector-Morgan say she approved a settlement plan that violates our zoning and would require a variance? (See letters from Robin Mower and myself dated June 14, 2021 detailing that parking is not permitted in the 75-foot wetlands upland buffer strip, according to our zoning ordinance.)

To that point, the following is extracted from DCAT-recorded Planning Board conversations included with that letter.

Town Planner Michael Behrendt: Well, actually, this, what I'm, the proposed addition is not a change in policy, but really just clarifying. I added driveways, because we allow driveways cause they're considered access ways, but I wanted it to be clear. And in parentheses is the same thing. If you have a driveway for a single family, well, you park there, but it's really just a driveway, so we would allow that. But parking areas for commercial are not allowed. So, there's no change in the blue [added language], it's just clarification of how it's administered. If you think parking should be allowed by conditional use, we should talk about that. That would be a policy change—parking for commercial.

Parking in the buffer would require a variance under our zoning ordinance in the version that applies to the Mill Plaza as well as subsequent versions. So did Attorney Spector-Morgan miss that—or is she endorsing a settlement agreement that violates our zoning?