

## Planning

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**From:** David Doneski <DDoneski@k-plaw.com>  
**Sent:** Wednesday, April 10, 2024 4:53 PM  
**To:** Planning  
**Cc:** Town Administrator  
**Subject:** FW: Town Counsel feedback requested on one additional Whately zoning bylaw amendment  
**Attachments:** Clarifying AR2 Dimensional Requirements 2024-04-24 r2.docx

Brant,

I have reviewed the proposed amendment to the Table of Dimensional Requirements, and have made one recommended form revision and added warrant article 'bookend' language, shown on the attached copy. I also offer the following:

The footnote for minimum lot area speaks to when a lot has "Lot Frontage" in Ag/Res 1. In my view, this wording would include a situation in which only some of the frontage is in Ag/Res 1. Is that the Planning Board's intention? If the intent is to require that all frontage be in Ag/Res 1, the first clause should be revised to: "Where all of the Lot Frontage is in Agricultural/Residential 1 . . ."

The footnote for frontage uses the phrase "Where the Lot Frontage is in Agricultural/Residential 1." (emphasis supplied) With the words "the Lot Frontage," I interpret this phrase as meaning all of the frontage. Has there been any consideration of a situation in which only a portion of the frontage is in Ag/Res 1? Again, if the intent is to make a rule only for instances in which all of the frontage is in Ag/Res 1 the initial phrase can be modified to read: "Where all of the Lot Frontage is in Agricultural/Residential 1, . . ."

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**From:** Planning <planningboard@whately.org>  
**Sent:** Saturday, April 6, 2024 5:00 PM  
**To:** David Doneski <DDoneski@k-plaw.com>  
**Cc:** Town Administrator <townadmin@whately.org>  
**Subject:** Town Counsel feedback requested on one additional Whately zoning bylaw amendment

David,

I apologize in advance for forwarding another request for review of a proposed bylaw change. I think this should be the last one for this year's cycle.

Attached is a one-page summary of the proposed change. We are holding a public hearing on this amendment on Wednesday, April 24<sup>th</sup> at 5:15 PM. It would be timely if we could obtain any feedback you may have no later than that date.

Thank you,  
/Brant

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Brant Cheikes (Chair)  
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