

**The Citizens Coalition** recognizes and appreciates that the town government controls zoning for each and every parcel of land within the town limits. Zoning is important to every land owner, because it determines what can be done with the land, or, his/hers neighbor's land. Property owners therefore depend on the town government to maintain adequate records and apply uniform enforcement - to protect their zoning rights. Loss of these rights, or confusion about zoning designation, can result in economic damage to the property owner.

**Currently**, a property owner who inquires of the town about the correct zoning for their lot may be surprised at the town's response. There is a problem with consistency in determination of existing zoning. The determination of existing zoning is effectively left to the opinion of the individual acting as the zoning official. This opinion is often given without reasonable basis.

For example, the town zoning official recently determined that a parcel on Plymouth Avenue was zoned Suburban Ranch (residential). This was done even though it was clearly shown to be in C2 zoning on all maps, and surrounded by other commercial property. It took two weeks and two letters of appeal to the town manager to get a correct determination of C2. This was in spite of the fact that the owner, before purchasing the property, verified with the town, four years ago, that the zoning was C2.

Also, a parcel shown even now on all zoning maps as "C2" on Church Lane was ruled to be residential by the same zoning official. Justification given was that "there is an error on the zoning map made by The Holt Group". That owner tried to sell the property at that time without success. Correct zoning might have made a difference.

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**As to the recordkeeping** now performed by the town:

**First**, there is posted in the building department, a 2002 map, right over there in that office, which displays the apparent zoning for any real estate parcel. That map is not considered by the town zoning official to be entirely accurate. There are many handwritten notations on it. It is remarkably informal for an official resource.

**Second**, there is also a file folder apparently kept for each parcel which may contain information affecting the zoning for that parcel. The files contain documentation about the history for that land. That file may be openly accessible to a number of staff, and is subject to error in spite of best efforts.

**Third**, there is a 2003 "Existing Zoning" map published by the town which is not considered by the town government to be authoritative, because it contains errors made by The Holt Group, according to the town zoning official. These errors are not known to be itemized or recorded anywhere, but seem to be known only to the town zoning official.

**Fourth**, there is a 2003 "Land Use Map" which differs greatly from the "Existing Zoning" map. Its purpose is to demonstrate the town's announced intentions about future zoning.

**So**, you ask about your own parcel's zoning. Using the potentially faulty resources just mentioned, the zoning official may give you a response that you did not expect. His answer is an opinion. The zoning official recalls from memory and gives interpretation of those undocumented "errors" in our zoning resources. This method seems arbitrary and should be examined.

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**The coalition requests** that the town government take an interest in bringing transparency and fairness to our zoning authority, by making these suggestions....

Perhaps the zoning map or **maps might be placed in a more publicly accessible location**. Perhaps the town should itemize and make known the errors which may exist on these maps, if any. We further request that any needed corrections be made in a controlled and fully disclosed manner.

The zoning for a parcel should not require a "research project" to simply answer a zoning inquiry. There is a need to bring together and synchronize the multiple zoning information resources.

So, the coalition requests that the **town government make an official and written zoning determination for each** parcel within the town limits. Then this simple statement could be transmitted to each property owner and a copy placed in each of the town's files. A period of time should be allowed for each owner to review their zoning, and respond if they wish.

Zoning is important. It is too important to rest all zoning authority on the opinion of one individual. These suggested constructive steps would require some extra activity by town staff, but would result in a zoning authority that we can be pleased with. Thank you.