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2019 SEP 11 PM 1:37

TOWN OF WESTMINSTER

**Minor Amendments to the Village Center Bylaw**

**Amendment #1:** Clarifying the Applicability Section.

**Article ##:** To see if the Town will vote to amend Item B (Applicability) of Section 205-39 (Village Center Regulations) to make clear that only those lots wholly located within the Village Center can utilize the Village Center Regulations.

**205.39 – Village Center District Regulations**

**B. Applicability and Severability**

The regulations within this section shall apply to those lots located completely ~~whole or part~~ within the Village Center Zoning District as of the date of the Village Center Bylaw's adoption at Town Meeting (May 7, 2016). The regulations established herein shall be considered controlling wherein they should be found in conflict with other sections of this bylaw. The invalidity of any section or provision of this bylaw, or its application to any development proposal, shall not invalidate any other section, provision or application of this bylaw.

**Planner's Note:** Over the summer, the Planning Board received a couple plans showing "creative" interpretations of the Village Center Bylaw that highlighted a problem with the Applicability section. The problem created by the "whole or part" language is that people owning property just *outside* of the VC district were combining these properties with properties located *within* the VC district, and then arguing that the VC dimensional regulations were applicable to the entire combined parcel, thus expanding the VC district outside of its current boundaries. This was never the Planning Board's intention and, working with Town Counsel, we believe the above amendment will settle the matter.

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