

**PLANNING BOARD MEETING  
MARCH 26, 2024**

**ZB APPLICATION #224-09  
Zoning Board Text Change  
Non-Conforming Uses**

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**PUBLIC COMMENTS  
OPPOSED**

*Shelley A. Michelson*

Dear Chairperson Dell and Esteemed Members of the Planning Board

I request that you give a **negative recommendation** to Application 224-10 relating to non-conforming uses for the following reasons:

- No reduction of parking or usable open space should be permitted, even by Special Permit in the conversion of non-residential buildings to residential use.
- Residential use shall not be considered less intensive and more restrictive than commercial or industrial uses since it is 24/7.
- Unenclosed areas under an existing permanent roof should not be converted to FAR if the structure already exceeds the FAR.
- No allowance for exceeding Permitted Density shall occur.
- No non-conforming use can be substituted for another non-conforming use, regardless of whether the new use makes the building or structure less non-conforming.
- Residential conversions should be required to meet the Light and Air requirements and usable open space shall refer to actual outdoor open space excluding balconies, rooftops or indoor amenity spaces.

Thank you for your kind consideration,  
Shelley Michelson