



OFFICE OF THE
PLANNING BOARD
TOWN HALL, 10 CENTRAL STREET, MANCHESTER-BY-THE-SEA, MA 01944-1399

Minutes of Planning Board Meeting
February 24, 2020 – Town Hall

Present: Chairman Mastrogiacomo, Members Coons, Delisio, Fish, Foley, Olney Russell

Chairman Mastrogiacomo called the meeting to order at 7:00 p.m.

Acknowledge receipt of correspondence – letter from 305 Summer Street abutters dated January 30, 2020

Mr. Mastrogiacomo acknowledged receipt of a letter from abutters of 305 Summer Street.

Mr. Mastrogiacomo acknowledged receipt of a letter from abutters of 10 Old Wenham Way.

Private Citizens housing zoning study group presentation to the Planning Board about their consensus for an accessible dwelling unit bylaw, Gary Gilbert.

Mr. Gary Gilbert appeared before the Planning Board to discuss the Housing Study Zoning Group that has been meeting independently. Accompanying him were a group of 8 citizens and Ms. Erika Brown of the Cricket.

Mr. Gilbert submitted a memorandum of current elements and current options. The group focused on accessory dwelling units which would preserve the look of the Town and create apartments at the same time. The focus was on empty nesters and young people.

Mr. John Feuerbach of the Affordable Housing Trust said the proposal would create options for lower cost units.

Mr. Jim Brown, Realtor, said there is a terrible shortage of housing. This is an excellent opportunity.

Mr. George Davis said the proposal may provide a means for someone who wants to stay in his/her house.

Mr. Gilbert said regarding adding infrastructure the owner would have to go to the Building Inspector and the Board of Health. He said that most of the units would be small apartments in existing buildings. They would not be two-family houses as a two-family could be converted to condominium ownership and these would not be condo'd.

Mr. Russell said he is very supportive. He would make it clear that these units are intended to be within existing homes and not new accessory structures.

Mr. Gilbert said the next step is to send follow up questions to him or to Town Planner Brown. He will not bring the bylaw in as a citizen petition.

Ms. Brown said this proposal typically would not increase the number of affordable units, and for every ten units that are created, one additional unit of Affordable Housing would be required.

Jim Brown said there is a high demand for affordable apartments. His family's apartments go from \$1,000 to \$1,700.

Review outstanding questions on the Recodification Draft

Mr. Mastrogiacomo said four members met with Mr. Bobrowski last week. The next Recodification meetings will be March 3 and March 24. Mr. Russell will not be available on March 24.

Ms. Brown said 6.3, 6.4, 6.5 and 8 through 10 are all coming up on March 3.

Mr. Mastrogiacomo said to send all comments to the secretary who will put them together and send to the Board all at once after a certain time.

Approval of Recodification Meeting Minutes of Feb 13 2020

Upon motion made by Mr. Olney and seconded by Mr. Coons, it was VOTED to approve the Recodification Meeting Minutes of February 13, 2020.

Discussion of Driveway/Curb Cuts Application Procedures and Enforcement, Foley

Discussion of Grants/Studies, Foley

Mr. Olney said the Board needs to establish standards of what is an acceptable driveway.

Members discussed the regulation against backing out and whether it is necessary. No action was taken.

Mrs. Foley said rather than reduce the standards we should increase them.

Town Administrator Federspiel is aware of the Planning Board concerns regarding enforcement.

Mrs. Foley said for the record that driveway curb cut procedures and enforcement are on the agenda over and over and no action has been taken to ensure proper procedures and requirements are in place, and ensure that inspections are being done once driveway/curb cuts have been installed. She thinks we are doing a disservice to the citizens when we don't, as a Town, enforce Bylaws that are on the books.

As a Planning Board, driveway/curb cut Bylaws fall under us. If we know that there are no inspections happening to enforce these Bylaws once we have approved an application, just as

there are inspections for other zoning Bylaws, then we should speak up and right this wrong. To date, the Board has not done this.

Mr. Russell said he does not support the current regulations. There may be no enforcement but he sees no evidence that enforcement is necessary. The Planning Board cannot stop people from parking wherever they want to. The Planning Board does not regulate behavior.

Mr. Mastrogiacomo said we approve to the specifications that we can. It has been brought up to Mr. Federspiel and it is up to them to enforce.

Mr. John Carlson of 9 Walker Road said people are not aware of the public right of way. The owner of 10 Old Wenham Way dug up the Town right of way from his property line to the pavement of Walker Road. The right of way is Town property. He recommended that the Board be clear with applicants that the right of way is Town owned property.

Grants and Studies

Mr. Russell said he has the software to produce maps onto pdfs.

Mrs. Brown submitted a memo regarding Planning Maps.

Mr. Mastrogiacomo instructed Board members to look through the memo and tell Ms. Brown what they want on the map.

Mrs. Foley wants one big map that shows studies that are being done. She wants simple maps that show water and land.

Ms. Brown will make the map(s). The Board should tell her what they want on the map. Ms. Brown will get a map made showing zoning districts, water, conservation areas, town-owned parcels, housing authority sites, public parking when we have a parking study and areas that we are studying with or without grants.

Administrative

Mr. Mastrogiacomo said that regarding application checklists, the onus is on the applicant to certify that the application is complete and has met the requirements; they are not a review for the standards or the quality.

Mr. Russell said an application can be extended as long as the Board is acting on the application in good faith.

Old Business

At an earlier meeting, the Board voted on a letter to the BoS. Mr. Mastrogiacomo will edit the letter and send it.

Ms. Brown will remind Mr. Federspiel about providing the Planning Board with periodic memos.

The Board discussed a Planning Board process guide for Board and Public. They discussed folder of legal decisions and will ask to put on Dropbox or similar.

The Board discussed periodic meetings of Planning Board with the Board of Selectmen.

Ms. Brown said the Master Plan format is almost done.

Mr. Coons asked the question per the letter from the abutters: “What is considered a ‘Commercial Business’?” He said he disagrees with the language of raucous and boozy weddings. He stated that Shelving Rock Trust tenants have events on average six times in a year, during their rental period. It is not the overwhelming position of those in the neighborhood that SRT tenants not be allowed to have weddings and parties. SRT has not pursued to change the rules through a Special Use.

Set dates for April and May PB meetings

The Board set meeting dates as follows:

March 9

March 23

April 13

April 27

May 11

No Meeting May 25 Memorial Day

June 1 emergency only

June 8

June 22

Minutes

Upon motion made by Mr. Coons and seconded by Ms. Fish, it was VOTED to approve the minutes of January 27, 2020 as amended.

Upon motion made by Mr. Coons and seconded by Mrs. Foley, it was VOTED to approve the minutes of February 10, 2020 as amended.

There being no further business to come before the Board, and upon motion made by Mr. Mastrogiacomo and seconded by Mr. Russell, it was VOTED to adjourn. Adjourned at 9:20 p.m.

Submitted, Approved by the Board on March 9, 2020

Helene Shaw-Kwasie Mary Foley
Secretary Clerk

N.B. These minutes are not verbatim. They are the secretary’s interpretation of what took place at the meeting.

Documents used at the meeting: Minutes January 27, 2020, February 10, 2020; Gary Gilbert Memorandum