



OFFICE OF THE  
PLANNING BOARD

TOWN HALL, 10 CENTRAL STREET, MANCHESTER-BY-THE-SEA, MA 01944-1399

Minutes of Planning Board Meeting  
March 9, 2020 – Town Hall

Present: Chairman Ron Mastrogiacomo, Members Christine Delisio, Andrea Fish, Mary Foley, Gary Russell

Absent: Members Loren Coons, Christopher Olney

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

Acknowledge receipt of correspondence and discussion – letter from Lorraine Iovanni dated January 20, 2020 regarding zoning changes

Chairman Mastrogiacomo acknowledged receipt of an email dated February 20, 2020 from Lorraine Iovanni of 20A Pine Street and read the email into the record. A copy of the email is available in the Planning Board files.

Mr. Mastrogiacomo said the Board would keep Ms. Iovanni’s suggestions in mind when they look at the relevant Recodification Sections. He said that during the process there will be workshops for the public.

Alpers Land – Discussion of potential use, acquisition, and Planning Board Report

Town Planner Brown submitted copies of a Report to Town Meeting she had prepared regarding Warrant Article #14, the Town’s purchase of the “Alpers Land”, which is proposed to be purchased by CPC funds. Ms. Brown said the question is whether Conservation is the appropriate use for that parcel. She said the land was offered to the Town for \$60,000. It has conservation and recreational value and a lot of development restrictions.

Town Administrator Greg Federspiel, who was in attendance at the meeting, said that if the Planning Board and Finance Committees do not back an article, the decision becomes up to the voters at Town Meeting. He said that State statute requires the Planning Board to provide a report to the voters on land acquisition. An up or down recommendation is helpful. He said an appraisal was done and the Town is required to pay no more than fair market value. The appraisal came in at \$60,000 if the land is not developable and at \$500,000 if the land is found to be developable. He said preservation of land in this area of Town is consistent with one of the goals of the Master Plan. He said that if the Town purchases the land with CPA Funds it will be

under the care and control of the Conservation Commission and a third party that would hold the required Conservation Restriction. He said there is potential for parking at the upper end of Crooked Lane, and Brookwood School is open to discussing providing spaces on their property.

Responding to Mr. Mastrogiacomo who asked if it is the Planning Board's decision regarding cost or use, Mr. Federspiel said that the Finance Committee will have a final recommendation when it meets on March 10.

Ms. Brown said the owners, Alpers Charitable Trust, have declined to donate the land. They came to the Town a number of years ago to try to develop the land. At that time, she asked them if they would consider donating the land.

Ms. Brown said this purchase will be paid for by CPA Funds already approved for Open Space Protection. These CPA funds can only be used for Open Space purposes. She distributed a map of the Western Woods showing the location of the land.

During discussion, members said they would like to hear from the Finance Committee; remove dollars from the Report, and have a presentation at Town Meeting.

Regarding why the Board did not learn about this earlier, Mr. Federspiel said the warrant language does not come together until the end of February. He said there have been meetings of representatives of all Boards about this matter since November. Ms. Brown said it has been in the Planner Reports which she prepares for the Board monthly. She said there was a full report created over a year ago about the conservation values and development constraints.

Upon motion made by Mrs. Foley and seconded by Mrs. Delisio, it was VOTED by a vote of three in favor, Mmes. Foley, Delisio and Fish, and two in opposition, Messrs. Mastrogiacomo and Russell, to hold off on the Planning Board's recommendation on Article 14, purchase of land known as Christian Hill in Western Woods, until the Board hears back from the Finance Committee.

#### Recodification discussion as a result of March 3 Meeting

Mrs. Foley will make a folder of Recodification documents.

Members discussed the chart entitled Comparison of Zoning By-laws Section 6.7, 6.8 and 6.13..

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

Members and Mr. Federspiel discussed the enforcement of Driveway/Curb Cut permits. Mr. Federspiel offered to take the enforcement up with the Selectmen. He said that if someone does not build the curb cut the way the Planning Board approves it, then they would have to correct it to what was approved.

He said that Planning Board decisions are official and enforceable and if that has not been done in the past then that has to be corrected.

Ms. Brown said the Building Inspector looks at a driveway when it is part of a building permit. When he gets a plan he inspects the driveway as part of that plan.

Discussion of Grants/Studies, Foley

Mrs. Foley wants a spread sheet of Land Use Studies.

Town Planner Report

Town Planner Brown submitted the Planner Report which discussed the Master Plan, Housing opportunities with AHT, Downtown Parking study, Open Space Plan update, 40-R and the Alpers property.

Responding to why the Planning Board needs the MAPC for 40R, Ms. Brown responded that MAPC would do the visioning process, boundaries, and write the regulations. MAPC has asked the Town to find funding from other sources as well. Ms. Brown said the next step is for the Planning Board to start the process. The folks at the MAPC are willing to be part of that discussion.

Regarding budgets, Mr. Federspiel said there is \$25,000 in the capital budget for zoning related matters. That does not preclude modifying budgets on Town Meeting floor.

Mr. Russell said the Planning Board does not have the capacity to do the 40-R themselves and need help from MAPC. MAPC becomes technical consultant and administrative developer. He said the Board needs visioning workshops, community input. The 40R District will be a new overlay district. The exiting LCD Zoning will stay in place for any developer that chooses to develop under that existing bylaw.

Ms. Brown said the MAPC will write the by-law based on the state legislation.

CPC Report

Mr. Mastrogiacomo reported that at the CPC meeting in February the Housing Production Plan was added for \$8,500. Also, the Committee addressed the handicap entrance to Seaside I which needs to be upgraded.

Master Plan Update

Ms. Brown noted that she had received draft Maps today.

New Business

Mr. Mastrogiacomo noted that the Planning Board would like two meetings per year with the Board of Selectmen.

Mr. Mastrogiacomo thanked Mr. Federspiel for his update.

Minutes:

Upon motion made by Mr. Russell and seconded by Ms. Fish, it was VOTD to approve the minutes of January 27, 2020.

Upon motion made by Mr. Russell and seconded by Ms. Fish, it was VOTD to approve the minutes of February 10, 2020.

Correspondence

Ms. Brown reported that she had received a notice from the Town of Essex regarding a public hearing on March 18 regarding zoning change.

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 May 11, 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; Town Planner Report; Comparison of Zoning By-laws Section 6.7, 6.8 and 6.13; Letter from resident Lorraine Iovanni.