



MANCHESTER-BY-THE-SEA

PLANNING BOARD • TOWN HALL
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MINUTES OF THE PLANNING BOARD

March 14, 2022 6:30p.m. Virtual Meeting

Join Zoom Meeting,

MEMBERS PRESENT: Ron Mastrogiacomo, Chair, Sarah Creighton, Mary Foley, Chris Olney, Christine Delisio, Gary Gilbert, Laura Tenny

MEMBERS NOT PRESENT:

STAFF PRESENT: Town Planner, Sue Brown and Planning Board Clerk, Sharon George

GUESTS: David Koeplin, Stephen Cummings

The Chair called the meeting to order 6:32p.m. Mr. Mastrogiacomo asked all members of the Board and public to please request to speak through the Chair.

Public Comment:

Sandy Rogers asked why we are holding a public hearing after the vote. Ms. Rogers said this is being rushed forward for a particular development.

Becky Jaques, BOS member said a lot of the public doesn't understand how the procedure takes place. The Board has the weight of the decision on zoning changes.

Correspondence:

1. Town of Wenham, Planning Board: Legal Notice of Public Hearing 3/10 and Public Hearing Notice of Mobile Food Truck, Overlay District
2. Town of Essex – 3 Public Hearing Legal Notices for 3/10/22

ANR 6 Greenbrier Road

David Koeplin explained this piece of property parcel 1A is part of 114 Pleasant Road. This piece of land is 39,170 square feet. He said he owns parcel A and would like to make the other parcel part of his land. He bought 114-116 Pleasant Street for this purpose.

Board Comments:

Ms. Foley asked for clarification of land ownership. Mr. Koeplin said that the house at 114 Pleasant St. is owned by him.

Mr. Olney asked if both properties will be conforming with the zoning bylaws if ANR is endorsed. Mr. Koeplin said they would.

Ms. Creighton confirmed that Parcel A is not a buildable lot and is to be combined with 1A. and it will be joined by a deed. Mr. Koeplin said yes. Ms. Creighton confirmed the zoning districts B and D are noted.

Ms. Delisio asked about impervious surface lot coverage.

Discussion continued about the result the change in lot size will have on impervious surface coverage. Ms. Foley asked if the Board could get an impervious surface calculation from Hancock Associates on what land is left at 114 Pleasant Street.

Mr. Olney said there is a different part of zoning that sets limits to impervious surface coverage. The Board would like to have the engineers show what percentage of the lot is impervious surfaces.

Ms. Delisio said since this is in the water protection overlay district, care should be taken to assure impervious cover limits are not exceeded.

MOTION: It was moved and seconded, to continue the ANR for 6 Greenbrier Road to the meeting of March 28th and require Hancock Associates to provide the percentages of impervious surface for each lot.

9 Harold Street Curb Cut, represented by Remko Breuker

Mr. Breuker stated the applicant is putting on a new addition. Right now, they must back up into the street. He said they would like to put in 2 curb cuts 16 feet wide. There is also a 3-point turnaround space in the driveway.

Ms. Mastrogiacomo stated he had the DPW look at the site. The DPW thought the addition of the second curb cut should make conditions safer but would suggest a smaller curb cut. Mr. Breuker stated the new driveway will be much safer. The project also intends to change the drainage. He said on the plan there are small arrows showing the direction of drainage.

Board Comments

Mr. Olney asked if one curb cut could be used. Mr. Breuker stated he would like to maintain the first curb cut and noted they could change the plan to 12 feet curb cuts.

Ms. Creighton asked if any trees are being removed. Mr. Breuker said there is one tree and there is no existing sidewalk.

Ms. Tenny opined that two curb cuts are unnecessary. She said 16 feet is too big and 12 feet is better but still too much. Mr. Breuker stated there is an odd configuration to the property. He said to him it seems like a good plan. Ms. Tenny said she does not see the need for two. There is a lot of asphalt around the house.

Mr. Mastrogiacomo said the Board would like to do a site visit.

It was moved and seconded by Roll Call vote to continue 9 Harold Street to the meeting of March 28, 2022.

Public Hearing of February 28, 2022 – due to technical difficulties the public hearing will be closed.

It was moved and seconded by Roll Call voted to open the Public Hearing of February 28, 2022.

It was moved and seconded by Roll Call vote to close the Public Hearing of February 28, 2022.

Cornerstone Church

Mr. Drake stated they are satisfied with not to have a left hand turn from School St. Carlton Quinn, Engineer, said Ms. Tenny wanted to see more screening from the historical house.

Ms. Tenny said thank you.

Chief Cleary asked about pavement around the site for fire trucks. Ms. Quinn stated it is pavement. Mr. Quinn said this lane will be exit only. Fire Cleary asked about width. Mr. Quinn said they will not narrow the lane.

Police Chief had nothing further.

Ms. Delisio asked about turning radius in the lot? Fire Chief stated the ladder truck would not be the first truck.

Ms. Creighton asked if we are hearing from Mr. Hebert.

Gary Hebert, Traffic Engineer said that his biggest concern was left turns being made from School St. He said this new situation would create problems. He said changing the access to one way out would be better.

Ms. Creighton asked about exiting the site heading toward town. Mr. Hebert said that a round-about would be best, but that won't happen for many years. He said people usually arrive within 15 minutes of the service. Ms. Creighton asked about Mill St. Mr. Hebert said people can see going both ways and the traffic is not as busy.

Ms. Tenny asked about bicycle traffic and if there was adequate safety. Mr. Hebert said a 5-foot bike lane would be good. Mr. Hebert said it is safe because you are dealing with no left turns.

Ms. Olney asked about signs. Mr. Hebert said he had not thought a lot about signs. He said cautionary signs to let folks know some changes are being made could be helpful.

Public Comment:

Sandy Rogers, 82 Old Essex Rd, asked about the left turn and if the town has recourse or if once it is approved is it a done deal. Ms. Creighton said if there is a safety issue identified later, it could be dealt with.

Mr. Mastrogiacomo asked if the Board feels they are ready to move forward with the revised plans. Ms. Tenny said she would like to see the sign plan. She said the applicant said they would place safe lighting.

Mr. Olney agrees.

Mr. Quinn asked about if the signage could be a condition. Ms. Tenny said Mr. Hebert could look at it.

It was moved and seconded by Roll Call vote unanimously to continue Cornerstone Church until 4/11/22.

Downtown Parking Study

Sue Brown introduced the presentation to look at parking for businesses, employees and residential uses in the downtown.

Adi Nochur, MACP said he has a very short presentation. He said the Town will fund \$20,000 and the MAPC will fund \$10,000. MAPC is a regional planning unit. Ms. Nochur said MAPC deals with all sorts of planning. Adi noted he is a senior transportation Planner at MAPC and that MAPC has worked with Manchester with a number of projects

Mr. Nochur said the study will address parking issues downtown as outlined in the scope already shared. The study will provide information on parking capacity, occupancy and duration, to get a better understanding of existing usage patterns downtown. The Town will be able to use information to help inform how the Town how it may address the MBTA community's zoning requirement. He shared the extent of the study that included on street parking and downtown parking lots. Adi will come out to view and document existing conditions, review parking restrictions and identify other considerations. In April MAPC will train volunteers. He said the data collection will be two days in May through August and will include a weekend. In October MAPC will present the data to the Board, Downtown Improvement Committee, the Bike and Pedestrian Committee and others.

Ms. Brown invited Chief Fitzgerald, Cheryl Marshall and DPW to be part of the project because they are heavily invested and will bring a lot of information to the study

Ms. Creighton said she feels this will be helpful. She said she is confused about timing.

1. The funding will not be voted until FY23. How does the study begin before the funding is approved
2. Volunteers, how can the Board contribute, given its heavy workload
3. Several working workshops would be helpful
4. 8:00a.m. – 12:00p.m. only for the summer count is not long enough, it should be the full day
5. The scope of the work, where do land use regulations fit into study.
6. Parking in this area includes parking behind town hall. The study must include anecdotal information pre-covid use.

Ms. Brown stated the MAPC would use their funds first to do the pre-summer work and administratively break it into phases.

Ms. Foley has questions:

1. MAPC gets over significant funding a year from UP/WP which notes the outcome of studies need to meet MPO goals and this study needs to be unique to Manchester
2. Need to review prior study and analyze current and future parking demands.
3. How can parking be an economic development tool for Manchester
4. Long-term, short-term parking and spreading out parking – how does downtown parking impact neighborhood parking.

Mr. Nochur said he absolutely wants to have workshops as Sarah said. He said if 8-12 is not a good time for the summer parking count that can be adjusted. He said we can consider and note the covid influence.

He acknowledged Mary's comment of uniqueness of parking in Manchester. He said he is aware of the Ad Hoc committee and has the report.

Ms. Olney complimented the scope of the study. MBTA parking should be reconsidered as it is unclear as to how much more commuting will go into Boston.

Ms. Tenny asked about meter parking. She stressed the need for resiliency and sustainability. She wants to focus on efficiency and minimize the need for increasing parking. She would like to see bike parking. Rockport does shuttle bus parking.

Mr. Nochur said it is certainly fair game. We will look to the Board as well as the Downtown Improvement and Bike Ped Committees for guidance on the type of recommendations that would work. He said to also think of satellite parking, metered parking, shared parking and other recommendations.

Mr. Mastrogiacomo asked if the study area includes or extends outside the ½ mile radius of the 40A project. Ms. Brown noted it includes some but not all of the ½ mile radius.

Ms. Delisio has two questions:

1. Define capacity as to how many cars we have.
2. There appears to be more density on the so called "heater" – Pine, Pleasant, School and Central loop. Can this be included in scope?
3. The equity goal – is it a condition of the agreement?

Mr. Nochur said he will be doing a site visit and looking at where is the current parking capacity and where are people parking. Parking on residential streets is a concern. The equity goal is not a condition.

Ms. Brown asked if the Town Staff, Downtown Improvement or Bike Ped Committee had any questions.

Carley Cook of the Downtown Improvement said that she has concerns. She wants the project to be a grass roots effort.

Ms. Brown said this study is not in response to any new regulations. Ms. Cook said she thinks everyone's input: single-family multifamily, and commercial is important. She said there are a lot of units downtown that don't have parking and if the number of units continue to grow we need to assure there is parking.

Ms. Brown stated there is no anticipation to exclude anyone.

Mr. Nochur said the data collection should be a grassroots effort. We want to do this in a way that meets the Town's needs. He said with concern to the MBTA zoning compliance, it is important context we should be thinking of, and ultimately it is up to the Town, its Boards and Committees to decide on implementation.

Ms. Cook asked if we are going to deal with the existing needs: merchants and residents without parking. Ms. Brown noted the focus is to understand and deal with current needs.

Sandy Rogers asked about the geographic area of the study to add additional areas.

Ms. Foley asked if the Town should remove scope associated with MBTA communities and look at more imminent needs. Ms. Brown said there is nothing specific for the MBTA zoning in this study. We have not decided where the MBTA district might be.

Ms. Cook said she is in favor of the parking study. She wants to cover all the basis.

Ms. Tenny said she does think the Masconomo lot is a significant lot. She agrees with Ms. Foley that the study must focus on local needs, even as it considers regional needs. She continued that we don't want to make things cars first people second.

Ms. Creighton asked what if the town meeting doesn't vote the funding. Ms. Brown said she feels this will go through however if it is voted down, she will try to find other funding. Ms. Creighton said she is concerned about the use of a contract before funding is voted.

Dana Vermilye, Bike and Pedestrian Committee said there should be ways of biking and walking that are so good for the individual but also the environment.

Ms. Brown said that this will be done in phases. She also has some funding in her professional services to use. She wants to thank Adi Nochur and the Downtown Improvement and Bike and Pedestrian Committee as well as town staff for their engagement.

Update on Zoning Changes:

Ms. Creighton said the public hearing will be on March 28th for proposed changes to the LCD. She confirmed that on January 31st the Board voted on the LCD changes including a delineation of the height requirements of commercial and residential uses, separating out the height regulations in the LCD as opposed to the General District. The Board would like to move this

language forward to the warrant. Requirements that could be modified by special permit include the setbacks including the 128 setback. This should be moved forward to the public.

Mr. Wilson said the language should be “to see if the town will vote to amend”.

Mr. Olney stressed that this zoning amendment doesn’t approve any development. He said all the changes are doing is allowing the possibility of a project and not any kind of guarantee.

Ms. Foley said since we are not talking about this in context of any proposal, she would like the Board to have a site visit of the LCD, she would like input from abutters and the Water Resource Protection Task Force, and the Conservation Commission. She would also like to understand how the Overlay District being considered interfaces with these proposed changes.

Ms. Creighton said that a site visit is a good idea. She showed a map of the land east of School St. indicating where the disturbed land is. The warrant closes on Friday. The Board has an opportunity to respond to the Cell Signaling project.

Ms. Tenny asked if the Board might soften the language regarding setbacks noting the Board’s ability to to relax the requirements if the Board feels it beneficial.

The Board discussed whether there is a requirement for abutter notifications regarding zoning changes.

Mr. Wilson said there is an opportunity on Town Meeting floor to make changes to the language. The Board is not bound by the exact language of the warrant as long as the moderator determines the change is within the scope of the warrant.

Ms. Creighton stated the scope of this has always been east of School St. She sent everyone the input from Town Counsel which indicated they preferred it be the entire district. They did not comment on whether there is detriment to limiting the changes to east of School St.

Ms. Delisio is concerned about expanding regulations to the entire LCD. She does not favor including land east of School Street.

Ms. Tenny offered more descriptive language for allowance of reduced setbacks.

Mr. Wilson said it is easier to begin with a more expanded scope (full LCD) and reduce it at on town meeting floor. He further opined it would be problematic to look to remove allowed uses west of Pine Street as it hasn’t been noticed. Ms. Creighton confirmed that changes to the area west of Pine St is not in the legal notice.

MOTION: It has been moved and seconded and voted by Roll Call six in favor and one abstaining (Delisio absent for vote) to approve the language offered in the LCD changes document dated Jan 31 and amended March 14 be approved and to allow administrative changes as needed.

Mr. Mastrogiacomo clarified that Town Meeting will be on 6/11 at 1:00pm with a rain date of 6/14 at 6:00pm.

Ms. Creighton said she would like to do two nights of public hearings on April 11 and 12. She requested input from the Board on how to structure the public hearings.

Ms. Foley said she still has questions regarding changes in the LCD. She asked the Board to request input from MECT, Conservation Commission and the Water Resource Protection task Force. Ms. George indicated she has reached out to Conservation Commission several times and has not heard back. Ms. Creighton suggested inviting these entities to the public hearing. Ms. Creighton said she encourages everyone to visit the LCD area . She mentioned a workshop on 3/21.

Mr. Mastrogiacomo said we should get information on zoning changes out to the public, including something in the Cricket and on the website.

Ms. Deliso said she would like the Board to reach out to Town Counsel for an opinion on whether the 40 acres could be an overlay district. The Board discussed the idea of an overlay district and whether this is an appropriate and legal approach.

Ms. Creighton said she sent a great deal of information to Tiffany that will be put up on the web soon. She said Chris and she would make the same presentation to the Finance Committee.

Ms. Creighton said the Board would introduce Residential Cluster and Senior Housing Regulations. She asked that the Board review the documents.

Subcommittee and Liaison Committee

Mr. Mastrogiacomo said the next Water Resource Task Force meeting would be a tour of the Lincoln Street wells and water station.

Approval of Minutes:

January 24, 2022 minutes: Page 4 The proposed LCD would allow commercial labs in the LCD.

1/24/22 It was moved and seconded and voted by Roll Call 6 in favor 1 abstain (Tenny) to approve the minutes of 1/24/as amended.

Deadline for comments to DHCD is 3/21/2022 at 6:30.

Adjournment: It was moved and seconded by Roll Call vote to adjourn the meeting.

Respectfully Submitted,

Sharon George

Amended by Sue Brown

These minutes were approved on 4/11/2022 pending amendments and approved as amended by Sue Brown on July 27, 2022.