



# MANCHESTER-BY-THE-SEA

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PLANNING BOARD • TOWN HALL  
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## MINUTES OF THE PLANNING BOARD

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April 4, 2022, 6:30p.m.

Virtual Meeting

**MEMBERS PRESENT:** Ron Mastrogiacomo, Chair, Sarah Creighton, Chris Olney, Gary Gilbert Laura Tenny and Christine Delisio Attendance taken by ROLL CALL vote.

**MEMBERS NOT PRESENT:** Mary Foley,

**BOARD OF SELECTMEN:** None

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

**GUESTS:** Attorney Mark Bobrowski

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Mr. Mastrogiacomo called the meeting to order at 6:30 and asked Sarah Creighton to lead the discussion on proposed zoning changes.

**Meeting Minutes:** Approval of meeting minutes will be moved to the next meeting.

**Discussion of Proposed Zoning Changes:**

Sarah reported that the Finance Committee voted to support the proposed LCD Zoning changes.

Documents were sent to Mr. Bobrowski for review. However, some were not received. Sue will resend.

Sarah asked that any comments on the following be sent to Mark by Wednesday 4/6/2022:

Non-Conforming Uses (existing section 6.1, proposed section 7.0)

Sections 1-4 (Authority and Purpose, Definitions, Establishments of Districts, Use Regulations

Administration (existing section 7.0, proposed section 12.0)

Regarding Section 6:

General Regulations, Sarah noted that Chris Olney has reorganized this section and added language in an effort to consolidate all site plan review and special permit performance standards in one section. Laura Tenny contributed with a number of Environmental Standards.

Mr. Bobrowski noted no substantive objectives with the changes as proposed. He offered Medford as an example for possible additional traffic standards.

The Board had a general discussion regarding whether the prohibition on “backing out” of driveways is beneficial or harmful. Points shared:

The ability to provide a turnaround is particularly constrained on small properties such as those in District D.

Removing the requirement will allow greater protection of neighborhood character.

Backing out is/is not more dangerous. Backing out of properties not on major thoroughfares is not a danger so acute that it merits forcing the expense on people of using up their land, the cost of building retaining walls or creating more impervious surface.

Requiring a turnaround contributes to the amount of impervious surfaces.

The Board was reminded that site plan review and special permits focus on non-residential (or commercial) and multi-family housing only. Mr. Bobrowski indicated that usually it is for more than 5 units. The Board agreed by consensus to remove the exemption for municipal uses from special permit review.

The Board discussed outdoor lighting standards. Laura questioned if these should apply to multi-family residential buildings as well.

Sarah asked everyone to review section 6 for numbering errors and to track any changes recommended.

#### General Bylaws

Sarah confirmed the sections the Board has agreed to move to the General Bylaws:

Stormwater

Curbcuts

Junk cars

In response to a question about what should go in the general vs zoning bylaws Mr. Bobrowski offered that Zoning Bylaws look forward and only regulate new uses, while General Bylaws look both forward and backward to regulate existing and proposed uses. Mr. Bobrowski warned against putting Special Permit language in General Bylaws. Based on this advice, the Board agreed to regulate swimming pools in the Zoning Bylaws, rather than move them to the General bylaws.

Removing these sections from the zoning bylaw require a 2/3 vote, while adding to General Bylaws requires only a majority vote.

The Board agreed to move Equipment & Material Storage and Commercial Vehicle Parking to the General Bylaws and to limit the storage of “non-retail” building and landscaping material and equipment

Sue will send a redraft of Stormwater Bylaw to Mr. Bobrowski. Mr. Bobrowski noted that Dedham may provide a good example of an up-to-date stormwater bylaw and confirmed that stormwater regulations belong in General Bylaws, rather than Zoning.

After a discussion regarding the prohibition of recreational vehicles, boats etc which is currently in section 4 , the Board agreed to recommend reducing the prohibition from any side setback to “within 5’ of side yard boundary” and to move it to the General Bylaws.

Senior Housing Bylaw:

It is appropriate to use performance standards specific to this use.

The Board voted by roll call vote to move the Senior Housing Bylaw to a Public Hearing. Vote: 5-1 (Delisio no)

There was a brief discussion regarding Senior Housing Bylaw applying to LCD with varying opinions.

Regarding Proposed ADU Bylaw Update:

Gary reported that the original ADU working group has provided a revised draft ADU Bylaw in response to a number of questions by BOS and others for the Boards consideration and vote. Items being reconsidered include:

Amnesty

Leases terms

Restriction on number of units to be developed annually

MOTION TO ADJOURN: It was moved and seconded to adjourn the meeting.

Respectfully submitted,

Sue Brown and Sarah Creighton

Minutes approved: 5/16/2022