



MANCHESTER-BY-THE-SEA

PLANNING BOARD • TOWN HALL
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Minutes of the Planning Board

Monday, January 9, 2023 6:30 p.m. Room 5, Town Hall Hybrid Meeting with Public on Zoom

<https://us06web.zoom.us/j/88656335165?pwd=bUJ4U01IUUVN0V3BUZkUyMnVEQU45QT09>

Meeting ID: 886 5633 5165 Passcode: 252615 Dial in: 1 646 558 8656 US

MEMBERS PRESENT: Ron Mastrogiacomo, Chair, Sarah Creighton, Laura Tenny, and Mary Foley

MEMBERS NOT PRESENT: Chris Olney and Christina Delisio

SELECT BOARD MEMBERS: Becky Jaques, Cathy Bilotta, Ann Harrison, Brian Sollosy, and John Round

STAFF PRESENT: Town Administrator, Greg Federspiel, Interim Town Planner, Betsy Ware, PB Administrator, Gail Hunter

Mr. Mastrogiacomo called the Planning Board meeting to order at 6:30 p.m. with four members present a quorum.

- **Acknowledge Receipt of Correspondence**
 - Town of Wenham
 - Mr. Flood
- **Public Comment** – There was no public comment this evening.

- **Joint Meeting with the Select Board -- Interview and appoint a PB Member to fill vacant position.**

Mr. Mastrogiacomo thanked Mr. Gilbert for his service as a hard-working member of the Board and proposed writing a letter on behalf of the Board to thank Mr. Gilbert more formally for his service to the Planning Board and his work on behalf of the Town. The Board had no objection to Mr. Mastrogiacomo writing a letter on behalf of the Board.

Ms. Jaques called the Select Board meeting to order. All members of the Select Board were present.

Mr. Federspiel stated that as a matter of State Law the Select Board and the Board where there is a vacancy meet jointly to interview and vote on candidates to fill the vacancy. Mr. Federspiel introduced Ms. Philbrick to the Boards. Ms. Philbrick stated she had resided in Manchester for 24 years. During her

career in public service she worked in Salem and Lawrence Courts and worked with the Justice Department in the Organized Crime Division. She left work to spend time with her children and parents.

Mr. Mastrogiacomo asked Ms. Philbrick if she was familiar with the Master Plan. She replied she is familiar with the Master Plan and finds it an impressive document. She recalled completing the resident's survey and found the survey completion a thoughtful and interesting process. Ms. Tenny asked if Ms. Philbrick's experience would help with understanding the State's Zoning By-Laws for tenant access in Towns with commuter rail service. Ms. Philbrick pointed out that would be a Civil process, but she is experienced in reading the law and understands the working of government in general.

Ms. Creighton stated that she knows Ms. Philbrick personally and recognizes her as a person of integrity and hard work.

Mr. Round, Ms. Jaques, Ms. Bilotta and Ms. Harrison all thanked Ms. Philbrick for volunteering. Ms. Jaques asked if Ms. Philbrick had any time constraints if appointed. Ms. Philbrick stated she does not.

Ms. Creighton moved to approve Ms. Philbrick's appointment to the Planning Board, Ms. Harrison seconded the motion. The Planning Board and the Select Board voted unanimously to appoint Ms. Philbrick to fill the Planning Board vacancy.

- **Public Hearing 7:00 p.m. Manchester Parks & Recreations – Parking Lot and Field Pine St.**

Mr. Mastrogiacomo opened the Public Hearing on the Parking Lot and Field on Pine Street.

Ms. Creighton moved to continue the Public Hearing to February 13, 2023 at 7:00 p.m. Mr. Mastrogiacomo seconded the motion. The motion passed unanimously.

- **Joint with the Select Board – MBTA Zoning Legislation, Chapter 40A Section 3A.**



Ware MBTA Zoning,
Ch. 40A, Sect 3A Me

Ms. Creighton moved to authorize Ms. Ware and Mr. Federspiel to complete and submit the MBTA Action Plan; Mr. Olney seconded the motion. The motion passed unanimously.

Ms. Ware stated that the Boards had received a number of documents related to MBTA Ch. 40A, Sect. 3A. She indicated that this would be a group project and a collective effort of several staff and Boards.



MBTA Zoning Timeline.pdf

January 2023

Define project requirements.

Create project plan.

Define Roles/Responsibilities.

Create a Communication Plan.

Define Action Plan, submit and submit January 31, 2023

January 2023 to February 2023

Define technical support.

Review compliance requirements-apply model.

Understand non-compliance impacts and options.

Define actions paths for both compliance and non-compliance.

Between March 2023 and June 2023 Ms. Ware working with Mr. Federspiel, Ms. Marletta the Planning Board and Select Board will conduct a series of working sessions and draft a Community Plan. The Working Team will create options for compliance and non-compliance, creating briefing packets. conduct listening sessions, engage community input, and integrate community feedback.

Ms. Ware pointed out that the Town has two documents that advocate for more diversified housing. The first is the Master Plan and the second the Housing Production Plan. She noted that with an aging population there are many residents who will begin to look to downsizing. Ms. Ware clarified that the Zoning Legislation is not about Affordable Housing, it is about diversified housing options. The State is mandating a plan but there is no requirement for production of housing in the plan.

Mr. Federspiel hopes that during the process we will take an opportunity to engage with each other in a deep conversation. The Town needs to address housing issues and the need for housing diversity. Mr. Federspiel hopes that residents will reflect and engage in the process to define what the Town will look like in the future.

Select Board Questions

Ms. Bilotta stated that she liked the timeline and suggested that someone be assigned as a point person to proactively correct misinformation. This is important especially around emotionally charged issues. Mr. Round also liked the presentation and asked about current zoning for the General District and if it was possible that current zoning meets 40A, 3A requirements. Ms. Ware indicated that she needed to review what properties meet the half-mile zoning requirement.

Ms. Harrison noted that Mr. Federspiel was careful to say allow for conversion of existing houses to three family, but zoning does not allow for multi-family houses to be built in the General District. Mr. Federspiel stated that a new multi-family house would require a Special Permit. Mr. Sollosy asked about increasing the site plan review process and was concerned about parking in the half-mile zone. Ms. Ware clarified that the MBTA concept was to have fewer cars and for residents to rely on public transportation.

Ms. Jaques stated that the State's wording of the Zoning Legislation left some wiggle room for interpretation of what may need to be built and suggested that Town Counsel could provide guidance. Mr. Federspiel indicated that K P Law represented several communities that could be impacted by the legislation, and he trusted them to ascertain the nuances of the law.

Planning Board Questions

Mr. Mastrogiacomo asked about the loss of grants and asked if that would be forever. Mr. Federspiel replied that was forever. Ms. Creighton clarified if the Town complied in 2026 could the Town be reinstated. Mr. Federspiel indicated that could happen. Ms. Creighton also stated that she believes the proposed timeline underestimates the time required to develop the Towns final response.

Ms. Foley asked who was the team? Ms. Ware referred to. Ms. Ware indicated she would be the leader of the team. Mr. Federspiel added that the team would consist of a joint task force of the Planning Board,

Select Board and other Town Boards and Committees. Ms. Foley would like the Finance Committee to be involved and to develop an impact analysis.

Ms. Tenny stated she is excited to look into the project and had three takeaways. Develop compliance and define a baseline, climate resiliency, and affordability needs to be part of the project.

Deni Hall, 20 Masconomo Street, suggested that it would be valuable to consider the cost of non-compliance. Indicating this is not a linear decision. Increasing the number of units in Town will change the character of the Town. He found it difficult to understand why there was no provision for Affordable Housing in the MBTA Zoning Legislation and suggested what has been proposed does not solve the problem.

The Planning Board discussed, reviewed, and edited the State Action Plan document.

Sarah Creighton moved to authorize Ms. Ware and Mr. Federspiel to submit the revised Action Plan on behalf of the Town, Ms. Foley seconded the motion. The motion passed unanimously with four Planning Board members present voting affirmatively.

Mr. Sollosy moved to adjourn the Select Board meeting; Mr. Round seconded the motion. The motion passed unanimously.

- **Board of Health Proposed Comments Distilled**

Ms. Creighton suggested that some of the Board's comments were unprofessional and she would like to see comments summarized and consolidated in a one or two page memo. Ms. Ware agreed to do finalize the summary into a memo.

- **Proposed Workplan for Annual Town Meeting**

- Ms. Creighton proposed a short calendar: working session on January 30 with a Public Hearing Posted on February 1 for a Public Hearing to be held on February 27.
- Administrative Changes – Article 9
- Adult Entertainment
- ADU Article 15 requires minor edits.
- Accessory Dwelling Units Article 16 and employees Section 4
- Senior Housing
- Flood Plain

- **MAPC Preliminary Traffic Study Report Discussion**

Ms. Ware indicated that MAPC planned to come back in February.



Ware Memo 1.9 PB Mtg.pdf

- **Curb Cut Regulations** – The Board passed over a discussion on curb cut regulations.

- **Liaison Reports**

Mr. Mastrogiacomo stated that CPC would be voting on the projects to bring forward at Annual Town Meeting at their next meeting.

- **Other Matters as may not have been reasonably anticipated by the Chair.**

There were no additional matters discussed by the Board this evening.

Ms. Creighton moved to adjourn the meeting; Ms. Tenny seconded the motion. The motion passed unanimously.