



# MANCHESTER-BY-THE-SEA

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PLANNING BOARD • TOWN HALL  
Manchester-by-the-Sea, Massachusetts 01944-1399  
Telephone (978) 526-6405 FAX (978) 526-2001

## Minutes of the Planning Board

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

<https://us06web.zoom.us/j/82397324163?pwd=OUdvd0JXcFdwOXF0bWxIdmdqZ1ZQZz09>

Meeting ID: 823 9732 4163 Passcode: 480456 Dial In: 646 558 8656 (New York)

**MEMBERS PRESENT:** Ron Mastrogiacomo, Chair, Sarah Creighton, Laura Tenny, Chris Olney, Susan Philbrick, Christina Delisio, and Mary Foley

**MEMBERS NOT PRESENT:**

**SELECT BOARD MEMBERS:** Becky Jaques, and Cathy Bilotta

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

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

- **Acknowledge Receipt of Correspondence** –
- **Public Comment** – There was no public comment this evening.
- **Proposed Workplan** – Warrant Articles for Annual Town Mtg. (Creighton)

Ms. Creighton stated that the Board would discuss and decide which articles to prepare and propose for the Annual Town Meeting (ATM) Warrant.

Ms. Tenny suggested that the Board discuss strategy prior to diving into a discussion on each Article. She added that the Town Moderator had requested the Board present a smaller number of Articles and to keep the time short. She hoped to decide early this evening which Articles to propose for ATM.

Mr. Olney indicated he thought it would be helpful for the Board to present less complicated Articles like Adult Entertainment which would be a simple, result in less discussion, and a quick up and down. On the other hand, Administrative Changes is more complicated, but the Board could concentrate on discussing the Article, so residents were fully informed.

Ms. Foley stated she believes the Board has not addressed the concerns that were brought up at the Special Town Meeting by residents who spoke regarding lack of clarity and understanding and that the Board had additional work to do. Mr. Olney disagreed, indicating that a few residents stated their

concerns but an overwhelming number of residents voted by a two thirds vote to pass several of the proposed Articles.

- **Administrative Changes** (Section 12) of the Zoning By-Law

Ms. Creighton is in favor moving forward with the Administrative Changes.

- **Adult Entertainment** (New Section 8.6)

The Board discussed and agreed that the By-Law is needed to protect the Town. Discussion focused on the content of the By-Law. Mr. Bobrowski had presented a shorter version while Ms. Ware presented a more comprehensive version. The Board concluded that Town Counsel should review the original proposed By-Law and recommend how the Town should proceed. MA Law can be referenced for all the specific details around limiting adult entertainment.

- **Amendments to Accessory Dwelling Unit By-Law** (Section 9.1.2.2)

Ms. Creighton would like to bring the current ADU By-Law to the Public Hearing. She stated that the By-Law and amendments are clear. The amendments include eliminating the double lot requirement and decreasing the number of parking spaces required to 3 instead of 4, which matches the number of parking spaces required for a two-family home. The lot must match the minimum lot size for the District.

Ms. Tenny stated she supported bringing this forward at ATM with the proposed amendments which help to support the character of the Town,

The Board has a lengthy conversation about ADU's and the fact that they are not tracked by the Town.

- **Add Family Dwelling Unit** to By-Law (Section 9)

Ms. Ware stated that she believed the Article needed clarification and definition of family member. Ms. Creighton agreed that the Article needed clarification. As it currently stands it is confusing and overlapping and recommended putting this Article on hold.

The Board discussed and placed the proposed Article on hold.

- **Add Senior Housing By-Law** (Section 9)

Ms. Ware stated that she does not believe the proposed Senior Housing By-Law is not ready. She noted that several things could be added to support Senior Housing indicating that it would help the By-Law to clarify and define options to develop Senior Housing.

- **Amend Floodplain By-Law** (Section 10) To provide more stringent requirements.

Ms. Ware spoke about the status of the current and proposed Floodplain By-Laws indicating that neither the current nor proposed By-Law are good enough to be approved by FEMA and State who oversee final approval of the By-Law. She indicated that she spoke to the Gloucester Planner, and he had spent two years preparing the city's Floodplain By-Law. She is happy to work with Ms. Foley on the By-Law and will work to get it prepared in the 8 months between now and the Fall Town Meeting but likely the By-Law will not be ready and fully vetted until the next ATM.

- **Amend Residential Conservation Cluster By-Law** (Section 9.2) To eliminate the minimum lot requirement and to make minor changes to the language.

The Board discussed Residential Cluster By-Law and concluded that it will be held to Fall Town Meeting 2023. Ms. Ware asked when Residential Cluster By-Law was last used. There were a few uses of the By-Law withing the past six years.

At this point in the meeting the Board realized that all Articles being positioned for Fall may not be ready or brought forward. The Board realized that slowing down and following a defined Work Plan will help the Board realize defined objectives while allowing for the possibility that not all changes will be completed as planned.

- **Amend Section 4.1.10 (f) Swimming Pools** – As an accessory use by eliminating the need for a Special Permit on pools that comply with setbacks and safety standards.

Ms. Creighton and Ms. Tenny were in favor of tabling the Swimming Pool Article. The Board discussed and placed the Swimming Pool Article on hold.

- **Other Matters, as may not have been reasonably anticipated by the Chair.** There were no additional matters to discuss this evening.

*Ms. Creighton moved to adjourn the meeting; Mr. Olney seconded the motion. The motion passed unanimously.*