



OFFICE OF THE
PLANNING BOARD

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

Minutes of Planning Board Meeting – March 22, 2021 - Virtual

Zoom Meeting

<https://zoom.us/j/93834382215?pwd=S3BMdExTTjl6QkRyVTg5Wk00Nkh5Zz09>

Meeting ID: 938 3438 2215. Passcode: 225653

Present: Chairman Ron Mastrogiacomo; Members Loren Coons, Christine Delisio, Mary Foley, Gary Gilbert, Chris Olney, Gary Russell

Staff Present: Town Planner Sue Brown

Minutes: Helene Shaw-Kwasie

Chairman Mastrogiacomo called the meeting to order at 6:30 p.m.

Acknowledge receipt of correspondence

Chairman Mastrogiacomo acknowledged receipt of an email from L. Iovanni dated February 23, 2020, an email from L. Iovanni dated March 8, 2021; a letter and plans regarding Tucks Point s dated March 3, 2021, and a Notice of a Chapter 91 application for a submarine cable.

Allow public comments on items not on the agenda with a limited time. There were none.

Housing Choice Initiative Presentation (Witten/Wilson)

Town Counsel Jon Witten of K-P Law appeared before the Board and gave a PowerPoint presentation on the overview of the new zoning legislation, “The “Housing Choice Initiative” amendment of MGL 40A, Ch. 358 Acts of 2020, which passed recently and was signed by the Governor. He reported on what he described as the four major parts to the amendment:

- Changes to definitions within the Zoning Act. Ten new definitions have been added in MGL 40A, Section 1-A
- MBTA Communities and Multi-Family Housing. MBTA Communities, of which Manchester is one, are required under new MGL 40A, Section 3-A to provide at least one zoning district where multi-family housing is permitted as of right and must be located within one half mile of public transportation. There must be no age restrictions, it must be suitable for families with children and the minimum density must be 15 units per acre.
- New Quantum of Vote Requirements; have been changed for Zoning Amendments (40A Section 5), As of Right, and Special Permit.
- MGL 40A, Section 17 has been amended to add Appeal Bonds and Additional Planning and Zoning Amendments. .

The MBTA will be the consulting group. DHCD has determined that all communities must be compliant until further guidelines are set. Cities and towns that do not comply may result in the loss of potential state funding sources.

The Appeals Bonds amends 40A Section 17 and relate to a plaintiff who is appealing a decision having to post a surety bond.

Town Counsel Witten and Town Moderator Wilson discussed Town Meeting and noted that the Accessory Dwelling and ADU issues need further discussion. They recommended reading the new law.

Mr. Witten said KPLaw will work on an opinion regarding the new legislation.

40R Smart Growth Overlay District Draft regulations/Design standards discussion
40R Land Uses Discussion/Consensus

Town Planner Brown submitted a Power Point presentation entitled LCD Study Planning Board Discussion March 22, 2021. The document is a Summary of Regulations from the draft bylaw for feedback from the Board with variables that MAPC plugged in after listening to the community. Regarding regulations for the proposed overlay district, the options that the town has are to use MAPC to assist, or we can create our own regulations. Another option is to change the underlying zoning in the district.

Members and Town Planner Brown discussed concentrating on commercial uses. Options were discussed for good planning practices for zoning in the LCD; the need for a clear financial picture of what number we are looking to generate; allowing income to happen; using layout and density that the town wants to see; figuring out what is marketable and feasible to work in the LCD; how to provide water and sewer; avoiding uses that compete with each other; the 40B clouded the 40R; allowing uses that would produce revenue and not tax other services creating a zone or an overlay district just for the MAC project; if we know that the developer wants to develop an assisted living facility then it does not make sense to work toward an industrial complex; the uses need to go together; holding a site walk of the LCD; have a market analysis prepared..

Mr. Federspiel said \$2 to \$3 million addition for taxes is a good number to be working with. That does not address any of the long term needs that go beyond the 12years if you want to maintain the town as it is today.

Members and Town Planner Brown discussed the next steps to take including what should be allowed, how the zoning might be changed; obtaining more guidance from the MAC owner; weighing in on the 40R regulations; holding a multi-Board meeting including the ZBA and BoS re changes to zoning regulations; creating framework for regulations whether it is a 40R or an overlay; MAPC could produce a draft regulation and design standards; there are grant funds available for technical assistance and paper for bylaw changes; check off on the matrix list

which items are most important; Town Planner will submit dimensional requirements for the Board and will submit a list of uses and what the dimensions for those uses ought to be.

Mr. Russell left at 8:40

Recap of DPW Presentation held on 3/8/2021.

Tabled for later discussion.

Approval of Regular Meeting Minutes: March 8, 2021

Upon motion made by Mr. Olney and seconded by Mr. Mastrogiacomo, it was VOTED by roll call vote with all members voting in the affirmative, Mr. Russell having left the meeting, to approve the minutes of March 8, 2021.

Subcommittee and Liaison Updates

Mr. Olney reported that the Affordable Housing Trust will meet on March 23. They are entertaining a proposal for an affordable housing project in the downtown area.

Mrs. Foley reported that she had attended the Finance Committee meeting at which land use management was discussed. They would like to hear from the Planning Board on long-term plans. They discussed the MHA proposal.

Schedule of Upcoming PB meeting: April 12, April 26

May meetings are scheduled for May 10 and May 24.

Recodification Meeting Reminder Mr. Bobrowski: April 14

Mr. Bobrowski will meet with the Board on April 14.

There being no further discussion and upon motion made by Mr. Olney and seconded by Mrs. Foley, Mr. Mastrogiacomo adjourned the meeting. Adjourned at 9:05 p.m.

Submitted,

Approved by the Board on April 12, 2021

Helene Shaw-Kwasie
Secretary

Mary Foley
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.

MAPC would produce a draft regulation and design standards

Power Point presentation entitled LCD Study Planning Board Discussion March 22, 2021

March 8, 2021 Minutes.