



MANCHESTER-BY-THE-SEA

PLANNING BOARD • TOWN HALL
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MINUTES OF THE PLANNING BOARD

February 8, 2022, 6:30p.m. Virtual Meeting

Join Zoom Meeting, Meeting: ID 851 2727 6050 Passcode 54490

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

MEMBERS NOT PRESENT:

BOARD OF SELECTMEN: Becky Jacques

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

GUESTS:

Mr. Mastrogiacomo called the meeting to order at 6:30p.m. He then turned the meeting over to Sarah Creighton, Vice Chair to proceed.

Ms. Creighton stated the BOS moved the Annual Town Mtg for 3 weeks out at the end of April. The possibility of two meetings one all business budget and then in June the zoning changes. She noted things are still up in the air.

She continued:

1. The Board post only the LCD changes for public hearing on 2/28.
2. Town Counsel will review the LCD changes.
3. BOS would like an update at their 2/22 meeting.

Mr. Mastrogiacomo stated he sent out a letter on the LCD. The Board would like to get that going. Ms. Creighton stated it couldn't hurt to publish it again.

Becky Jacques, BOS Member, asked if it will also go on the website.

Discussion ensued regarding yard vs construction yard and what should be allowed. Mr. Gilbert brought up a carpenter who stores some wood or various small equipment in his yard that could be covered by a tarp.

Greenhouse: It is not allowed.

Ms. Creighton stated flood plan should be taken.

Mark Bobrowski entered the meeting.

Height: Mr. Gilbert stated he worked up the definition of height with the building inspector.

Hospital: strike inpatient services. Other care of human ailments. Ms. Gilbert said we will never have a hospital. Mr. Bobrowski said clinic is defined in CMR.

Impervious surface was discussed with LCD. Ms. Tenny suggested not using pervious surface.

Light manufacturing: Good.

Lot frontage definition is slightly different than subdivision control regulations. Ms. Brown noted this was the continuous distance.

Lot width- took out little graphic.

Nonconforming use – Ms. Brown stated rather than have definitions everywhere there should be a standard definitions section. Ms. Creighton said we would have to delete them in other places.

Mr. Bobrowski mentioned Mendes vs Barnstable. Zoning was conforming with amendments it has become nonconforming.

Long term care facility: 150.001 CMR

Height: this was redefined as construction mean at 20' intervals.

Printing: take out small scale

Restaurants: should not include fast food restaurant. Mr. Bobrowski said if you ban fast food, it has issues with industrial commerce. Ms. Brown stated do we want to include fast food restaurants and if we do it could be for the purpose of definition to reduce to half its legal capacity.

Senior Housing new section 9.4

Mr. Bobrowski said he likes to have the definitions in the back. The original kept definitions as Section 2. Ms. Brown noted that definitions were all over the place and wanted to keep them together in one place.

Signs 6.4: there is no definition. Mr. Gilbert asked if this would be more appropriate in the General Bylaws.

Story: was not defined. Mr. Gilbert said he had done a definition.

Swimming pool – listed in the use table with tennis court.

Toxic chemicals as defined by State law.

Ms. Creighton said the map looked good. Ms. Brown said she put the map in Sharepoint under maps.

Section 4: how to format for the public. The table of uses at the end of Section 4.2.

Residential: single family unit

Contractors and landscapers' yards should be treated harshly. Storage of building materials that are unscreened.

Commercial landscaping equipment – okay

Overnight parking of vehicle – the current bylaw allows commercial vehicles by right. Discussion ensued regarding parking of commercial vehicles.

Discussion ensued regarding swimming pool by right or by special permit. The use table states by special permit. Ms. Foley asked if the Board wants to allow swimming pools by, right? All departments involved wanted swimming pools moved to the Building Inspector.

MOTION: It was moved and seconded by voted Roll Call 6 in favor 1 opposed (Foley) that all permitting for swimming pools with criteria of Section 4.1.10A-F to the purview of the Building Inspector

Use table: notes for the header on each page.

RD1 is along Vine St.

In RD2 you may convert a single family to two family authorized by the ZBA unless you meet a long criteria list. With no increase in gross floor space.

Community facility: silent on municipal yards. Discussion ensued regarding what municipal uses were allowed.

MOTION: It was moved and seconded to approve the language in B4. Voted 6 in favor 1 opposed (Delisio)

General retail uses, personal services establishment.

Indoor Club or recreational site: Footnote number.

Accessory Uses: Why did we leave the narrative in 4.3 and in accessory uses we have the same thing. Mr. Bobrowski whether in the narrative or use table it is not an exhaustive use. Accessory uses are in subsection e of the use table.

Accessory Residential Units:

Tennis courts-line 4 allowing swimming pool by right shouldn't stay as is.

Except for the table is an alternate. Ms. Creighton described in this section all we are doing changing the allowed uses would not be subject to. Mr. Bobrowski once it is out in the warrant it is out there. He doesn't feel there would be a wholesale assault on the use table.

Reflecting antennas was already taken out.

Stormwater: The DPW wants to bring the Town into compliance. It improves what we have now, and it will get us to compliance. It would be good to move this along. 6.15.7 except for subsection c. Line 89.

1. Accessory swelling units: Gary wanted to strike subordinate to the accessory dwelling unit. Mr. Gilbert stated the wording is unnecessary. In appearance to the street. Ms. Tenny stated if

it attached or detached. Ms. Creighton feels it makes things clearer. Subordinate to the primarily swelling ½ the total.

2. Nonconforming use – the board did not discuss are we comfortable with 100%?

MOTION: It was moved and second to keep the 100% in nonconforming use. VOTE: 4 In favor 1 opposed (Delisio) 2 abstained (Foley, Creighton)

Ms. Foley asked about the flood plain and why aren't we doing it. DPW has one that is already to go. If we are taking comments on the narrative before the BOS presentation. Ms. Creighton said she was thinking of 6 slides possibly and a handout. Ms. Foley feels there is lack of data. Ms. Brown stated we still have the 40R contract.

MOTION: It was moved and seconded to adjourn the meeting at 9:24pm.

Respectfully submitted,

Sharon George