



## MANCHESTER-BY-THE-SEA

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BOARD OF SELECTMEN • TOWN HALL  
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Telephone (978) 526-2000 FAX (978) 526-2001

### MINUTES OF THE BOARD OF SELECTMEN

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September 11, 2017

6:30 p.m.

Town Hall

**MEMBERS PRESENT:** Chairman Boling, Vice Chairman Beckmann, Mrs. Driscoll, Mr. Kehoe & Mr. Steinert

**MEMBERS ABSENT:**

**STAFF PRESENT:** Greg Federspiel, Town Administrator; Debi Morong, Executive Assistant; Sue Brown, Town Planner

**GUESTS:** Planning Board Members

**PRESS:** none

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At 6:32 pm, Chairman Boling called the open meeting to order noting that the meeting was being video / audio-taped by volunteers from Cape Ann T.V. and audio-taped by Debi Morong and asked that if anyone in the audience was taping the meeting, they should let the Board of Selectmen know.

#### **Citizens Open Forum:**

**Announcements:** Moment of Silence in honor of all the men and women lost 16 years ago on September 11<sup>th</sup>.

#### **Board & Committee Vacancy Interviews: Planning Board / ZBA**

John Binieris of 21 Bennett Street has lived in town for five years and has an undergraduate degree in Urban Planning from UMass Amherst. John has worked for an architect conducting feasibility studies, has worked at the City Hall in Boston in the Assessing Department and served as the liaison for the ERA. John obtained his MBA from Boston University and works as an equity underwriter. He would like to get involved within the community and thinks that his background fits well with the Planning or ZBA Boards. If appointed, John will run for election in May 2018.

Christine DeLisio of 6 Lincoln Avenue has lived in town for three years and has her law degree. Christine is looking to give back to the community by using her background and combining it with things that are important to her such as affordable housing and town building regulations.

The Board recommends that John Binieris be appointed to the Zoning Board of Appeals, but would like to confer with the ZBA prior to doing so. They would like to hold on this appointment until the next BOS meeting on September 11<sup>th</sup>.

APPROVED AT BOS MEETING ON 11.6.2017

*Vice Chairman Beckmann makes a motion to appoint Christine DeLisio to the Planning Board for a one year term ending June 30, 2017. Selectman Kehoe seconded the motion and it was approved (5-0).*

### **Continued Public Hearing: Hazardous Mitigation Plan**

This is the public hearing that was continued from the last Board of Selectmen's meeting on August 21<sup>st</sup>. One concern raised was the potential impact on property owners if their property is defined as being impacted by new flooding threats. The consultants from Tighe & Bond put together a number of suggestions that will guard against this from happening. The plan does not alter the official FEMA flood maps which remain the basis for evaluating flood threats. The suggested qualifiers that the consultants are recommending we add to the document should give additional assurance that we are not causing problems for property owners down the road.

An important factor to know is that the FEMA maps do not calculate any future risks or conditions. They only represent what is happening presently. Everything is projected and built off of available data that is already public knowledge.

Timeline of events:

1. Preliminary review: approval by the Board of Selectmen
2. Released to the public for comments
3. Goes back to the Board of Selectmen for comments/suggestions (this includes town counsel)
4. Goes to FEMA
5. Goes to MEMA
6. Back to the Board of Selectmen for final approval

*Chairman Boling makes a motion to close the public hearing. Vice Chairman Beckmann seconded the motion and it was approved (4-0-1).*

*Chairman Boling makes a motion to release the preliminary draft to the public for comment. Vice Chairman Beckmann seconded the motion and it was approved (4-0-1) due to Selectman Kehoe stepping out of the boardroom prior to the vote.*

### **Public Hearing: New Liquor License Request**

*Vice Chairman Beckmann opened the public hearing. Selectman Driscoll seconded the motion and it was approved (4-0).*

Glenn Varga and his wife Allie would be the new tenants of 35 Beach Street formally known as Beach Street Café. They plan on naming it Allie's Beach Street Café. They would like to initially open for breakfast and lunch and eventually open for dinner as well. The Varga's are before the Board of Selectmen requesting an All Alcohol License. Glenn Varga has 30 years' experience in the restaurant business. The restaurant space will not be expanded, but will be upgraded. They are planning on being open 7 days a week until 9PM once they start serving dinner. They would like to open by late October 2017. It will be French Bistro style – casual dining.

*With no comments, Vice Chairman Beckmann makes a motion to close the public hearing. Selectman Driscoll seconded the motion and it was approved (4-0).*

APPROVED AT BOS MEETING ON 11.6.2017

*Chairman Boling makes a motion to approve the application for an All Alcohol Liquor License at Allie's Beach Street Café. Vice Chairman Beckmann seconded the motion and it was approved (4-0).*

### **Fall Town Meeting Articles**

Discussion of possible warrant articles for the 2017 Special Fall Town Meeting:

1. Amend the Town's Zoning Bylaw by deleting the current language of Section 6.1.2
2. Amend the Town's Zoning Bylaw by adding a new Section 6.20, temporary moratorium on recreational marijuana establishments
3. Amend the General By-laws regarding the Affordable Housing Trust.
4. Designate and dedicate as conservation land and property for the purposes of protecting public water supplies, fresh and coastal water quality, and open space
5. Amend the Town's General Bylaws by adding a new section; Construction site activity
  - *Draft bylaw is complicated. May need to wait on this article until Annual Town Meeting.*
6. Amend the Town's Zoning Bylaw by reducing the terms of members of the Zoning Board of Appeals from 5 years to three years
  - *Mistakenly, for the past 17 years it has only been 3 year terms; 5 years may deflect people from applying.*
7. Citizens Petition to amend the General Bylaw regarding parking on Beach Street and others
  - *Creates problems when a fine is stated in a bylaw*
  - *The DIP may be against taking away the parking on Beach Street because it is a calming effect on traffic (slowing drivers down)*
8. Citizens petition to amend the General Bylaw regarding kennels
9. Potentially setting up a capital reserve fund (not funded)
  - *Requires a 2/3 vote*
10. Changing the threshold for surplus goods; currently at \$50
11. Updating flood zone maps

**At 7:47pm, Selectman Kehoe returns to the boardroom.**

Open for petition articles until September 18<sup>th</sup>.

The warrant will be finalized at the September 25<sup>th</sup> Board of Selectmen's meeting.

### **DPW Request: Project on Route 127 to Beverly Line (New sidewalk & Curb)**

Ben Rossi of the Downtown Improvement Committee has requested that the Board of Selectmen submit a letter to MassDOT and our legislators asking that granite curbs and sidewalk improvements be made to Route 127 from Ashland Avenue to the Beverly line. Although the Board agrees that this would be a greatly needed improvement, the town has other priorities that exist that are more critical; such as, the replacement of the Central Street culvert/dam.

The Downtown Improvement Committee also would like the Board of Selectmen to move ahead with the trial of a round-about at the Bridge St/Central St/Pine St/Bennett St Intersection.

While the Board of Selectmen believes that this could make the area more bicycle and pedestrian friendly, they are hesitant to try something like this now due to the amount of roadwork and projects that have gone on all spring/summer and that are still continuing now. The Board would like to re-visit this next spring (April 2018) and run a trial for 60-90 days.

**Town Administrator's Report:**

- Complete Streets: At an upcoming Board meeting, we will need to determine which of the projects on the list of possible projects the committee developed to seek funding for. We can apply for up to \$400,000 but the town will need to pay for additional design work (in the range of \$40,000).
- Pine Street Striping: It has been suggested that the center line on Pine Street be offset at least near the Central Street end to better accommodate the on-street parking on the right hand side as you head out of town. On-street parking past Deer Hill should be discussed on whether to keep it on both sides or just limit to one side.
- Water blasting of striping on Bridge, School and Beach will begin within the next few weeks.
- Pedestrian Bridge: The school district is looking to receive a formal request from the town on how you would like to proceed. It was discussed to proceed with repairing the bridge gaining more clearance through the use of thinner metal rather than concrete cross beams. Any added expense that the insurance does not cover should be apportioned according to the district formula.
- Fire Staffing: A discussion is needed now that summer is over and backfilling vacancies by paying Over Time to regular staff for the past few months were implemented can this work in the long term? Additional funds will be needed.
- Reserve Fund Transfers: Funds are needed to provide veteran benefits to a resident who is eligible. The town will be reimbursed through the state for 75%, but the town needs to front the money first. This request will go before the FinCom at their next meeting scheduled for September 20<sup>th</sup>.
- Meeting Schedule: September 18<sup>th</sup> for a special meeting of the BOS? Next meeting dates are: September 25<sup>th</sup>, October 2<sup>nd</sup> for regular meetings and October 16<sup>th</sup> is Special Fall Town Meeting.

**Resale of Manchester Cemetery Plots (2<sup>nd</sup> Reading)**

*“Transfer or resale of any lot or plot in all cemetery locations shall be done only through the Office of the Department of Public Works. Resale of lots can only be made to the Town, not to a third party. The Town may purchase lots from valid owners (ones who are in ownership of the deed) who wish to sell them. Lots shall be purchased for the original sale price if the Town feels it has appropriate funds available. “*

*Selectman Kehoe make a motion to approve the 2<sup>nd</sup> reading of the resale of cemetery plots. Selectman Driscoll seconded the motion and it was approved (5-0).*

**Consent Agenda**

*Selectman Kehoe makes a motion to approve the Board of Selectmen minutes from a joint meeting of the Board's along with the M/E Regional School Committee on May 30, 2017, a Board of Selectmen meeting on July 24, 2017 and a Board of Selectmen meeting on August 7, 2017. Selectman Driscoll seconded the motion and it was approved (5-0).*

*At 9:45PM, Chairman Boling makes a motion to go into executive session:*

**EXECUTIVE SESSION #3 [G.L. C. 30A, §21(A)(30): TO DISCUSS STRATEGY WITH RESPECT TO COLLECTIVE BARGAINING OR LITIGATION IF AN OPEN MEETING MAY HAVE A DETRIMENTAL EFFECT ON THE BARGAINING OR LITIGATING POSITION OF THE PUBLIC BODY AND THE CHAIR SO DECLARES**

APPROVED AT BOS MEETING ON 11.6.2017

*Not to return to open session. Selectman Kehoe seconded the motion and with a roll call vote, it was approved (5-0).*

Respectfully Submitted,

Debi Morong  
Executive Assistant

**Documents Used:**

- Draft letter addressed to Bradford Hill from the DIP Committee regarding Route 127
- Resale of Cemetery Plots Policy
- Planning Board volunteer applications
- Draft of Hazard Mitigation Plan: 5 year updated – Project update
- Tighe & Bond memorandum: Hazard Mitigation Plan update
- Liquor License request application: Allie's Beach Street Café, 35 Beach Street
- Fall Town Meeting Article: Marijuana Moratorium
- BOS Draft Minutes from: May 30, 2017, July 24, 2017 & August 7, 2017
- Correspondence letters listed on agenda
  - a. *RESIDENT LETTER DATED 8.17.17: REQUESTING MORE RACKS BE INSTALLED FOR NON-MOTORIZED WATERCRAFT*
  - b. *FEMA LETTER DATED 8.15.17: NO REQUESTS FOR CHANGES TO THE MODIFIED FLOOD HAZARD INFO*
  - c. *DIVISION OF MARINE FISHERIES: SMALL GRANTS PROGRAM – RECREATIONAL FISHING ACCESS*
  - d. *RESIDENT LETTER DATED 9.1.17: KETTLE COVE CONCERNS*