

MARSHFIELD PLANNING BOARD
Meeting Minutes
November 19, 2018 - 7:00 PM
Town Hall – Hearing Room 2

PRESENT: Mike Baird, Chair
 Mike Biviano Jr. – Vice Chair
 Fred Monaco
 Katie O'Donnell
 Nik Pappastratis

ALSO PRESENT: Greg Guimond, Town Planner

ABSENT: Peg Davis, Associate Member
 Kay Ramsey, Executive Assistant

Mr. Baird called the meeting to order at 7:00 PM.

DISCUSSION – AGE RESTRICTED ADULT VILLAGES

Mr. Guimond said the Board had been sent the policy from the State. He noted that it is a policy, not a law or regulation. He said it affects us because the affordable units will not count in the age restricted developments. Mr. Guimond submitted a draft of various ways to change our Bylaw. One option would be to remove this bylaw altogether. Another option would be to revise the bylaw to remove the density bonus and requirement. We could just offer a fee-in-lieu. Or we could just keep the definition in place and understand that the units will not count. Since this is just a policy, it's possible that we could join other communities and have a legal action against DHCD.

Mr. Guimond said that he explained at the Housing Partnership meeting that the Planning Board had not discussed the various changes or the policy. He said that any change would be long term involving a Town Meeting change of the bylaw; short term would be figuring out what to do with the two units at Highland Green. He gave the Board a draft of what Option 2 might be. Mr. Guimond said that the Conservation Commission is concerned with having the storm water and waste water in the Open Space and if they are going to try changing the bylaw, perhaps that could be done at the same time.

Mr. Guimond said the main difference from the existing policy is that only one resident of the unit has to be 55 and that it would allow a qualified resident to allow children in certain circumstances. Mr. Baird said he thinks the State is trying to use 40B requirements and he favors changing the definition but he also understands that people who buy in a 55+ development do

not want children living there. Ms. O'Donnell asked if we could offer the density bonus but only if they give us the fee in lieu. She asked if changing the definition would apply to all units or just the affordable. Mr. Guimond said it would apply to all units.

The Board discussed just keeping the affordable component but only giving the density bonus if the developer agreed to do the fee-in-lieu. They discussed the MHHOP program and Mr. Biviano asked if the money gained from the fee-in-lieu was being spent for affordable units? He said at one point there was a lot of money in the account. He said the original intent was to use the money for conversions not for building new units. Mr. Biviano said if we offer a density bonus the fee-in-lieu should be required. Mr. Baird asked if they were talking about taking out the option of building on site. Mr. Guimond said he thought the reason the developers were opting to build the units was that since the Board bumped up the percentage value to 65%, they are finding it cheaper to build on site than do the fee-in-lieu.

Ms. O'Donnell said she thinks the storm water and waste water should be taken out of the open space calculations in the yield plan. Mr. Biviano said you can't subtract all wetlands from the open space. Ms. O'Donnell said the yield plan should be based on what you can build so why not take the wetlands out of it. Much more discussion ensued.

The Board seemed to agree that they require a yield plan similar to the submittal for the preliminary subdivision plan.

DISCUSSION – SIGN BYLAW

Mr. Guimond said he started drafting a bylaw with changes that the state is suggesting – that signs be content neutral. Town Counsel thought the entire bylaw should be re-written. Mr. Guimond submitted a synopsis of the kinds of signs and in what districts that they're permitted. Mr. Guimond asked if the Board thought he was missing any kind of sign from the synopsis. Are there any other categories he should list? Mr. Biviano asked why change the whole bylaw. Mr. Baird said there were many issues with uniformity and businesses that don't have direct exposure on Rt. 139. Mr. Biviano said you can't have uniformity – all businesses have their own unique flavor. Mr. Baird said he likes the Duxbury signage but Mr. Biviano said you can't read them while you're driving. Mr. Guimond said that all these issues should be thoroughly discussed and there should be a public hearing if the Board decides to re-write the Bylaw. Mr. Biviano said he would not be in favor of doing a re-write of the entire bylaw, not unless the proponents guaranteed they would not quit. He said they've tried it three times before and the businesses could not get a consensus of what they want. It went all the way to Town Meeting one time and the Chamber of Commerce didn't speak. A lawyer for the businesses started to speak on it but his information was not correct and the Town Planner had to step in. It was not a good situation. He thinks the content neutral issue is minor and they could proceed with that. Ms. O'Donnell said she would like to have an in-depth discussion about the bylaw but she's not in favor of rushing something through for this Town Meeting. Mr. Guimond said he would work on just doing the political content neutral issue.

DISCUSSION – HORSESHOE FARMS – DRIVEWAY APRONS

Mr. Guimond said Pat Brennan noticed that the developers were not installing concrete aprons. Mr. Guimond said he couldn't find that a waiver had been granted, and the Board has been very consistent in requiring the concrete aprons. One section has already been built with bituminous and not concrete aprons; another section is in the process of being built.

BOARD/STAFF REPORTS

Mr. Guimond said they have been invited by MAPC to attend an event. He said he was concerned that they might misinterpret his attending the meeting as having a change in heart in leaving MAPC. He said the Town Administrator is not pleased with MAPC either and has been giving work to OCPC. Mr. Guimond said he will decline the invite. He said the fee paying MAPC comes from the cherry sheets. Mr. Biviano suggested telling MAPC we would stay if they reduced their fee by as much as it costs to join OCPC. Despite our legislature's trying, the bill filed which would allow us to leave MAPC has not been brought forward.

MINUTES: M. Baird moved to approve the minutes of October 29, 2018 Mr. Pappastratis seconded. The vote was unanimous.

Mr. Baird moved to adjourn the meeting at 7:52 P.M. Mr. Biviano seconded. The vote was unanimous.

Respectfully submitted,

Kay Ramsey, Executive Assistant
Marshfield Planning Board