

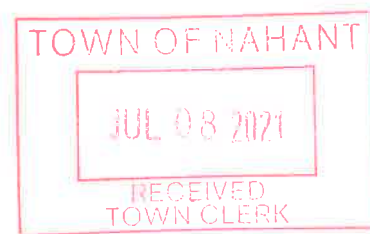
TOWN OF NAHANT

Planning Board

June 2, 2021, 6 PM

LOCATION: ZOOM CONFERENCING, NAHANT, MA

Hearing Minutes



Dan Berman called the hearing to order at 6:17 pm stating that the hearing was properly noticed, and called the roll of those members attending:

Daniel Berman, Chairman – Here
Calvin Hastings, Vice Chairman – Here
Shelia Hambleton – Not Present
Patrick O'Reilly – Not Present
J Shannon Bianchi - Here
Steven Viviano – Not Present
Rob Steinberg, Recording Secretary – Here

Public in attendance:

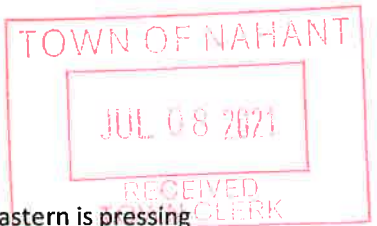
Emily Potts
Michelle Capano
Kathleen Marden
Diane Monteith
Dan Skrip

Dan Berman opened the meeting by asking members to review the minutes of the May 25, 2021 meeting and provide any comments.

Dan asked to approve the minutes, and Cal Hastings so moved, Shannon Bianchi seconded. The Board voted as follows:

Daniel Berman, Chairman – Yes
Calvin Hastings, Vice Chairman - Yes
Sheila Hambleton, Treasurer – Not Present
J Shannon Bianchi - Yes
Patrick O'Reilly – Corresponding Secretary – Not Present
Steven Viviano – Not Present
Rob Steinberg, Recording Secretary – Yes

Dan first noted that he spoke with the Chair of the ZBA about how to handle notice of supplemental submission to allow the PB to comment. Dan said he is going to set up a meeting with her. Cal said he spoke with Dan Skrip about the issue. Dan Skrip had said that ZBA considers it an update and not a new filing. Dan Skrip said he would get back with Dan about what the rule is or what it should be.



Dan then turned to the issues of Northeastern site review. Dan noted that Northeastern is pressing forward despite the eminent domain vote. Northeastern suggested they only need Conservation Commission review, except for noting the need for a special permit from the ZBA for use of the site. Dan stated that, based on Section 9.09(A) of the zoning by-laws, Northeastern would need Planning Board ("PB") site plan approval before they can get a building permit which provides site plan review for a nonprofit. The rule set forth in 9.09 does not limit application of 9.09(A). Dan Skrip noted that we need to be careful in using 9.09(A) beyond its intended aim. Dan said he thought that NU's site plan was in the ambit of the intent of the section, but he would talk to Dan Skrip.

Cal noted that the deed for the Northeastern property says that the property line is the high water mark, and Cal said he thought they have plans that go to the low water mark. Dan noted that in the ANR ("Approval Not Required") the PB noted the property line is at the high water mark. Dan said that Northeastern can't get a building permit unless we approve the site plan and he did not believe they have submitted one.

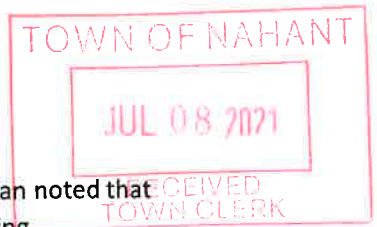
Shannon asked that we send a letter to the Board of Selectman that the PB must approve the site plan for NU. Dan said that he thought we should talk to Dan Skrip. Dan would rather determine whether the Board of Selectman concur with our opinion regarding PB review of NU and then write a letter to the Building Inspector now about the need for PB review of NU.

Dan next turned to the Dunkin Donut's renovation. Dan received the building permit issued by the Building Inspector. The owner said he is repairing and reconstructing the building on the site, and suggested it is about the same size and would match the appearance of the Tides. Cal suggested that the roof height would be higher. Dan noted that the building is 18 feet high, which is well within the height limit. Cal said that the property owner and PB agreed in granting a special permit that the building (either the Tides or adjacent building) cannot be changed in any way without coming to the PB for a special permit, and that the building should be stopped until PB review occurs.

Dan suggested that we authorize a letter to the Building Inspector (copying the owner) alerting him to PB jurisdiction (and attaching the applicable letter) with the letter to be approved by the Chairman. Rob Steinberg so moved, and Cal seconded. The Board voted as follows:

- Daniel Berman, Chairman – Yes
- Calvin Hastings, Vice Chairman - Yes
- Sheila Hambleton, Treasurer – Not Present
- J Shannon Bianchi - Yes
- Patrick O'Reilly – Corresponding Secretary – Not Present
- Steven Viviano – Not Present
- Rob Steinberg, Recording Secretary – Yes

Dan then noted the Metropolitan Area Planning Commission ("MAPC") invited towns to participate in a request for grant relating to green communities (and Nahant is already designated as such). Shannon suggested we reach out to others whether we should apply because sending in an application may be duplicative or the work of another committee. Diane Monteith noted that she was Chairperson of the green communities committee. Diane said the request was a routine request. Diane said they used technical assistance from MAPC and the Open Space Committee was also receiving assistance from



MAPC. Diane noted that the PB needed to have a project requiring MAPC assistance. Dan noted that we have no such project right now, but we should keep abreast of what the MAPC is doing.

Dan then turned to administrative issues and priorities. Dan said we should focus on uses of town-owned land, including public easements on private land. Cal noted that the easements for Little Nahant have already been done. The Open Space Plan Committee is looking at all the open space areas in Nahant.

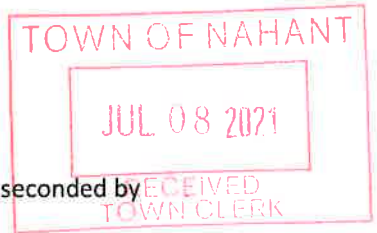
Dan then raised the issue of developing a master plan. Shannon noted that Shelia said that we could be the coordinators working with other committees and thought it was easy to start again. Shannon said we would like to form a subcommittee and then report back to the Board. Shannon asked that the master plan be a goal for this year. Dan asked whether a master plan would include a by-law review. Shannon said that the by-law review is usually done separately. Dan stated that he thought we should undertake a by-law review and received support from other members. Dan noted that we would review only by-laws that are within our jurisdiction.

Shannon wants to work on an article in the Town warrant to pay for a study of the lowlands at Bear Pond. The CPC said they wanted to see buy-in from others. Dan noted we needed to be open about how we get there, through the CPC or otherwise. Dan also suggested that we review our internal rules.

Dan next asked the participants to open up the spreadsheet on Town Committees. Dan noted committees where the Board can appoint a member, such as the Community Preservation Committee, Coast Guard Housing Committee, and MAPC, and those in which we should maintain tabs such as the ZBA, Conservation Commission, and Open Space Plan Committee. Shannon also suggested a joint meeting with the Open Space Plan Committee. Shannon noted that the CPC and MAPC are appointments we must make. Dan said he will need to coordinate with Tony now that we can fill the MAPC position. Dan said we should defer appointments to another meeting. The consensus of the Board was that Shannon should fill the MAPC position if and when it becomes available for appointment.

Michelle Capano said that the Coast Guard Housing Committee was to make a recommendation for Town meeting and that the committee has been disbanded. They will now reappoint or seek new volunteers to the Town Owned Land Study Committee to review the plans, and then the issue will come before the PB. There are easement, boundary issues, and whether to propose 10 lots or 12 lots to get the highest valuation. Dan noted that we will need to stay in contact with the Committee, and Michelle noted there should be representation of a number of committees in the Town Owned Land Study Committee. Shelia is currently a member of that Committee.

Dan noted the property on the corner of Pleasant Street and Spouting Horn Road was coming before the ZBA. The owner is planning to tear the house down and rebuild. The plans comply with the set-back requirements, but the Building Inspector noted that the lot is in the 30,000 square foot zone for lot size requirements (and they have a 12,456 square foot lot). The property owner is looking for a special permit from the ZBA. The plans satisfy all requirements except the lot size for R1. The consensus of the Board was that we did not need to send comments to the ZBA.



Dan then asked for a motion to close the hearing. Cal so moves to close the hearing, seconded by Shannon. The Board voted as follows:

- Daniel Berman, Chairman – Yes
- Calvin Hastings, Vice Chairman - Yes
- Sheila Hambleton, Treasurer – Not Present
- J Shannon Bianchi - Yes
- Patrick O'Reilly – Corresponding Secretary – Not Present
- Steven Viviano – Not Present
- Rob Steinberg, Recording Secretary – Yes

Hearing adjourned at 8:49 pm.
Hearing Minutes prepared by Recording Secretary Rob Steinberg.
Approved by Planning Board on July 6, 2021.