

**TOWN OF NAHANT  
PLANNING BOARD**

**SEPTEMBER 08, 2020 6PM**

**LOCATION: ZOOM CONFERENCING, NAHANT, MA**

**MEETING MINUTES**

**1. Roll Call by Chairman at 6:05pm:**

Calvin Hastings, Chairman - Here  
J Shannon Bianchi, Corresponding Secretary - Here  
Daniel Berman Vice Chairman - Here  
Sheila Hambleton - Here  
Mirjana Maksimovic – Not Present  
Steven Viviano – Here  
Patrick O'Reilly, Recording Secretary - Here

Members of the public in attendance:

Stephen Smith  
Francis Valenti  
Sarita Valenti  
Jeff Tsao  
Kathleen Marden  
Sarita Valenti  
Annie Wachtel

**2. Opening Remarks**

None.

**3. Approve prior minutes**

None

**4. Discussion**

**a. Spouting Horn Subdivision**

Chairman Cal Hastings wanted more information about possible easements.

Sheila Hambleton stated town doesn't have authority to acquire prescriptive easement on private ways

Steve Smith: Expressed that several questions were already addressed in previous discussions



Chairman Cal Hastings: Concerned that approving subdivision means dwelling would be consider approved without additional review.

Shannon Bianchi, Cal Hastings, and Daniel Berman - Discussion about paved width of road versus right of way on the site plans. ~12' paved versus 23' right of way

Steve Smith responded to clarify

Sheila Hambleton expressed concern about stakes being removed from site since the prior process.

Chairman Cal Hastings Read from covenant about private covenant with neighbors for agreement to build in the future.

Francis Valenti stated real estate agent will have responsibility to disclose any current private covenants or easements.

Patrick O'Reilly asked Steve Smith to address specific issues that he feels the planning board needs to consider.

Steve Smith reiterated from previous discussion that the issues before the board are about water and sewer access and whether there is sufficient emergency access for the additional lot. And that the board of health and fire department have weighed in favorably previously and he expected them to do so again.

Mr. Valenti stated that he feels that sufficient access is provided for emergency access vehicles and there have been no issues for existing houses and that one additional house will not be an issue.

Cal Hastings will consult with attorney on various issues and what we can or cannot approve.

#### **b. Northern Strand Community Trail**

Dan Berman stated he met with town administrator and will arrange meeting to go over where the trail will be built.

#### **c. Town Meeting Articles**

Dan Berman stated that board hasn't seen the town warrant yet or if there are any remaining articles requiring planning board attention.

#### **d. Zoning, Permitting and Enforcement**

Chairman Cal Hastings stated there needs to be better communication between building department, people requesting permits, the zoning board of appeals and planning board.

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Sheila Hambleton stated the Town does not have property rights (fee simple title) on the private ways through a prescriptive easement process on the ways in Town by vote in 1993.



Dan Berman referenced unsuccessful court cases about private parties challenging town to enforce bylaws and lack of standing.

Shannon Bianchi discussed lack of communications with Zoning Board of Appeals.

Dan Berman stated that past planning board comments have been considered on some matters.

Cal Hastings should consider discussing improved communications with ZBA.

Shannon Bianchi felt that Steve Viviano was in conflict of interest on a matter before the ZBA.

Steve Viviano felt that he didn't cross any lines.

Steve Viviano retorted that Shannon Bianchi overstepped his role with respect to an establishment in town.

Chairman Cal Hastings ended discussion as it was getting into personalities.

Moved on to discuss agenda for next meeting. Will discuss representation on other committees

#### 5. Adjournment

Motion to adjourn at 8pm

Calvin Hastings, Chairman - Yes

J Shannon Bianchi, Corresponding Secretary - Yes

Daniel Berman Vice Chairman - Yes

Sheila Hambleton - Yes

Mirjana Maksimovic – Not Present

Steven Viviano – Yes

Patrick O'Reilly, Recording Secretary - Yes

Unanimous vote in favor

Meeting Minutes Prepared by Patrick O'Reilly, Recording Secretary

Minutes Approved as amended by Planning Board on October 6, 2020