

TOWN OF NAHANT

Planning Board

February 6, 2024

The Chair called the meeting to order at 6:00 pm, stating that the hearing was properly noticed, and then calling the roll of those members attending:

Rob Steinberg – Chair - Present

Sheila Hambleton – Present

Patrick O'Reilly – Present

Steven Viviano - Present

J Shannon Bianchi, Corresponding Secretary – Present

John Stabile– Recording Secretary – Present

Michelle Capano – Present

Rebecca Flacke – Present

James Dolan – Not Present

Mark Cullinan, Selectman and Gene Canty, Selectman were on the call.

In response to a question by Mr. Canty whether it was acceptable for them to be present, Mr. Cullinan responded that they are listening as members of the public.

The Chair first turned to approval of the minutes and it was determined to defer approval.

The Chair asked Michelle for an update on the affordable planning. Michelle said a second draft will be shared with the public shortly. She stated there have been some contract matters that needed to be addressed with MAPC. She noted that a public draft will be submitted to the public for a two week comment period, and there will be a meeting toward the end of March with PB and BOS.

Rob noted a complaint by a person regarding whether or not an open meeting violation occurred with respect to discussions about the affordable housing plan. Shannon Bianchi stated that the proper procedure is to defer any consideration of this matter until that member of the public fills out the open meeting law violation form and file a complaint. The Chair agreed.

With respect to Nahant restaurants and the by-law restricting fast food restaurants, the Chair stated that he did fact-gathering on how these restaurants operate, and that Town Counsel stated that he did not believe any of the restaurants studied constitute fast food restaurants under the by-law. Steve Viviano noted that the zoning by laws were written at a time when McDonalds was taking the world by storm and the Town meant to restrict drive-up fast food restaurants. Sheila said when Brett got a special permit, he had to have a sit down table, and he doesn't have one. Patrick said pizza could constitute fast food but doesn't disagree that no one complains and, while by-law could use cleaning up, and we don't want to contemplate before the next town meeting or in the near future.

Michelle went over proposed by-law changes for Town meeting, including repetitive permits, shed permitting, hours of construction and hours for delivery. Shannon questioned whether hours of operation are a zoning issue for the PB and that, if a shed is larger than 80 square feet, the landowner needs a special permit from the ZBA. Patrick noted that the repetitive permitting problem can be addressed by amending the permit, and Steven noted that adds for construction frequently occur and the building inspector should handle. Steve also noted that building hours can be handled as a condition of a permit. The PB members agreed to defer further consideration until after Town meeting, and the Chair stated we need to understand the scope of PB authority on these matters.

There being no further old or new business, the Chair asked for a motion to adjourn. Motion made by Shannon and seconded by Michele. The vote was as follows:

Rob Steinberg – Chair - Yes

Sheila Hambleton – Yes

Patrick O'Reilly – Yes

Steven Viviano – Yes

J Shannon Bianchi, Corresponding Secretary – Yes

John Stabile– Recording Secretary – Yes

Michelle Capano – Yes

Public meeting adjourned at 6:58 pm

Meeting Minutes prepared by Recording Secretary and Rob Steinberg.

Approved by Planning Board on approved March 12, 2024.