

TOWN OF NAHANT

SPECIAL TOWN MEETING

Held: Wednesday, November 19, 2025



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COMMONWEALTH OF MASSACHUSETTS

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NAHANT SPECIAL TOWN MEETING

Wednesday, November 19, 2025

TOWN MODERATOR: Can I have your attention?

We're going to take things a little out of order because we still have people coming in. So, if I could ask everybody to stand to do the Pledge of Allegiance.

(Pledge of Allegiance Recited)

TOWN MODERATOR: Thank you.

At this time, I'd like to ask our new Town Administrator, Alison Nieto, and Chief Austin Antrim to come up to the podium.

HOUSE OF REPRESENTATIVE AND SENATE CITATION

MS. NIETO: Hi, everyone. Thank you for coming out tonight and I know a lot are still trying to make their way in, which is why we are going to do these awards at the beginning. So, I have something to say and then Chief Antrim has something to say.

So, on August 23rd of this year, a group of young gentlemen were swimming at Short Beach enjoying the large waves, we had just had a hurricane. At this time, the surf was very strong and the waves were big.

Two of the young men noticed long time resident Chris Moleti in distress and immediately sprung into action. They swam out to Chris and worked together to bring him to shore. The two signaled to their friends to call for help and they all waited until medical help arrived.

In their efforts, these young men displayed maturity and bravery well beyond their years, and the Town of Nahant wants to recognize them. So, I'm going to call each up one at a time.

(Applause)

MS. NIETO: And what I'm presenting to them is a citation from the House of Representatives and one from the Senate. The representative and the senator couldn't be here today, they're in session, but they sent these along and they're very meaningful and I hope you find them to be very special.

So, if Freddie Fiore could come up.

(Applause)

MS. NIETO: Ethan Kent.

(Applause)

MS. NIETO: James Marsh.

(Applause)

MS. NIETO: Herbie Duane.

1 (Applause)

2 MS. NIETO: Jack O'Connor.

3 (Applause)

4 MS. NIETO: And Peter Dimitrakopoulos. I hope
5 I pronounced that right.

6 (Applause)

7 MS. NIETO: I just want to say that I'm proud of
8 you and your courage, and I hope that you continue to
9 lead by example.

10 So, now Chief Antrim is going to come up, he has
11 something to say.

12 (Applause)

13

14 MEDAL OF VALOR

15

16 MR. ANTRIM: Thank you. If I could have the other
17 firefighters and join me here and Chief Furlong, as well.
18 Thank you.

19 So, know everybody is eager to start arguing with
20 each other, so I'll try and keep this brief.

21 Saturday, August 23rd, 2025, was a beautiful day.
22 The sun was shining, temperatures climbed into the low
23 80s and a steady breeze was blowing. Since this was
24 one of the last weekends of the summer season, many

1 people planned to enjoy a day at the beach or along
2 the coast. The Nahant American Legion was holding
3 their Antique Car Show at the Nahant Lifesaving Station.

4 Meanwhile, the remnants of Hurricane Erin was making
5 its way north in the Atlantic. Aside from Hurricane Sandy,
6 in 2012, no other hurricane as large as Erin had come
7 as close to the U.S. East Coast since 1966. The swells
8 from Hurricane Erin were steadily battering a large swath
9 of the east coast prompting high surf advisories and
10 riptide warnings.

11 Despite the danger, the nice weather drew many
12 people to the water and the beaches and the rocks along
13 the coast. This group of boys were no exception, they
14 were having a fun day at Short Beach. As Alison said,
15 a couple of them were swimming and saw something in the
16 water, they realized that it was a person face down.
17 They called out, but did not get a response.

18 Although they were nervous, they approached the
19 person and tried to ask if he was okay as they began
20 to roll him onto his back. Realizing something was very
21 wrong they began pulling him towards shore and called
22 their other friends for help and to call for help.
23 The other boys sprung into action, all working together
24 to try and remove him from danger and from the water.

1 One of the boys called 911 and then joined the other
2 removing the victim from the water.

3 Several things struck me when I heard what had
4 happened. From being in emergency services, I think
5 any of us could confidentially say that most adults
6 don't respond as well as these boys did when faced with
7 an emergency like that. I was not only impressed at
8 the action they took but with the manner in which they
9 took it. It's irrelevant really who did what. What is
10 most impressive is how they worked together as a team.

11 These boys were faced with a life and death
12 situation, they overcame their fears, they took action,
13 and they made sure more help was on the way. That is
14 extraordinary for kids at their age and it's why I have
15 the honor of presenting them each with the Medal of Valor.

16 The Medal of Valor is typically reserved for public
17 safety officers who go above and beyond the call of duty
18 regardless of their own safety. The seal in the center
19 of this Medal of Valor contains symbols associated with
20 water rescue, a pair of crossed oars, a lifeguard's
21 rescue can, and a rescue life ring.

22 This award is recognizing your heroic efforts to
23 try and save someone's life while faced with dangerous
24 conditions. I did not know Chris Moleti well, although

1 we often pass each other riding bikes or out walking,
2 he would always greet me with a wave and a smile, and
3 from speaking with Chris's friends and his family,
4 I heard a lot of stories of the things Chris would do
5 for others, going out of his way just to help someone
6 or to put a smile on their face.

7 So, you boys receipt of this award does not mean
8 that you deserve special treatment, rather, I hope it
9 serves as a reminder that sometimes you need to put
10 your own interests aside to help someone else in need
11 and a reminder to live life like Chris did.

12 So, before I hand out the medals, I'll read the
13 certificate that goes along with them.

14 "The Nahant Fire Department Metal of Honor. This
15 award is presented to Peter Dimitrakopoulos for exhibiting
16 exceptional courage, extraordinary decisiveness, and
17 presence of mind along with swiftness of action regardless
18 of personal safety in an attempt to save human life.
19 The valorous action took place on August 23, 2025 at
20 Short Beach in Nahant.

21 Given this day of 19th November, 2025."

22 MR. ANTRIM: Peter.

23 (Applause)

24 MR. ANTRIM: Herbie.

1 (Applause)

2 MR. ANTRIM: Freddie Fiore.

3 (Applause)

4 MR. ANTRIM: Ethan Kent.

5 (Applause)

6 MR. ANTRIM: James Marsh.

7 (Applause)

8 MR. ANTRIM: Last but not least, Jake O'Connor.

9 (Applause)

10 MR. ANTRIM: Thank you. Round of applause for
11 these kids.

12 (Applause)

13

14 CALL OF THE MEETING

15

16 TOWN MODERATOR: Seeing that we have 75 members
17 in the hall, I'd like to open this meeting.

18 At this time, I'd like to have the Clerk read the
19 call of the meeting.

20 MS. DUNFEE: Thank you. This is the Constables
21 Return of Service that we are required to post in four
22 different areas, "On the date written above, which was
23 11/3/25, I have served this warrant by posting attested
24 printed copies thereof at the Town Hall and such other

1 places the Selectmen deem appropriate, but not less than
2 three in each precinct being the Nahant Police Station,
3 Nahant Fire Station and the Nahant Public Library."

4 It is signed by Town of Nahant Police Jason Hoffman.

5 TOWN MODERATOR: All right. If you have not
6 registered and gotten into the hall, please make sure
7 you register. We need to make sure that you register
8 so that we have the right count for votes.

9 Now, I'd like to read off a list of people who
10 are non-voters that are in the hall, Alison Nieto,
11 Zachary Taylor, Robin Stein, Chief Tom Furlong, Nels
12 Nelson, Rob Liebow, Zachary Laird, Scott Grieves, Pedro
13 Diaz, I think the families left, so Armando cole, Mr.
14 DiNatale, Lauren DiNatale, Tim Johnson and Casa Fauci,
15 and also Lorenzo Aquilio.

16 Yeah, if anyone has a seat next to them put your
17 hand up and maybe some others can sit down. We still
18 have people out in the back. There's seats up top.
19 People can go up to the balcony. No? Okay, sorry.

20
21 VOTING INSTRUCTIONS

22
23 TOWN MODERATOR: All right. Electronic voting.

24 MS. DUNFEE: So, as most of you may already know,

1 there is no internet service, it's down. This is Alison's
2 introduction to being the new Town Administrator. So,
3 everybody that starts working here has a catastrophe
4 happen on their first big job.

5 So, we're going to put -- we're going to put the
6 slides up that are important. We don't have the clickers,
7 so when it comes time to vote, you will have to be
8 inside of the Meeting Hall here to be able to vote.
9 It's a majority vote, it's not a two-thirds vote, and
10 if it need be, then we will have to do paper ballot
11 votes; okay, but we'll decide that, that'll be between
12 Peter and myself at the time of the vote.

13 Okay. So, we're going to get started.

14 TOWN MODERATOR: Yeah, just a quick thing, quick
15 history. Last Saturday, I went to the Mass Moderators
16 Associations Annual Meeting, I learned a couple of things
17 about Town Meeting, one, the first recorded Town Meeting
18 took place on the Mayflower in Plymouth Harbor in 1620.

19 There are currently -- actually, I should say,
20 yeah, there are currently six states in New England,
21 we are the only people who have open Town Meeting or
22 Representative Town Meeting, nowhere else in the country,
23 nowhere else in the world.

24 And lastly, unfortunately, they did a study 25

1 -- the past 25 years in Massachusetts, the average
2 representation at Town Meeting is 4.7 percent of voters.
3 I'm happy to say, thank you all for coming. We have
4 way more than 4.7 percent, and with that, we'll move to
5 Article 1, Mr. Vanderslice.

6
7 ARTICLE NUMBER 1
8

9 MR. VANDERSLICE: I move that Nahant add a new
10 section, Section 16, Multi-Family Overlay District, to
11 it's existing zoning bylaw as printed in the Report and
12 Recommendations of the Advisory and Finance Committee
13 on pages 7 to 13.

14 MS. BEATTY: I second.

15 TOWN MODERATOR: Seconded by Ms. Beatty.

16 MS. BEATTY: I second the motion.

17 TOWN MODERATOR: Yeah.

18 MR. VANDERSLICE: All right. So, good evening
19 and thank you for coming.

20 We the Finance Committee, we recognize that this
21 is a zoning article or two zoning articles, and it's
22 all about zoning and it's about social impact, but that's
23 going to happen shortly. Before we start that, just
24 a few words about the financial impact of these zoning

1 articles and a bunch of people are probably saying,
2 "Wait. What are you talking about? These are zoning
3 articles, there is no financial impact to them,"
4 unfortunately, there is.

5 If Nahant is noncompliant with Section 3A of the
6 State Laws, meaning we vote, "No," on these articles,
7 there is a price tag to that. There is a price tag to
8 voting, "No," tonight.

9 The Finance Committee, we recommend these articles.
10 We think that this is a very practical solution that
11 will avoid the financial consequences that this State
12 will impose if we don't comply with Section 3A.

13 The State has said, and in fact is withholding
14 grant funds from municipalities that comply with Section
15 3A. In addition, they're also taking action against
16 those municipalities that don't comply with 3A.

17 These are not idle threats. Just very recently
18 the State revoked a \$1.2 million grant from our neighbors
19 across the bay, Winthrop. We are seeing on State Grant
20 Applications a new question has appeared asking whether
21 the Town is in compliance with Section 3A.

22 Some local facts and figures, over the last five
23 years, Nahant has received each year somewhere between
24 a million and a million seven in State grants. That is

1 at significant risk with a, "No," vote this evening.
2 The way we would see it is a project may cost more
3 because we're not getting State reimbursement or we
4 just won't be able to do the thing, because it's just
5 too much money.

6 So, you know, no matter how you cut it a, "No,"
7 vote tonight, the Town of Nahant will be poorer for
8 it. So, what we suggest is, there will be speakers,
9 I strongly suspect there will be speakers that stand
10 up and urge a, "No," vote. Just in the back of your
11 head, when they finish speaking ask yourself, "Have
12 they addressed the revenue gap that will occur should
13 the "Nays" prevail.

14 So, now we move onto the zoning and social impact
15 discussion.

16 TOWN MODERATOR: Ms. Hambleton and Mr. Steinberg?

17 MS. HAMBLETON: Yes. So, I'm Sheila Hambleton,
18 Chairman of the Planning Board. Thank you. It's a
19 very nice sight to see so many people at this special
20 Town Meeting. This is a very special two articles that
21 need to be voted on this evening.

22 I just want to say I have a great team of Planning
23 Board members, and one who's right here with me, Robert
24 Steinberg, is vice chair. We have Ann Marie Grady who

1 is our secretary, Casey Carey is our treasurer, and
2 then we have members Tom Hambleton, Michael Cullinan,
3 Steve Viviano, and then we also have Jeff Lewis as an
4 alternate. And just so you do know, there is an opening
5 as an alternate and if you are interested in helping
6 serving on the Planning Board, you can contact Kristin
7 Taylor and put your name in and hopefully it'll all come
8 and you can get voted in to serve on the Planning Board.

9 We also have someone here very important to us as
10 another team member is Nels Nelson from Community Scale
11 who really has been instrumental in helping us guide us
12 through preparing for the zoning bylaw and the mapping.

13 I just want to say that I have been active on the
14 Board here for over 30 years and I am currently and have
15 grew up in the house that I am living in, in the Bass
16 Point area, and I have seen a lot of things occur, and
17 as much as I wouldn't want to see any changes, I don't
18 think it will, and I think the district for the Multi-
19 Family Overlay District that we have selected is the
20 best choice for now for the Town of Nahant.

21 So, we had been working, as you know, for the past
22 five years on various other bylaws, we've had the Marijuana
23 Bylaw, Short-term Rental Bylaw, Accessory Dwelling Unit
24 Bylaw, and now we have our Zoning Bylaw, the 3A MBTA,

1 Multi-Family Overlay District Zoning Bylaw.

2 I want to present now our Vice Chair, Robert
3 Steinberg, will take you through the steps of where we
4 began, where we were in the middle, and how we got
5 to where we are.

6 So, here is Rob Steinberg.

7 MR. STEINBERG: All right. Thank you, Sheila.

8 I know there's a lot of confusion about 3A, what
9 it is, how the Planning Board made its determination,
10 and what the impacts are, and I'd like to address that
11 and when -- probably be five to eight minutes I'll speak,
12 and then we'll be happy to take questions, because we
13 really want to clear up the confusion that is out there.

14 So, Section 3A, what it requires is that the Town
15 add to its Multi-Family Zoning. Nahant has no Multi-
16 Family Zoning, and we went to the State and we said,
17 "We should really be exempt from this," the State said,
18 "You're not exempt. No town or city is going to be
19 exempt, but you only need 84 units," which made this
20 a lot easier than it might have otherwise been.

21 We started working in the summer of 2025. We held
22 well over 10 hearings. We met every single week. The
23 public participated. The public commented and we had
24 a public hearing, formal public hearing in September

1 where we took comments and presented what we did and
2 why we did it.

3 We adopted a very methodical approach to this.
4 We actually developed a rating system. We selected
5 seven sites to study as potential sites. Our consultant,
6 Nels, said the obvious site was Bass Point. We said
7 wanted to review it. He didn't say, "Don't review other
8 sites," but we went into it -- and he said it's the
9 obvious site because we get credit for what we already
10 have, yet it is where our multi-family is and all we
11 have to is say, "This is a Multi-Family Overlay Zone,"
12 so if a developer ever comes in there, you know, we would
13 tear down the 84 and put 84 more -- not, "We," but the
14 developer, if there ever was one who wanted to do it,
15 it's not clear there would be, they would just replace
16 those 84.

17 So, we're actually complying by adding no more
18 family units. Now, maybe there should more multi-family
19 units in Nahant, but in terms of a larger project, it
20 was most efficacious to do it in one spot.

21 So, the sites were East Point Neighborhood at the
22 top of Willow Road, the area south of Nahant Road between
23 Summer and Winter, the Nahant Country Club, the Range
24 Road Bay Side area, the Nahant Road Corridor between

1 the bank and the beach, the Nahant Business District,
2 and Bass Point.

3 We weighted certain criteria. We had 11 criteria.
4 We weighted certain criteria as critical and they received
5 double the score of other criteria. Those criteria were
6 feasibility of development, aesthetics and compatibility
7 with specific neighborhoods, impact on open space and
8 recreation.

9 We also looked at equity, Town acceptance, impact
10 on traffic and infrastructure, proximity to the bus stop
11 and flood risks. And overall we wanted to have a least
12 disruptive solution that would be accepted by the State
13 and height restrictions, such as our 30-foot height
14 restriction would apply and other zoning restrictions
15 in our Zoning Bylaws would apply.

16 So, that's how we looked at it. Bass Point was
17 rated the top site and received the highest score.
18 Very close behind or equal to it was the Nahant Corridor
19 between the bank and the beach, but that's a very small
20 site and we were advised by Nels that we could meet the
21 requirements of 3A by just selecting one site, so we
22 selected the highest rated site, Bass Point.

23 What made Bass Point compelling was it only has
24 one owner, the fewest owners of any of the sites, minimal

1 or no affect on aesthetics, open space or recreation.
2 We're just getting credit for what we already have in
3 terms of multi-family units. Bass Point is already
4 multi-family, so there would be no effective change.

5 So, what we're proposing is if there is a development
6 there, they get 84 units as of right, if they want more
7 they need a special permit. For the 84 units, they need
8 10 percent affordable housing, for the 128 units, they
9 need 25 percent affordable housing, and they have to
10 operate within the height limit in Nahant. So, we
11 thought that was the best way to go.

12 Now, you might be going, "Oh, affordability, what
13 does that mean?" What that means is that the current
14 residents of Bass Point, many of them, most of them are
15 probably -- qualify for affordable housing because they
16 are the average income in Nahant. So, we would force
17 the developer to have affordable housing so at least
18 some of the people or people like them could still live
19 in Nahant. So, that's why we added that affordability
20 criteria.

21 So, Bass Point is -- you know, it seemed far and
22 away the best site to us and that's what we're supposed
23 to do as Planning Board Members. The Finance Committee
24 unanimously agreed with us, of the people who voted

1 and the Selectmen unanimously agreed with us, and we
2 unanimously voted for it. We also unanimously voted
3 that the site is a eligible location, which is the
4 second determination the Planning Board had to make
5 under the law.

6 I want to emphasis that in the event there's any
7 new development at Bass Point, and we don't know that
8 there will be or when it might occur, it is a very --
9 I would say that various experts have taken the position
10 that Nahant is a very difficult place to have a large
11 multi-family development, and that's because cost of
12 land, lack of amenities. There haven't been any and
13 there's certainly has been opportunity for some, but
14 it just hasn't occurred.

15 We don't know that the Bass Point owner is going
16 to sell. There's been no indication he wants to sell.
17 He has been refurbishing the apartment. To my knowledge,
18 I haven't encountered anybody who does know of any
19 developer who wants to come in here.

20 What we are doing is zoning. Zoning is permission,
21 it's not a mandate. All it means is that there is a
22 permission to build multi-family on that site if and
23 when that might ever happen. So, it's not like there's
24 an imminent threat some developer is going to come in

1 and do it.

2 So, there is an imminent threat, though, and Bob
3 outlined some of those threats, but I'd like to be more
4 specific. So, when he says Nahant would be ineligible
5 for grants, and we typically get between 1 million and
6 1.7 million of grants a year, on a very small budget
7 -- I don't know how big the budget is, maybe it's 16/17
8 million, but there's not a room on that given our tax
9 base.

10 So, if we are denied grants, these critical grants,
11 the Finance Committee has a big, big problem and they're
12 not being real specific but it's, "Where are we going
13 to get the revenue to do what we need to do?"

14 A lot of the grants we want to get are not things
15 that are optional. For example, we would be blacklisted
16 from water, sewer, and storm water upgrades. We all know
17 that that maintenance will be needed. Road construction
18 and sidewalk upgrades, there's no probability that that
19 won't be needed. Building upgrades, seawall and flood
20 mitigation, obviously, we'll be needing flood mitigation.

21 Nahant's planning to spend -- to apply for obviously
22 well over \$1 million of grants, and I cannot overstate
23 enough what a huge problem losing all or many of these
24 grants for the Town will be, and I think every member

1 of the Finance Committee would agree with that.

2 The State announced this week that starting in
3 January, it will go after towns that are not compliant
4 by December 31, 2025, and the State has contacted our
5 attorney several times to see how we're doing.

6 So, those who claim that if we vote, "No," the
7 State won't care and they'll be no financial repercussions
8 are totally wrong. I can't emphasize enough how wrong
9 they are.

10 Some of you may be afraid that you're going to be
11 kicked out of your apartment and the Planning Board is
12 very sympathetic to that concern. You're fellow residents
13 of Nahant and we don't want that to happen to anybody.
14 We don't -- there's no developer coming in in the
15 foreseeable future or has the Bass Point owner expressed
16 a desire to tear it down and do something different.

17 So, for the foreseeable future, we know of no
18 possibility of those apartment dwellers being affected.
19 I can't say -- I can't guarantee that at some point
20 in the future they won't be, it's just nobody knows of
21 anything and no developer has shown an interest in coming
22 to Nahant for a multi-family development. In fact, as
23 I understand the Bass Point owner is refurbishing the
24 apartments.

1 Again, we're sympathetic to the residents of Bass
2 Point, but you know, one additional point in that is,
3 there's nothing stopping the owner from tearing it down,
4 there's nothing -- there's nothing in the way of him
5 exorbitantly raising rents, I understand he already has.
6 So, the renters aren't in control of that owner, the
7 Town of Nahant is not in control of that owner, and
8 even if we vote, "No," what's going to happen is, the
9 State is going to go after us big time.

10 Of the 34 small communities in Nahant, there are
11 only two who haven't complied, Carver and Nahant, so
12 we're a very obvious target. What did I say, "Carver
13 and Nahant."

14 FEMALE: Winthrop and Marblehead.

15 MR. STEINBERG: No, those are not small communities.
16 They weren't listed as small communities. There are a
17 group of small communities, and for example, Marblehead
18 is voting again for the fourth time on what they're
19 going to do because the State is coming down on them.

20 None of us like having the State tell us what to
21 do, but in this case, voting, "No," puts us at great
22 financial risk. Voting, "Yes," to the proposed overlay
23 district does not mean Bass Point will be torn down,
24 it does not -- and what it actually does is, voting,

1 "Yes," stops more multi-family units at Bass Point
2 under 3A.

3 So, I'm happy to take any questions. Nels is
4 here and he's happy to assist to the extent I don't
5 have the answer. Sheila is also available to answer
6 any questions. But we really want to clear up the
7 confusion because if there's a "No" vote tonight, it
8 is a big problem for this community. And again, I'm
9 sympathetic to the Nahant renters at Bass Point, but
10 we know of no imminent threat or anything foreseeable
11 right now that could affect you.

12 So, any questions?

13 TOWN MODERATOR: I'm going to open the floor up to
14 basic questions first. If anybody has any clarification
15 questions.

16 Yeah, please come up to the microphone. State your
17 name and address, please.

18 MS. MAGNER: Patricia Magner, 15 Breezy Hill Terrace,
19 Nahant, Mass. My question is that you're referring to
20 the fact that the property, the Sea Breeze Lane Realty
21 Trust is in compliance with multi-family under this 3B,
22 it is not in compliance nor is some of the verbiage in
23 here in compliance with 3B.

24 3B is supposed to provide housing for families.

1 The property that's called Bass Point Apartments currently
2 is one-bedroom units, so that in it of itself doesn't
3 comply. So, to say you're approving -- complying with
4 this particular provision is not in fact correct.

5 MR. STEINBERG: Okay.

6 MS. MAGNER: This is a buy -- this -- what I want
7 to understand is, this is a buy right proposal and not
8 a discretionary.

9 Discretionary is when you build a property or you
10 want to build a property, you come to Boards, you come
11 to the Planning Board, you come to the Conservation
12 Commission, you have to get approval of many of the
13 neighbors of what to do. If we do this in a 5-acre
14 location are -- this also opens us up to the fact that
15 we're not in compliance with 40B --

16 TOWN MODERATOR: I want to -- I want to keep you
17 in line with questioning only. I'm going to open up
18 debate after the questions are answered.

19 MR. MAGNER: Yeah.

20 MR. STEINBERG: Yeah, let me answer your questions.

21 Okay. So, we received numerous comments similar
22 to yours, about Bass Point isn't in compliance. One
23 point you made is -- what we're proposing is an overly
24 district, it doesn't affect current zoning. If Bass

1 Point ever decided to -- it wanted to expand or add
2 the 84 units, the overlay district would be triggered;
3 okay.

4 So, what is -- what's happening right now in Bass
5 Point in terms of compliance or non-compliance is not
6 relevant to what we're doing under 3A, it just isn't,
7 but I appreciate you making that comment. We checked
8 them out.

9 We also worked collaboratively with the State,
10 they have pre-approved our plan. So, what is by right
11 is only the 84 units and the 10 percent affordable units,
12 that's all that's by right.

13 So, we are actually reducing the number of units
14 by doing so and creating less disruption than might
15 otherwise be there, and the new units can be constructed
16 in a way in the 5 acres where they're fully compliant
17 with State Law and the State has granted us preliminary
18 approval for what we've done.

19 So, we are copacetic on the law, I feel very
20 confident of that. They will have to give us final
21 approval, but all indications we're getting right now
22 is what we've proposed is fully consistent with law.

23 MS. MAGNER: The problem being is, you are still
24 open to that owner saying he wants to put up high rises.

1 MR. STEINBERG: No, no, because there's a 30 --
2 well, if you consider a 30-foot building a high-rise,
3 that's part of the reason it's unlikely to be developed,
4 there's a 30-foot height limitation in our proposal
5 tonight.

6 MS. MAGNER: There's not a 30-foot height limit
7 if you're out of compliance with affordable housing.

8 MR. STEINBERG: We're not dealing with affordable
9 housing tonight.

10 MS. MAGNER: It does matter. The Town is open
11 for being --

12 MR. STEINBERG: It has been; right?

13 MS. MAGNER: (Inaudible, low audio).

14 MR. STEINBERG: And how many developers have come
15 in and made proposals and tried to develop? Zero.

16 MS. MAGNER: Well, the rents keep going up at
17 Bass Point Park because they're pushing -- they're
18 pushing the tenants out for some reason.

19 Now, obviously Pasquale Franchi, who actually got
20 a special permit to put housing -- that amount of units
21 across the whole 5 acres, came in and he put it in 25
22 percent of the land and left 75 percent available for
23 some -- so, there was always an intent for this to be
24 more housing regardless, but the 3B says this is supposed

1 to be for families, not multi -- multi-family --

2 MR. STEINBERG: No.

3 MS. MAGNER: -- doesn't --

4 MR. STEINBERG: Right.

5 MS. MAGNER: Well, it's in 3B.

6 MR. STEINBERG: Okay.

7 MS. MAGNER: I read all the details in there.

8 MR. STEINBERG: I can't -- I can't answer this now.

9 MS. MAGNER: It's supposed to --

10 TOWN MODERATOR: Do we have -- again, I don't want
11 to get into debate yet. I'm waiting -- I want to finish
12 up with questions.

13 MR. STEINBERG: Yeah, let me answer. Let me; okay.

14 MS. MAGNER: I don't think -- I don't think -- I'm
15 curious (Inaudible, low audio).

16 MR. STEINBERG: Okay. So, let me answer your
17 question.

18 FEMALE: We're hearing 3B. I thought we were
19 talking about 3A.

20 MR. STEINBERG: Yeah, we are talking about 3A.
21 So, Nels, why don't you go ahead. You have a comment
22 on that?

23 MR. NELSON: Oh, sure. This is a great crowd.
24 I'm Nels Nelson, consultant. I helped to write the

1 zoning and we've worked with several other communities
2 in the past couple of years to become compliant.

3 So, under 3A, you need to have a district with
4 capacity for multi-family, it's not a requirement to
5 have that multi-family, and when you have the capacity,
6 in that capacity, you cannot restrict it down to non-
7 family units, you can't say, "We're only going to have
8 studios," it has to be open, and so, that's the capacity.
9 We're creating the opportunity for capacity here, it
10 has nothing to do with what's on the site right now.

11 MS. MAGNER: Okay. But just so -- but there's
12 verbiage in here that kind of negates the idea of putting
13 families in this housing and that -- what I saw in the
14 writeup under the communities -- MBTA Communities suggest
15 that it's supposed to be available for families, it's
16 not supposed to be restricted, so that it's not just --
17 multi-family just means different units. This is supposed
18 to have the option of family housing and I don't --
19 I think there's a line in here that -- but again, that's
20 debate over a line by line.

21 MR. NELSON: Yeah, I don't --

22 MS. MAGNER: I'm very concerned, but I just wanted
23 to make sure we're doing something -- we're basically
24 risking another fire in Bass Point. We lost hundreds

1 and hundreds of houses years ago, 100 years ago because
2 you can't put a fire out in Bass Point because the ocean
3 winds are too strong over there, and it's the same that
4 happened down in Situate where you catch those waterfront
5 properties on fire in those kind of positions. You've
6 got -- never mind a million dollars you might lose, it's
7 going to cost you a million dollars to upgrade the fire
8 department services, hydrants, equipment.

9 So, I just want to make sure if you're doing it,
10 make sure you do it right.

11 MR. NELSON: Okay. Thank you.

12 Just to be totally clear there's no -- nothing
13 in the zoning that would prevent family housing and
14 there's not allowed to be and there isn't, and there
15 are dimensional standards which are the same as the
16 underlying dimensional standards. The 30-foot height
17 limit that's in the zoning, as well.

18 MR. STEINBERG: Yeah, thank you for your question.

19 MR. GRAUL: Jody Graul, 65A Bass Point Road.

20 I have a question regarding the language in the
21 proposed zoning change, and it's Section 16.8.2 and
22 16.9.1 references, "Mixed use developments or projects."
23 My question is, will adoption of this article create a
24 mixed use district?

MR. STEINBERG: The answer to that's, "No," because when you calculate the numbers out -- so, we've got, you know, the 5.27 acres and we allow a maximum of 16 units per acre.

MR. GRAUL: I'm referring --

MR. STEINBERG: There's absolutely zero room for mixed use, and if it came to --

MR. GRAUL: Apples and orange --

MR. STEINBERG: -- the Planning Board --

MR. GRAUL: Apples and oranges. It mentions mixed use projects, it mentions mixed use developments. Mixed use, I believe, has a specific zoning meaning, one application is retail stores on the lower level, housing on, you know, the second and third levels.

So, either it means something or it doesn't mean anything. If it doesn't mean anything, it should be deleted from the article.

(Applause)

MR. NELSON: Thank you for the comment. I would point people to Section 16.4, which is Permitted Uses, and the only permitted use allowed in the overlay is multi-family housing, so no commercial would be allowed.

MR. GRAUL: So, you would delete mixed uses in Article 16.8.2 and 16.9.1 to avoid confusion?

1 MR. NELSON: Yes.

2 MR. GRAUL: If it talks about mixed use projects
3 and mixed use developments, either Nahant is going to
4 have them wherever this multi-family district ends up
5 or its not.

6 MR. NELSON: Yeah. Thank you, sir. That could
7 be struck.

8 (Applause)

9 MR. STEINBERG: Yeah, Jody, thank you for your
10 comment. You did -- you did find an error. So, we will
11 -- as I've said, when you look at the acreage, we're
12 just right up against it, so you know, 5 acres is not
13 a large site for 84, but you're right and we will strike
14 it. If somebody -- if somebody moves to strike I would
15 support that and I think Sheila would, as well.

16 Thank you. Next question?

17 MS. DUNFEE: Excuse me. I think we have to make
18 an amendment to --

19 TOWN MODERATOR: Friendly amendment?

20 MS. DUNFEE: A friendly amendment.

21 Jody, if you could write that down as an amendment.

22 TOWN MODERATOR: Hold on. I have forms for that.

23 MR. STEINBERG: Would he do it?

24 MS. HAMBLETON: Would you do it?

1 MR. GRAUL: I would rather the Planning Board
2 do it because I think there may be a third spot in that
3 article where mixed use is also mentioned. So, you have
4 it on a computer. Search for mixed uses, press delete.

5 (Applause)

6 MR. STEINBERG: Okay. Thank you.

7 Next question?

8 MS. MAGUIRE: Susan Maguire, 39 Breezy Hill Terrace.

9 I'd like some clarification on page 21, Number 5.

10 Did the Planning Board conduct a traffic study
11 on impacts on Bass Point? And the last sentence says,
12 "Since the Planning Board proposal will likely lessen
13 traffic and worst case will remain current traffic
14 levels, a traffic study was not deemed necessary,"
15 and I'm wondering, let's just say there are 50 units
16 put down at Bass Point --

17 MR. STEINBERG: Say that -- what again?

18 MS. MAGUIRE: Excuse me?

19 MR. STEINBERG: I didn't hear your last point.

20 MS. MAGUIRE: I said --

21 MR. STEINBERG: Let's assume what?

22 MS. MAGUIRE: I'm reading the --

23 MR. STEINBERG: No, no. You said, "Let's assume
24 that" --

1 MS. MAGUIRE: Let's assume that there are 50 units
2 going to be put in down there; okay. How can that --
3 I just want to know the reasoning behind writing that,
4 "It will likely lessen traffic and worst case, will
5 maintain current traffic levels."

6 MR. STEINBERG: Okay.

7 MS. MAGUIRE: Thank you.

8 MR. STEINBERG: So, typically traffic studies are
9 done by the developer who is proposing the development.
10 We don't know what that developer will propose, and it
11 would be extraordinarily difficult to do a traffic study
12 when you have no idea what's going to be built. I'll
13 answer your questions (Inaudible, low audio).

14 MR. NELSON: I think the -- maybe there's a little
15 bit of clarification. Right now under the overlay
16 zoning, they wouldn't be allowed to add any housing
17 because there's a cap of 84 units. Right now, there
18 are 128 units there right now. If they wanted to build
19 anything -- (Audience Cross talking)

20 TOWN MODERATOR: We're not in debate. We're
21 answering questions.

22 MR. STEINBERG: Okay. So, there's 84 units as
23 of right, it's capped at 128 units. There's currently
24 128 units, which would be replaced if development ever

1 occurs, I'm not saying it will, but if and when it ever
2 does, it would max out at 128.

3 So, the point is, there's single family. If some
4 of these are two bedroom/three bedroom, it may add 20
5 cars, you know, if you have two or three bedrooms.
6 Right now, in a lot of single families, you've got two
7 people with two cars. There's a lot of parking lots
8 at Bass Point, and it might add 20 or 30 cars to that
9 area. I don't think that's -- it's the same number of
10 units.

11 FEMALE: I mean, you don't live there, we do.

12 MR. STEINBERG: I know, but I live -- (Cross talking)

13 TOWN MODERATOR: If you're going to -- you need to
14 wait for a debate. You can't be shouting from your seat.
15 You need to get up to the microphone.

16 FEMALE: Okay.

17 TOWN MODERATOR: Thank you.

18 MR. STEINBERG: Okay. Logic would dictate if you've
19 got max 128 units, and right now you have 128 units,
20 and there are many married couples probably in those --
21 I'm just speculating, many married people. We don't know
22 what the units are going to be like. We don't know the
23 number of cars. What if it was 50? It would be like,
24 you know, two extra cars an hour, you know, at a stop

1 sign. I mean you tell me what it's going to be. Is it
2 going to be a traffic jam there? I don't think so.

3 MS. COLLINS: Yeah.

4 (Cross talking)

5 MS. COLLINS: There's a lot of cars, because of
6 what's going on there, there's many, many vehicles and
7 it's dangerous.

8 MR. STEINBERG: I know there's a lot of vehicles.
9 There's a lot of parked cars.

10 MS. COLLINS: Well, why didn't you do a traffic
11 study then?

12 MR. STEINBERG: Because it's not possible to do
13 a traffic study, because we don't know what it is.

14 MS. COLLINS: I've asked for traffic studies and
15 you guys just don't do them.

16 MR. STEINBERG: Okay. We --

17 MS. COLLINS: Anyway, that's not my question.

18 MR. STEINBERG: Oh, great. Okay.

19 (Laughter)

20 MS. COLLINS: So, I'm Kerry Collins, 22 Breezy Hill
21 Terrace. I hear a lot about, "You have to vote for this.
22 You have to vote for this space." I've actually said
23 this at the Planning Board's meetings, "Do you have a
24 Plan B, because aren't you going to maybe try to pick

1 the second spot if everyone here doesn't want it there?"

2 And maybe you should come to Bass Point because the traffic
3 is crazy here because of the new -- the new constructions
4 and I think everyone knows that.

5 And again, the day that a family has one car is
6 over. My family has four cars, but I'm lucky enough
7 to have enough parking for it.

8 But I want to know, what's your Plan B?

9 (Applause)

10 MR. STEINBERG: So, what the Planning Board was
11 asked to was come up with a proposal for compliance.
12 Planning Board members are elected, and part of our
13 responsibility was to look at possible sites and pick
14 what we believe is the optimal site.

15 So, we picked Bass Point because we get credit for
16 what's already there, so it's least disruptive. We'll
17 be at the same density, so traffic -- there may be some
18 incremental increase because units may be bigger, likely
19 would be bigger, but it's not, in my opinion, significant,
20 I think in any reasonable person's view significant.

21 But if you want to say it's going to be, you know,
22 this huge number of people like more than three cars an
23 hour would be different going on Castle Road -- going to
24 Castle Road, that's what it would probably be worst case.

1 Yeah. So, I -- you know, that's what we were asked
2 to do. We weren't asked to, you know, let's -- we're
3 presenting two options tonight. We were asked to make
4 a decision. We worked very hard to make the best decision
5 we could make. We think we made a good decision, and
6 that's What we're supposed to do and that's my answer.

7 MR. BERMON: Daniel Bermon, 44 Spring Road. I don't
8 have an actual question, but I don't want to interrupt
9 debate pointing out a technical flaw in the drafting.

10 As I read the Storm Water Management Provision
11 in proposed Bylaw Section 16.72(I), it actually doesn't
12 propose any kind of a requirement because it fails to
13 include a verb, and I would suggest that where it begins,
14 "Strategies that demonstrate compliance," if you add in
15 three little words, "strategies shall be implemented
16 that demonstrate compliance," I think you would have
17 a functional paragraph.

18 MR. NELSON: Okay. I appreciate the comment.

19 A lot of this language came from the template that
20 EOHLC provides communities for the overlay, and so this
21 language has been vetted by the State and also passed
22 their preapproval. I understand your concern, but
23 I think this would hold water given who authored it,
24 being the State.

1 MR. BERMON: Notwithstanding that it's a legal
2 nullity.

3 MR. NELSON: Yeah.

4 MR. BERMON: Okay. I tried.

5 MR. STEINBERG: Go ahead.

6 MR. YONKERS: My name is Gene Yonkers. I live
7 at 160 Bass Point Road.

8 My question is, could you talk a little bit more
9 about the feasibility study that you've done. If we
10 do this, you say, "if," I said, "when," I think down
11 the road it will happen, because we're being forced,
12 we're basically being forced to do it. You say we're
13 just going to create that zone. I understand that.

14 What about the disruption of the 128 people who
15 live there? And we talked about traffic. How much
16 traffic is that going to create? We're already dealing
17 with traffic in the construction where the military
18 housing was.

19 I'm not opposed to it and I think we should comply
20 somehow, but someone else asked about using a different
21 area. Is it conceivable that those other areas are more
22 feasible and it's not going to disrupt 128 people?
23 A lot of the people are sitting here.

24 And my question is, did the management company at

1 Bass Point discuss this with their residents? Granted
2 it's not going to -- you say it's not going to happen,
3 it may happen. I think it's going to happen.

4 MR. STEINBERG: No, it may happen. There's no
5 doubt about it.

6 MR. YONKERS: Well, you say, "it may happen," but
7 I believe it will happen because we're being forced
8 to do it. You even said that -- you used those words,
9 "The town is being forced to do it." Other towns --

10 MR. STEINBERG: By the State.

11 MR. YONKERS: Yes, by the State.

12 MR. STEINBERG: Right. And --

13 MR. YONKERS: I understand.

14 MR. STEINBERG: Yeah.

15 MR. YONKERS: I'm not arguing with you.

16 MR. STEINBERG: Yeah.

17 MR. YONKERS: I'm just -- I want to understand,
18 if you could discuss a little bit more about the
19 feasibility and maybe why the other areas were not as
20 suitable as Bass Point, because I think Bass Point is
21 the least resistant because it's one person making a
22 decision.

23 MR. STEINBERG: It's the least what?

24 MR. YONKERS: The least resistant. It's least

1 resistant --

2 MR. STEINBERG: That -- part of the feasibility
3 is whether -- you know, whether you have to -- you
4 know, like for example some of these sites -- you know,
5 people have to be willing to sell their properties.

6 If they require, you know, 50 people selling their
7 properties, you know, highly unfeasible. So, the fact
8 there was one owner was viewed as, you know, more feasible
9 in some other ways. You know, it was also feasible because
10 there's already multi-family there so the community is
11 used to having multi-family there.

12 I understand there's traffic disruption due to
13 the Coast Guard housing and all that and other issues
14 involving the Coast Guard housing, and you know, we're
15 highly sympathetic and considered the impact on the
16 people. We thought in terms of the overall impact of
17 the town this was -- was the best choice and that --
18 that's where we are.

19 MR. YONKERS: I understand. And my other question
20 -- I'll sit down, but I could talk all night.

21 The 25 percent of that 5 acres is built upon, is
22 it conceivable that those other 75 percent -- the other
23 75 percent of that property could be built upon to comply
24 with 3A? And this gentleman will give the answer.

1 MR. NELSON: Yeah, so this is going to be a common
2 frame that we -- that we come back to is that there's
3 a cap in the district that says you can only build 84
4 units in the entire district.

5 There's 128 there right now, so it's at capacity.
6 So, you're not going to add any more units. There's not
7 going to be anymore traffic until they literally reduce
8 by 44 units just to get down to 84 and then even go
9 beneath that in order to rebuild.

10 So, the expectation is that there's going to be
11 no change and that Nahant is going to get credit for
12 the multi-family that you already have, and then you
13 will continue to receive these grants without having
14 any impact. And if the owner decides that they do want
15 to be developed they would, again, have to reduce the
16 number of units to below the 128 that are there now in
17 order to start reconstruction.

18 MR. YONKERS: Can I just follow-up? If we're
19 reducing from 128 to 84, isn't it counterintuitive to
20 displace 128 people to support 84 more people? Isn't
21 it counterintuitive? Wouldn't it be better off building
22 on a property that's not going to displace people?

23 MR. NELSON: Yeah. So, there is a pathway where
24 they could redevelop all 128, and in that pathway have

1 25 percent affordable units that would then get you
2 to 40B Safe Harbor, which is one of the Town's goals.

3 I think the issue with trying to locate 84 units
4 somewhere else in town is we would be having this same
5 conversation but about someone's neighborhood that they
6 don't want to see change, about a business district
7 they don't want to see changed. And so, thinking about
8 where to put this capacity that's going to be the most
9 tolerable and have the least impact while still complying
10 with the State's goals by this process we identified
11 this one site, which again has the benefit of being a
12 single parcel.

13 MS. LEVIN: Donna Levin, 49 Surf View Avenue.
14 A couple of questions on the scoring and then one more
15 question after that.

16 On the scoring, there's a box for equity, was that
17 one of the 12, and all I see is zeros there, so I wondered
18 what the criteria was and why it wasn't scored?

19 MR. STEINBERG: So, the reason -- so, equity is
20 something the State -- there was -- there was a couple
21 of the criteria where we didn't -- didn't score them,
22 but we wanted to make sure that in approaching what
23 sites we looked at we weren't looking -- we weren't
24 picking on an area regardless of demographics, if it

1 has more expensive homes, whether they're businesses,
2 whether they're less expensive homes, regardless of who
3 lives in what area we wanted to make sure -- we viewed
4 equity as saying, "We're treating everybody equally and
5 we are not -- not hesitating to look at an area because
6 somebody has a lot of influence or a mansion," and that's
7 how we viewed equity.

8 And so, we said, given those criteria we're not
9 going to use -- we're actually not going to use the
10 equity criteria, but it was something we used in
11 determining the sites and the sites we thought we
12 should consider.

13 MS. LEVIN: And then my other question was, you've
14 front loaded, you've doubled the scores for the three
15 that you mentioned?

16 MR. STEINBERG: Right.

17 MS. LEVIN: And one of those was not transit
18 accessibility, which would seem to be in part what 3A
19 is about.

20 MR. STEINBERG: That is true, but --

21 (Applause)

22 MR. STEINBERG: So, we do have bus stops in Nahant.
23 I have rarely seen anybody on the bus.

24 (Audience cross talking)

1 MR. STEINBERG: So, but we did consider was it in
2 walking distance to the bus and some -- you know, and
3 the reality is virtually nobody uses a bus in Nahant.

4 (Audience cross talking)

5 MR. STEINBERG: Well, we know that's a point and
6 that's why we -- that was one of the reasons we went
7 to the State and said, "We don't even use public transit
8 why don't -- we're willing to give it up," and they said,
9 "No, we need the affordable housing -- the housing, the
10 multi-family housing, so --

11 (Audience cross talking)

12 MR. STEINBERG: We -- okay.

13 MS. LEVIN: And one more question.

14 MR. STEINBERG: Yeah.

15 MS. LEVIN: I am for affordable housing, I'd like
16 to see it here in Nahant, but talking about the choice
17 today being between us hurting the finances of Nahant or
18 voting, "Yes," it seems like giving us -- and I understand
19 the work you've gone through, but at this point with 30
20 days to the deadline I'm going to piggyback on the woman
21 who said, you know, "Where is the Plan B," or, "Where is
22 the ranked voting?" because it seems like a false choice,
23 "Do this or you're hurting the finances of Nahant."

24 MR. STEINBERG: Well, no, there's more --

1 (Applause)

2 MR. STEINBERG: It is true we need to get to a
3 "Yes" vote or we will be ineligible for critical grants,
4 that is true, and it's important that the citizens know
5 that.

6 The other thing that's important for the citizens
7 to know is, if we don't select -- you know, make a 3A
8 determination and determine a site, and as Nels said,
9 any site you pick everybody -- you know, people are going
10 to object to it, but if we do not comply, then the State
11 can come in and they can overrule the local zoning and
12 determine where and how many units and how high those
13 units are, because in the Milton case, the recent Milton
14 case, the judge ruled because Milton was noncompliant
15 with 3A that the State, if necessary, can appoint a
16 Master and he'll decide what meets the purposes of 3A,
17 so that would be the State -- it would be out of our
18 control, that could easily happen if we're unable to
19 come to a decision.

20 We had people look at this for a long time. We did
21 the best job we could. We were not biased. Of the people
22 who were most active on the issue, two of the three on
23 the Planning Board live in the Bass Point area and the
24 most active Selectmen also lives in the Bass Point area,

1 so there wasn't a bias towards Bass Point in the least,
2 if anything it was the opposite. And we discussed all
3 the issues you're bringing up, with the exception of
4 Jody's issue we discussed, which I think was boilerplate
5 that we missed.

6 So, we did the best we could and that's what we're
7 recommending, Bass Point.

8 MR. KRAFTS: Real quick. My name is Peter Krafts.
9 I'm at 128 Bass Point.

10 And the point I want to make is, there's never
11 been anything said about the people that live there.
12 And I understand that you looked at other places, but
13 I think that like 128 people will be the most impacted
14 by this.

15 And you know, can you give me or the people that
16 live where I live basically a grantee that it's going
17 to be a year? You keep saying, you know, "Well, maybe
18 it won't be. Maybe it won't happen, but maybe it could."
19 Can you say it's not going to happen in the next year
20 or two?

21 MR. STEINBERG: No, I can't say that. What I can
22 say is, nobody knows a developer interested in building
23 multi-family, building 128 or 84 units in Nahant. The
24 current owner of Bass Point is very happy with the rents

1 he's receiving, and he's refurbishing some units and
2 showing no indication he wants to make any change in
3 terms of current units.

4 So, from our vantage point, we did not -- and
5 I understand the concern of people who live there.
6 If I was a renter there I'd be very concerned, too,
7 but we -- we're being given credit for a multi-family
8 zone for multi-family units already in place, that's
9 pretty nondisruptive.

10 MR. KRAFTS: But it's not --

11 MR. STEINBERG: I understand there's a potentially --

12 MR. KRAFTS: Not the people displaced, the 128
13 will be replaced; right? That's kind of -- you're saying
14 there's no guarantee.

15 MR. STEINBERG: If it ever occurs, but what we're
16 seeing over and over again is big project developers
17 aren't interested in Nahant, there's no amenities.

18 MR. KRAFTS: So, you're saying basically --

19 MR. STEINBERG: It's costly.

20 MR. KRAFTS: -- vote, "Yes," and trust that
21 everything will work out, that in six months we're
22 not all packing up and leaving.

23 TOWN MODERATOR: This is a question time only.
24 No debate, please.

1 MR. KRAFTS: I'm not debating, yes. And one more
2 thing is -- yeah, I said the guarantee. I don't know.
3 I just -- it's a great place to live and I wouldn't
4 want to be you guys, but I think it's important to
5 think about the people --

6 MR. STEINBERG: Right.

7 MR. KRAFTS: -- at first instead of traffic,
8 instead of this, it should be the people that we be up
9 front with.

10 MR. STEINBERG: Okay. Thank you.

11 MR. KRAFTS: (Inaudible, low audio).

12 MR. STEINBERG: Thank you for your comments.

13 MR. KRAFTS: (Inaudible, low audio).

14 MR. STEINBERG: Okay. Thank you.

15 MR. KRAFTS: Thank you.

16 (Applause)

17 MS. ROGERS: Okay. This really is a question.

18 MR. STEINBERG: Okay.

19 MS. ROGERS: As I understand it, the overlay --

20 TOWN MODERATOR: Could you please state your name
21 and address? I'm sorry.

22 MS. ROGERS: Oh, I'm terribly sorry. Bea Rogers,
23 44 Pearl Road.

24 We're creating an overlay district, and it has a

1 maximum number of units, I've heard the number 84 and
2 I've heard the number 128.

3 MR. STEINBERG: Mm-hmm.

4 MS. ROGERS: And if I understand, what that means
5 is the 128 that are there, which are one-bedroom
6 apartments, number --

7 MR. STEINBERG: Right.

8 MS. ROGERS: -- but would comply with the 3A
9 requirement. If somebody for some reason said, "I want
10 to get rid of what's now there," they would be limited
11 to 84?

12 MR. STEINBERG: No. Let me explain.

13 MS. ROGERS: Or -- yeah, that's -- I wasn't clear.

14 MR. STEINBERG: I appreciate -- okay. She's right.
15 Well, -- okay, so -- okay, she's right. All right.

16 MR. NELSON: Okay. Yeah, yeah. That's right.

17 So, they would be limited to 84 by right. So,
18 this is a requirement to have by-right housing. There
19 was a comment made earlier that even with the by-right
20 housing that they would be able to supercede Con Com
21 and not have to go to Planning Board, that's false.
22 You still need those permits. You can't build in the
23 flood plain.

24 There is a Site Plan Review period even for

1 by-right. The Site Plan Review guidance is in here,
2 but as by-right you have the right to build 84 units.
3 There's also a provision in here that's a special permit
4 for 128 units that would require more affordable housing,
5 and the 128 is of course matching the current density
6 of housing at Bass Point.

7 Right now, the housing that's there currently was
8 put there by special permit, and so this special permit
9 provision would allow that recreation, but they would
10 have to go through the special permit process that
11 happened in 1977.

12 MS. ROGERS: Okay. So, it wouldn't be automatic?
13 Yeah. So, What I think I understood is right, that
14 right now, there is a building there with 128 units.
15 If somebody decided to get rid of that building, of right,
16 they could build only 84, and zoning like setbacks and
17 height restrictions do apply?

18 MR. STEINBERG: Right.

19 MR. NELSON: Yes.

20 MS. ROGERS: Do? Okay.

21 MR. NELSON: Yes. Thank you.

22 MR. STEINBERG: And with a special permit, they
23 could build 128, with a special permit with 25 percent
24 affordable also subject to 30 feet and all the zoning

1 requirements.

2 MS. GOODWIN: Are those 84 units multi-family?

3 MR. STEINBERG: Yeah.

4 MS. GOODWIN: Yeah, so that's more than 128 one-
5 bedroom apartments; correct? Like three, four, five
6 people per multi-family, maybe 10?

7 MR. STEINBERG: Well, we -- we don't --

8 TOWN MODERATOR: Excuse me. You need to state
9 your name and address.

10 MS. GOODWIN: Heather Goodwin, 22 Breezy Hill
11 Terrace. And I do have two questions.

12 The first one, how can you seriously say there
13 was public outreach about this when no one attends the
14 Planning Board Meetings, nobody plans the Selectmen
15 Meetings?

16 You have angry people, residents of our community
17 in Bass Point who have seen extreme change to what we've
18 had as a beautiful, quiet neighborhood in Nahant for many
19 years. Your public outreach (Inaudible, low audio).

20 And so, what I'm looking for are leaders that
21 bring people together, which I haven't seen in so long
22 in Nahant. You know, I'm so sick of the divide.

23 TOWN MODERATOR: Excuse me, but we need to stay
24 on point.

1 MS. GOODWIN: Second question, how does this
2 celebrate the -- I am for 3A, I have been the whole
3 time because I'm an affordable housing advocate; okay.

4 How does this celebrate 3A when you keep saying,
5 "Maybe they'll build, maybe they won't?" I want someone
6 to build affordable housing in house. I have children
7 and I have aging parents and they are being kicked out
8 of here; okay.

9 So, how does this celebrate affordable housing,
10 which Nahant does really need, Massachusetts desperately
11 needs and our country actually needs?

12 Thank you.

13 (Applause)

14 MR. LEWIS: My name is Jeff Lewis. I live at --

15 MS. GOODWIN: No answer to either of those questions?

16 MR. LEWIS: My name is Jeff Lewis.

17 MS. GOODWIN: From anyone up there?

18 MR. LEWIS: I live at 10 Ellsworth Road in Nahant,
19 Mass. and my question is, can somebody speak to advocate
20 for passage of this or is that not allowed under current
21 rules?

22 TOWN MODERATOR: Can you repeat that, please?

23 MR. STEINBERG: He wants to advocate for it.

24 MR. LEWIS: Can I advocate for passage of these

1 bylaws or is that --

2 TOWN MODERATOR: Not yet. We're still in questions.
3 If there are no more questions we'll begin debate.

4 So, there was a gentleman behind you, are you going
5 to be asking a question or do you want to start debate?

6 MR. KENWORTHY: Question.

7 TOWN MODERATOR: Okay. Thank you.

8 MR. KENWORTHY: My question is, what is 128 minus
9 84? Can anybody answer that question? It's 44, I'll
10 answer my own question.

11 I went to the meetings. These people did reach
12 out to everybody, and to be honest with you, I've been
13 a developer for 45 years. I feel for the people who
14 live at Bass Point Apartments, the wonderful woman over
15 there, whatever, but they have nothing to worry about.
16 There is no way a developer --

17 TOWN MODERATOR: Excuse me, but do you have a
18 question?

19 MR. KENWORTHY: That was my question.

20 TOWN MODERATOR: Okay.

21 MR. KENWORTHY: And I have a comment. I have a
22 comment.

23 TOWN MODERATOR: No, we're not taking comments right
24 now. We need to only answer questions and clarifications

1 and then we'll go to debate. Thank you.

2 MS. PERRELLO: Hi, Lisa Perrello, 20C Breezy Lane,
3 Bass Point.

4 Just curious, in the couple of years that you've
5 been researching this, what about the former Coast Guard
6 housing that was vacant for so long, did anybody consider
7 that as a good solution for affordable housing?

8 (Audience cross talking)

9 MR. STEINBERG: Okay. I cannot speak to the whole
10 Coast Guard, the consideration of that, but those lots
11 have been sold, so.

12 MS. PERRELLO: Right. But it was --

13 MR. STEINBERG: Whatever mistake --

14 MS. PERRELLO: -- vacant for so long.

15 MR. STEINBERG: -- might have been made in that
16 regards --

17 MS. PERRELLO: Did you ever consider that site
18 for building?

19 MR. STEINBERG: We can't. We got --

20 MS. PERRELLO: While you were doing the planning;
21 okay.

22 MR. STEINBERG: Yeah, we did not --

23 TOWN MODERATOR: It's out of order. Town Meeting
24 in 2021 decided what would happen with the Coast Guard

1 space, 3A came out after that vote, so we were already
2 moving forward in one direction.

3 Are there any more questions? I want to cut off
4 questioning, so we can get into debate.

5 FEMALE: I have a motion.

6 TOWN MODERATOR: No motions, not yet. I know --
7 I know your motion, not yet, please. Just that's it.
8 I'm going to stop it.

9 Mr. Graul, you're the last question, but --

10 MR. MCCARTHY: Hello, my name is Kevin McCarthy.
11 I live at 12 Linda Lane.

12 My question is, we've heard a lot today about of
13 course what could or couldn't happen, for instance if
14 3A is passed potentially the existing building could be
15 taken down, a new building could be constructed, either
16 84 units with 10 percent affordable housing or 128 units
17 through a special permit with 25 percent housing.

18 MR. STEINBERG: Correct.

19 MR. MCCARTHY: My question is, without 3A, without
20 this being an overlay district, is there anything prevent
21 ing the present owner from doing this right now, tearing
22 down and rebuilding?

23 (Audience cross talking)

24 MR. STEINBERG: Well, --

1 MR. MCCARTHY: So, this is something that could
2 happen anyway, even though --

3 MR. STEINBERG: No. Well, they would need --
4 they'd need to be multi -- well, they're not -- they're
5 zoned special permit in a very specific way so depending
6 on what they wanted to do, I think it's zoned special
7 permit with all one-bedroom units, so if he wanted to
8 do that, he could do that.

9 MR. MCCARTHY: That's -- that's my point.

10 MR. STEINBERG: Right.

11 MR. MCCARTHY: It could -- the owner presently
12 could tear down the units as they are and rebuild what
13 he has again, displacing residents that are there during
14 the construction period, is that true?

15 MR. STEINBERG: Yes.

16 MR. MCCARTHY: The present -- without 3A even,
17 this could happen?

18 MR. STEINBERG: Right.

19 MS. HAMBLETON: Yes, but they are existing is a
20 legal nonconforming use in today's zoning, so it is an
21 R2 Single-family Zone, 10,000 square feet, they can come
22 to the Planning Board tomorrow with a plan to subdivide --

23 MR. STEINBERG: Right.

24 MS. HAMBLETON: -- and create single family homes.

1 MR. MCCARTHY: Or they could -- the present owner
2 could destroy the building that's now in place, come
3 back and seek the special permits to build what's there
4 again, 128 units?

5 MS. HAMBLETON: Possibly.

6 MR. STEINBERG: Possibly.

7 MR. MCCARTHY: So, 3A really isn't going to change
8 that? The owner could do it now or -- so, we're saying
9 it might happen because 3A is enacted, --

10 MR. STEINBERG: If not --

11 MR. MCCARTHY: -- it may or may not but it could
12 happen even without 3A; is that correct?

13 MR. STEINBERG: That is correct.

14 MR. MCCARTHY: Thank you.

15 MR. STEINBERG: The current owner of Bass Point
16 could tear it down and sell them all for single family
17 lots and he might do that. I don't -- but I don't
18 think he's going to do that, I think it's farfetched,
19 but maybe.

20 MR. GRAUL: Jody Graul, 65A Bass Point Road.
21 Back to the article or zoning change. Section 16.5,
22 Dimensional Standards, it says, "Minimum lot dimensions,
23 5 acres," and then it talks about, "75 feet frontage,
24 front yard 75 feet, 25 feet, 10 feet."

Is that 5 acres a misprint? Should it be 10,000 square feet, which is the R2 requirement?

MR. NELSON: No, the minimum lot area is 5 acres.

MR. GRAUL: For what?

MR. NELSON: For -- as of right multi-family.

MR. GRAUL: So, Sheila just mentioned subdividing. So, what are the dimensional standards for a lot that has been subdivided to be able to put a multi-family house on? It looks like it's 5 acres.

MR. NELSON: Yes, this is a great question, sir.

So, this is an overlay district, so right now, the owner still has the right to the underlying zoning, what we call the base zoning, which is single family, which is most of the rest of Nahant.

If the owner wants to use the overlay for multi-family, the minimum lot area is 5 acres. So, there will only be -- they can't subdivide and do two it has to be one development at Bass Point.

MR. GRAUL: I'm thoroughly confused.

(Laughter)

MR. GRAUL: Is it -- I'm just confused. If it said 10,000 square feet, I would understand that because it's an R2 Zone with the overlay.

MR. NELSON: Yeah.

1 MR. GRAUL: And I still don't understand the 5
2 acres. So, if somebody puts in a multi-family compliant
3 building or buildings, it's 5 acres, and the frontage
4 has to be 75 feet, I assume on Bass Point Road or if
5 they build a road or whatever, but it just seems --
6 it doesn't fit 5 acres as a minimal lot dimension,
7 it just doesn't seem to fit.

8 MR. NELSON: Thank you, sir.

9 TOWN MODERATOR: All right. Before we start
10 debate, I think we have an amendment and this is --
11 is this the amendment to change the verbiage? Yes.

12 So, I'm assuming because it's being presented
13 by the Planning Board, it's a friendly amendment.

14 MS. HAMBLETON: Yes, thank you. Sheila Hambleton,
15 17 Kenney Ave., Chairman of the Planning Board.

16 I move that the language, "the mixed use," be
17 stricken from Section 16 as listed, page 9, 16.7,
18 Number 1, delete, "and mixed use." Page 10, 16.7,
19 Number 3A, delete, whole sentence remove, "A," and
20 renumber, "A, B, C, D." Okay.

21 Page 10, 16.7, Number 4, delete, "and mixed use."
22 Page 11, 16.7, Number 5C, delete, "or mixed use."
23 Page 11, 16.8, Number 2, delete, "and mixed use."
24 Page 12, 16.9, Number 1, delete, "or by/or mixed use,"

1 or any other locations it may be found in this section.

2 TOWN MODERATOR: Do I have a second?

3 MALE: Second.

4 TOWN MODERATOR: All right. Do we have any debate
5 on the amendment, just the amendment, on the verbiage
6 change?

7 Seeing and hearing none, we're going to take --
8 we don't have our clickers, so we're going to let our
9 Town Clerk --

10 MS. DUNFEE: Ladies and gentlemen, the power is
11 back on. The internet is back on. So, if you have a
12 blue wrist band, you can get a clicker; okay.

13 (Audience cross talking)

14 MS. DUNFEE: Can you hit that thing.

15 TOWN MODERATOR: All right. For the amendment,
16 we're going to just a voice vote.

17 All in favor, say, "Aye."

18 ATTENDEES: Aye.

19 TOWN MODERATOR: Any opposed?

20 Unanimous. Thank you.

21 (Applause)

22 TOWN MODERATOR: All right. Before we get into
23 debate, I would like to take a five-minute recess so
24 that we can hand out clickers.

1 (Five-minute recess)

2 TOWN MODERATOR: All right. We're not going to
3 use the clickers. We're going to -- I've decided that
4 we're going to do a voice vote, a stand vote, and a
5 paper vote.

6 (Applause)

7 MS. ROGERS: I think it's very clear from the
8 questions that were asked and the comments, that this
9 is a highly contentious issue and I am going to request
10 that we -- if we don't use the clickers, that we --
11 I know it takes a long time --

12 TOWN MODERATOR: Once we go through a voice --

13 MS. ROGERS: -- when --

14 TOWN MODERATOR: Excuse me.

15 MS. ROGERS: When we get to a vote on the final
16 article, that we do it by paper ballot to keep it
17 confidential.

18 (Audience cross talking)

19 TOWN MODERATOR: Excuse me. We're going to --
20 I'm explaining. It's my prerogative. We will do a
21 voice vote. If we don't feel comfortable with the voice
22 vote after a voice after voice vote, we can do a standing
23 vote, and if we're not comfortable with that, seven
24 members of the audience can stand up and request a

1 paper vote. That's the process.

2 (Applause)

3 TOWN MODERATOR: That's how it's spelled out in
4 my little Bible here.

5 So, we have a motion on the floor, and I am opening
6 it to debate. Please come up to the microphone, state
7 your name and address and let the games begin.

8 MR. KENWORTHY: Scott Kenworthy, 21 Range Road.

9 Just a point I was trying to make earlier was, you
10 know, what's 128 minus, and I answered my own question
11 it was 44. Being a developer for -- and you know, I'm
12 not the biggest developer, the greatest developer, the
13 smartest guy, but I do understand budgets and common
14 sense, and I could tell you that I understand the concerns
15 of the renters at the Bass Point Apartments, I don't
16 think they have anything to worry about.

17 Why would a developer who has 128 units, why would
18 they reduce themselves down another 44 units to 84 units?
19 What bank would go for that type of proposal? None.
20 Who would take something that was built 40 years ago and
21 pay today's prices? Does anybody know what has happened
22 with prices and constructions in the past six/seven
23 years? They've doubled. So, it's not going to happen.

24 And I went to this meeting. Somebody stood up

1 here and said that nobody -- nobody was allowed to come
2 to the meetings or something. You had the same right
3 that I did. I showed up at the meeting, there was only
4 a handful of people. Could it have been marketed a
5 little bit better, possibly, but everybody had that
6 opportunity to show up and you didn't show up.

7 So, listened to everybody. I sat there and listened
8 to everybody, and I can tell you, I've been to a lot
9 of Board Meetings. I'm not the greatest speaker, but
10 I just feel compelled to come up here.

11 Nels -- Nels did one hell of a job, this guys a
12 great consultant, he's worth every penny you paid him,
13 because to -- I wouldn't even think of going over to
14 those apartments and do that as an overlay and would
15 that be acceptable to the State. We are so blessed
16 that we actually have that there and that you're able
17 to overlay this.

18 Nobody is going to any building there. There's a
19 thing in real estate called the status quo, and what this
20 does is, this ensures the status quo. Why? Because the
21 numbers don't lie, they're not even close. No developer
22 in their right mind would knock down 128 units to build
23 84, it's common sense. We could have a first grade class
24 about this and the kids would understand.

1 So, there is paranoia involved with people who
2 live over there. I don't think you have anything to
3 worry about. You have nothing to worry about. And
4 I think the Board did do a great job.

5 And somebody said, "Why don't they do it into,
6 you know, two different projects and break it up?"
7 Well, it's tough enough with just one. You're lucky
8 that you had those 5 acres. You're lucky that you had
9 those units that had exceed the 84 and that we're able
10 to use this.

11 And don't think it's going to be the last time
12 that the State of Massachusetts -- the problem isn't
13 these people who've worked their butt off, the problem
14 is the State, and you never know what they're going to
15 throw at you.

16 And you know, I thought, "Geez," I saw -- I looked
17 at the bus going by everyday and I see it a lot empty,
18 but there's people who really need it, and those people
19 we've got to preserve that for them, and I thought, "Geez,
20 maybe we could just not have the bus service," but it
21 entails a lot more, the Causeway, things that we can't
22 get federal funds from gotta come through the State.
23 All this stuff.

24 I just built a 70-foot riprap wall at my house in

1 Maine and it cost me \$300,000, so I know about dealing
2 with ocean front stuff. We need this. We need to comply
3 and if we don't we're idiots, because we're just going
4 to be forced to comply.

5 So, I think everything worked out well. I think
6 everybody is overly concerned about nothing. That's
7 all I have.

8 (Applause)

9 MR. FORSTER: My name is Bill Forster, 28 Highland
10 Avenue. I would like to state my position first and
11 then give three points.

12 My position is, this is lesser of the evils, hold
13 our nose and vote for it. The Board and the people that
14 we have elected have done a good job.

15 My first point is, don't fight history, it's coming.
16 If it isn't 3A it was 40B and the cherry sheet before
17 that, and they'll be more. As Scott said, this is the
18 beginning. We have a housing crisis. We have a population
19 crisis. And the best we can do, I think, is make the
20 best of a bad situation.

21 My first point; okay. We have tried to oppose
22 history a couple of times in this town, it's fruitless.
23 The state can change the law anytime they want and make
24 a new law. Just look around at some of the other towns,

1 what's happening to them. In fact, that's a good point
2 to quit, look around to what's happened to other points.

3 I concede my time to anybody who needs it.

4 (Applause)

5 MR. GRAUL: Jody Graul, 65A Bass Point Road.

6 For what it's worth, I'd like to correct a lot
7 of things that have been said about the special permit
8 that is in effect right now for the Bass Point Apartments.
9 It's been referred multiple times as multi-family units,
10 128 multi-family units.

11 With the help of the Clerk, I actually got the
12 special permit and I read it. The special permit is
13 actually, if you can believe this, a motel complex of
14 128, two-room efficiency apartments in seven buildings.
15 What someone is going to make of that to try to change
16 the special permit into multi-family housing, good luck,
17 but it's not currently multi-family units as it's being
18 used in the present article.

19 The other point I wanted to make, and I guess it's
20 a question, I didn't want to ask three questions in the
21 question session is, it was stated tonight that the plan
22 has been approved by the State. I would like to know when
23 the plan was approved by the State and is it in writing?

24 (Applause)

1 MR. STEINBERG: It was submitted to the State.
2 We worked collaboratively with the State, and they
3 pre-approved the map as --

4 MR. GRAUL: In writing?

5 MR. STEINBERG: In an email. It's not -- it's
6 not final, formal approval. After we approve it,
7 there's final, formal approval.

8 But what my point was that they accepted the map
9 and they're -- we've worked collaboratively with them
10 the whole time and they accept what we've done, and
11 Nels is an expert on what the State accepts and doesn't
12 accept. It may be they disapprove, but all indications
13 are that we got it right and that they will approve
14 following passage by the Town.

15 MR. GRAUL: Okay. That doesn't -- I'm sorry, but --

16 MR. STEINBERG: I'm telling you --

17 MR. GRAUL: -- there's a -- there's a procedure
18 for pre-adoption in which your proposed --

19 MR. STEINBERG: Okay.

20 MR. GRAUL: -- article can be submitted to the
21 Executive Office of Housing and Liveable Communities.
22 Unfortunately, they will not look at all -- unfortunately,
23 they take 90 days to review it. They will then issue
24 a letter with feedback to the community if there's any

1 issues with it before it goes to the legislative body.

2 In the Town of Nahant, this is the legislative
3 body. My guess is, it just couldn't be done with a
4 90-day advance in order to get it approved at Town
5 Meeting by December 31st. So, this is certainly not
6 a criticism for not following that procedure.

7 But what my fear is, I think the particular draft
8 or proposed article, proposed zoning has some problems.
9 One problem is, I think a motel complex of 128 two-room
10 efficiency apartments in seven buildings is a nonconforming
11 use of an R2 Residential Zone, and I've seen some
12 references to not allowing a 3A overlay on a lot that's
13 nonconforming. I don't know. Maybe -- maybe it's okay.
14 I don't know, but that was one of my concerns.

15 My other concern is that the Bass Point Apartments
16 are presently on a flood zone overlay, so we're putting
17 an overlay on an overlay on an R2 that has a special
18 permit. Good luck.

19 For anyone to do anything, because all it takes
20 is for somebody to, you know, either raise -- it's just
21 -- zoning is complicated, the Planning Board knows that,
22 but realize what we're doing with this particular lot
23 would be much simpler if it was property that didn't
24 have a special permit, didn't have a flood zone area,

1 but we probably don't have it in Nahant, it's --

2 But the State doesn't understand that. You went
3 to them and you tried to explain it to them. I'm sure
4 nobody at the State said, "Whoa, let me take a look at
5 your Town GIS Map. Oh, here's a spot, this will work."
6 "Well, guess what? It won't." "Well, here's another
7 spot." "Well, that won't work either."

8 So, yeah, we're between a rock and a hard place,
9 but I'm concerned particularly on this lot because that's
10 what was chosen, because it has the special permit, it
11 has an existing overlay and it complicates the matter
12 if the State does not approve it, that's why I asked,
13 "Did they approve it in writing?" because if they renege
14 and say, "Oh, gee. We didn't know about it was a motel
15 complex of 128 apartments," that makes a difference and
16 you may have to start all over again. Thank you.

17 (Applause)

18 MS. HAMBLETON: I'm going to try to answer a couple
19 of those questions.

20 The first, the Executive Office of Housing and
21 Liveable Communities, there was a slight error on my
22 part, and that was only that we got a prior approval
23 from the Attorney General's Office, and we got approval
24 through the Massachusetts Housing Partnership, and just

1 so you know, they're the ones who paid for our consultant.
2 The Town of Nahant did not spend any money on the
3 consultant, it was a gift to the Planning Board.

4 So, we were happy to receive -- receive that.
5 We didn't get a bill. We don't even know what it cost.
6 And that is thankfully to Nels Nelson, who has been
7 with us for about six months now.

8 I did send everything into the Executive Office
9 of Housing and Liveable Communities as emails and
10 attachments but not through their portal. Their portal
11 was a little difficult to try to maneuver and negotiate,
12 and every time I went in, I tried to save, and then I
13 couldn't get back to it.

14 So, it has been sent in, but in the meantime I did
15 get an email back that said based upon all of the Excel
16 files and sheets and everything that was the Compliance
17 Model, the Town Meeting, this Town Meeting, our current
18 zoning, they will have the opportunity to review it, but
19 they in a quick glance said, "It looks good. We don't
20 see a problem." So, I'm hoping that's true.

21 MR. GRAUL: Mr. Moderator, can I just ask two
22 questions?

23 (Audience cross talking)

24 TOWN MODERATOR: You get one chance to speak, but

1 is it a rebuttal question or?

2 MR. GRAUL: It's a clarification of what was sent
3 into Executive of Housing and Living Communities, since
4 they are the agency that must approve what we vote on.

5 TOWN MODERATOR: So, you're asking if that was
6 sent -- if that's who she sent it to?

7 MR. GRAUL: Well, I have two items I want to ask,
8 if it was sent?

9 MS. HAMBLETON: I said, I sent in an email, not
10 through the portal until Monday; okay. So, I sent the
11 Compliance Model. I sent our current Zoning Bylaw.
12 I sent today's Special Town Meeting Bylaw. I sent our
13 Town Zoning Map and the Proposed Zoning map, and those
14 were the requirements.

15 MR. GRAUL: Can I ask one question?

16 TOWN MODERATOR: One question.

17 (Audience cross talking)

18 TOWN MODERATOR: One question.

19 MR. GRAUL: Did you submit the special permit that
20 presently exists on that lot?

21 MS. HAMBLETON: No.

22 MR. NELSON: The gentleman had several points that
23 I just want to clarify because this is very complicated.
24 The existing special permit and the nonconformity does

1 not matter at all. The existing use of the site is not
2 relevant to having the capacity to build multi-family.
3 The special permit talks about motel-style units, it's
4 relevant for the purpose of establishing capacity.

5 I've also heard from a couple of the commenters
6 a little bit of confusion about the term, "multi-family."
7 What I think people might understand is that you can
8 have multiple families in a unit, that's not correct.
9 It is the same type or same allowable type of unit that's
10 in Bass Point currently, which is a housing unit.

11 So, the term, "multi-family," means you have multiple
12 housing units on the lot as opposed to a single family
13 or a two family, it's just saying there's many units,
14 not that you can have many families in the units. So,
15 that's a good clarification.

16 And then the point about the flood, I just want
17 to address very quickly. Obviously, the State doesn't
18 want to have the multi-family capacity be in flood
19 zones, and so they put out a map of all the areas that
20 are excluded where you can't have your 3A MBTA compliant
21 zones.

22 Part of the Bass Point district is in the flood
23 zone, but there are 5.27-acres that are developable,
24 according to the State, and therefore we're able to

1 put the capacity for 84 units on the developable part
2 of Bass Point.

3 MS. LOSPENADO: Okay. Karen Lospenado, 34 Bass
4 Point Road. I have a question and a comment.

5 You talk about 84 units and you're insisting that
6 the scenario would be 84 apartments as opposed to 40
7 two-family houses.

8 Is that not possible to happen that they would put
9 two-family homes? That's a big parcel of land. Is that
10 something that can happen like what happened with the
11 military housing, yes or no? Can that happen?

12 TOWN MODERATOR: Nels?

13 MR. NELSON: Yeah, so they can have 84 units on
14 that site if they meet the dimensional standards.

15 MS. LOSPENADO: So, you could have a two-family
16 home that meets those dimensional standards, you could
17 have 30 of them?

18 MR. NELSON: Yeah.

19 MS. LOSPENADO: You could have a gigantic housing
20 development like you have at the military housing; okay.

21 So, my point is, not only does this affect the
22 Bass Point area for traffic, number one, it affects
23 Castle Road, which is already a speedway, it affects
24 Flash Road, Gardner Road, Fox Hill Road, Bass Point

1 Road, Nahant Road between Castle and Spring. It's the
2 whole area as you enter and go onto Castle Road.

3 And my other comment is, how in God's name is
4 the school going to handle the potential of all these
5 families, let alone the cars, as well as fire and
6 ambulance? That's my point. Thank you.

7 (Applause)

8 MR. NELSON: Okay. I would just reiterate, it's
9 impossible to add more units than there are currently
10 there today.

11 (Applause)

12 MR. LEWIS: Jeff Lewis, 6 Ellsworth Road, Nahant,
13 Mass.

14 I got up this morning and I wanted to put down on
15 paper why I am advocating for the adoption of these bylaws.
16 Tonight, we are here to debate and pass the third part
17 of our four-part Housing Plan.

18 The first part was to regulate short-term rentals,
19 we did that 18 months ago because a lot of housing units
20 were being turned into short-term rentals and we wanted
21 to stop the damage and it's been regulated.

22 Next, we crafted and passed our ADU Bylaw for
23 single-family dwellings. This also was to develop
24 more single-family units which there are a lot in

1 Nahant as units that can be used to pass houses onto
2 their kids.

3 Tonight, we put forth the MBTA 3A Bylaw for multi-
4 family dwellings. This piece protects Nahant from costly
5 lawsuits, loss of revenue, and opens the door for new
6 and untapped revenue sources that become available to
7 Nahant so that we can proceed with the fourth and the
8 final piece of our Housing Plan, the Municipal Affordable
9 Housing Trust.

10 After tonight's bylaws are passed, people in this
11 room will go out and they'll start a process called
12 discovery to find out whether the Affordable Housing
13 Trust can be used in this Town. My fear is, if we give
14 into fear and we don't pass this piece of the law, then
15 there won't be money to sit back and go toward the
16 Affordable Trust.

17 So, I'm asking for everybody here, with calm heads,
18 to vote for these bylaws.

19 Thank you.

20 (Applause)

21 MS. BUDRYK: Bonnie Budryk, 80 Flash Road. This
22 question is for Peter and Diane. What's the protocol
23 to change these votes to a paper ballot and maybe on
24 a Tuesday?

1 TOWN MODERATOR: It's at my discretion. In our
2 Town Meeting Time Book, which we are bound to by our
3 bylaws, I'm calling for a voice vote, and if it's
4 difficult to determine with a voice vote, then I'll
5 go to a standing vote, and after a standing vote if
6 we are still as a group not comfortable, then seven
7 voters can stand up and petition to have a paper ballot.

8 MS. BUDRYK: No, I heard all that before. Thank you.
9 But I mean going forward with voting on a paper ballot
10 on a Tuesday like from 8:00 to 8:00.

11 TOWN MODERATOR: Oh, you mean putting it on a
12 ballot question --

13 MS. BUDRYK: Yes.

14 TOWN MODERATOR: -- on an actual election?

15 MS. BUDRYK: So, everybody can vote. I mean,
16 people are busy. Nobody really wants to be here at
17 this time.

18 TOWN MODERATOR: We regulate by Town Meeting.
19 I don't know the process to put it on a ballot for a
20 ballot question. Maybe -- yeah. She -- go ahead.

21 MS. NIETO: Hi, Alison Nieto. I'm the Town
22 Administrator.

23 So, by this 3A MBTA law, it has to be approved
24 by the legislative body, and the legislative body for

1 the Town is Town Meeting, it's you guys as the residents.
2 So, this vote has to be taken at a Town Meeting.

3 MS. BUDRYK: Oh, so you couldn't just have a Town
4 Meeting and then vote on it the following Tuesday?

5 MS. NIETO: No.

6 MS. BUDRYK: Okay.

7 MS. NIETO: It has to be done at Town Meeting.

8 MS. BUDRYK: Oh. Well, thank you.

9 MS. NIETO: Okay.

10 TOWN MODERATOR: Thank you.

11 MS. MAGNER: Patricia Magner, 15 Breezy Hill
12 Terrace. This is going back to Mr. Graul's question.
13 When did the location, that's Article 2, Appendix 1 --
14 when was that submitted and approved by the State?

15 The Town Councils say that we can't change that
16 location to the one that's on the drawings, the proposed
17 location at the Ward Bath House, the 5 acres that could
18 be there, which meet the compliance and intent of 3A.

19 The intent of 3A is that you walk from a bus station
20 or a commuter rail station and it be located -- this
21 zoning is supposed to be located within half a mile of
22 that transportation.

23 The Causeway is cut off by water. Flooding, snow,
24 a disaster at the roadway. The Lynnway is now going

1 to be reduced because of the housing that they've added
2 near the General Edwards Bridge. They've taken a whole
3 lane out, and Nahant will be impacted because our sewer
4 pipes run from the sewer plant all the way down the
5 Lynnway, which will be the one open lane, when that
6 breaks down there will be one lane to get home from
7 Revere to Nahant. The bike lane, I think is also our
8 sewer pipes, so when that gets damaged, Nahant will be
9 paying for that.

10 Now, the question is, the location for this, if
11 it's just complying with 3A, the compliance is they
12 need an answer by December that we're willing to assign
13 a space, why can't we assign the right-hand corner of
14 the drawing that was proposed but wasn't voted on a month
15 ago or whatever, that location it's the Ward Bath House
16 named after Mr. Ward, a Nahant resident, the Carney DCR
17 property, which is a lease, it is controlled by the
18 State. We can't -- we can't even force -- the police
19 can't override the State Police on getting people into
20 town in a disaster.

21 TOWN MODERATOR: So, I'm going to stop you right
22 there.

23 MS. MAGNER: (Inaudible, low audio).

24 TOWN MODERATOR: I'm going to stop you right there.

1 MS. MAGNER: Yeah.

2 TOWN MODERATOR: Essentially, our Town Bylaws
3 basically tell us that we have to notice all of the
4 voters in Town. Our voters have been noticed that
5 we are voting on the Bass Point property, therefore,
6 we cannot change the property.

7 As far as the other -- you know, the reasons not
8 being able to use that, I would put that to the Planning
9 Board, but as far as this voting body is concerned, we
10 have noticed our community, our voters, on voting on the
11 Bass Point property, that's what we have to do tonight.

12 We cannot sit here and say, "Well, we're going to
13 debate whether we're going to use this, the Country Club
14 or anywhere else." We noticed on Bass Point, therefore,
15 we have to vote on it.

16 MS. MAGNER: But what was the date that the Bass
17 Point property was chosen, was it after the meeting where
18 the members of the Planning Board took a vote and did
19 that little chart that's at the end of the book?

20 Was that -- when was the State notified? Mr. Graul
21 asked the question, what date was the State notified
22 that we chose -- we didn't chose, that the Board chose
23 the Sea Breeze Lane Realty Trust property for this 5
24 acre?" What was the date they were notified?

1 MS. HAMBLETON : September the 8th.

2 MS. MAGNER: Okay.

3 (Audience cross talking)

4 MS. HAMBLETON: Okay.

5 (Applause)

6 MS. HAMBLETON: And I want to speak on the Ward
7 Bath House.

8 MS. MAGNER: Yeah, thank you.

9 MS. HAMBLETON: That is exempt for two reasons,
10 it's owned by the Commonwealth, so it's Government owned
11 and they've already automatically exempted all Government
12 property, and then all flood zoned properties, and that's
13 in the flood zone.

14 MS. MAGNER: But the land is Nahant; right?

15 MS. HAMBLETON: It is in Nahant, but it's owned by
16 the Commonwealth of Massachusetts.

17 MS. MAGNER: The building is owned by the
18 Commonwealth of Massachusetts.

19 MS. HAMBLETON: And well, as far as I know, the
20 land is.

21 MS. MAGNER: A beach owned property is the ownership,
22 which is why we're getting penalized because they're
23 saying that the beach to the low water mark; okay,
24 all the beaches are Nahant's measurements.

1 So, we're getting penalized for having a beach
2 and a causeway that we can't control that are not under
3 our -- you know. So, the thing is that that is --

4 TOWN MODERATOR: That's outside of the discussion.

5 MS. HAMBLETON: I know, but --

6 MS. MAGNER: Yeah; okay. All right.

7 (Audience cross talking)

8 MS. HAMBLETON: The State's controlling us and
9 our hands are tied for that --

10 MS. MAGNER: Okay. All right.

11 MS. HAMBLETON: -- unfortunately.

12 MS. MAGNER: So, I vote -- I vote and encourage
13 all of you to, "No," because it's a blackmail on the
14 part of the State, and it's going to cost more money
15 by the time this is finished than whatever you lose --
16 a million dollars and some sort of grant. It's going
17 to be an absolute disaster in that location.

18 MS. ROGERS: Bea Rogers, 44 Pearl Road.

19 I'm going to say that I -- there's been a lot of
20 concern about increased traffic and burden and so on,
21 but my understanding, based on the response I got to
22 my question is that the maximum number of units, that
23 is to say apartments, the maximum number of apartments
24 is what's there now, 128.

1 And if someone, for reasons that I can't understand,
2 decided that they wanted to tear down what's there now
3 and rebuild something else and displace people, which
4 I hope will never happen, that as of their right, they
5 could build 84 units.

6 So, what I'm hearing is that the concerns about
7 a burden on increased traffic, increased -- you know,
8 burden on the Town and stuff like that is -- is not
9 justified by the fact that the number of units that
10 are there now couldn't be increased, and if somebody
11 rebuilt, they would at most likely be decreased.

12 And from what I understand, and please confirm,
13 the building which is there now does meet the State's
14 3A requirement. Even though they're one-bedroom
15 apartments. they still would comply with the 3A
16 requirement.

17 (Audience cross talking)

18 FEMALE: Is that a question?

19 MS. ROGERS: Well, that was -- that's my
20 understanding is that --

21 FEMALE: That's correct.

22 MS. ROGERS: -- the Bass Point Apartments that
23 are there now are -- that's the most number of units
24 that could be on that land, and that the building that

1 is there now in fact complies with the requirements
2 of the State. I mean, I don't like being blackmailed
3 by the State either, but given that it's a requirement,
4 it does meet that requirement and more units cannot be
5 constructed.

6 (Audience cross talking)

7 MS. FLACKE: 345 Nahant Road, Rebecca Flacke.

8 And I don't know if that's the right term, but
9 I would like to ask the question; is that --

10 TOWN MODERATOR: Call the question.

11 MS. FLACKE: Call the question.

12 TOWN MODERATOR: We have a motion to call.

13 (Applause)

14 TOWN MODERATOR: So, we're going to take a voice
15 vote, majority.

16 All those in favor of calling the question say,
17 "Aye."

18 ATTENDEES: Aye.

19 TOWN MODERATOR: All those opposed?

20 Unanimous. Wow. Two unanimous in one night.

21 So, the question has been called.

22 Now, we're going to vote on the main motion.

23 FEMALE: And we can't request a paper ballot?

24 (Audience cross talking)

1 TOWN MODERATOR: Not at this point.

2 All those in favor of the motion please say, "Aye."

3 ATTENDEES: Aye.

4 TOWN MODERATOR: Yeah, sure. We'll read it as
5 amended.

6 MR. VANDERSLICE: All right. My encore performance.

7 I move that Nahant add a new section, Section 16,
8 Multi-Family Overlay District, to its existing Zoning
9 Bylaw as printed in the report and recommendation of
10 the Advisory and Finance Committee on pages 7 through 13.

11 And I guess I would note there was a friendly
12 amendment to that changing some of the language that
13 passed earlier.

14 TOWN MODERATOR: Now, all those in favor say, "Aye."

15 ATTENDEES: Aye.

16 TOWN MODERATOR: All those opposed.

17 ATTENDEES: No.

18 MR. GRAUL: Point of order.

19 TOWN MODERATOR: Sure.

20 MR. GRAUL: The Chair of the Fin Com just read an
21 article and you called for a vote on the article with
22 absolutely no chance to debate.

23 TOWN MODERATOR: We've been debating for the last
24 hour on that.

1 MR. GRAUL: That was on Article 1, not on Article 2.

2 TOWN MODERATOR: He just read Article 1.

3 (Audience cross talking)

4 TOWN MODERATOR: He reread Article 1 at the request
5 of the floor.

6 MR. VANDERSLICE: Article 1. I move that Nahant
7 add a new section, Section 16, a Multi-Family Overlay
8 District to --

9 MR. GRAUL: I apologize. The hearing aides didn't
10 kick in.

11 (Laughter)

12 TOWN MODERATOR: All right. I believe the, "Ayes,"
13 have it. Sorry, Dan?

14 (Applause)

15 (Audience cross talking)

16 FEMALE: We're not happy with that voice vote.

17 MR. MANNING: We question the vote.

18 FEMALE: Thank you.

19 TOWN MODERATOR: We've questioned the vote.

20 FEMALE: Second.

21 FEMALE: Third.

22 TOWN MODERATOR: We're going to do a stand-up
23 vote now.

24 All those in favor, stand up. If you're in the

1 back of the room and you don't have a chair kind of
2 squat down so we don't, you know --

3 All right. All the, "Yeses," please sit down.

4 All the, "Nos," stand up.

5 The, "Ayes," definitely have it.

6 (Applause)

7 TOWN MODERATOR: The, "Ayes," definitely have it,
8 so the motion passes.

9 Mr. Bell, Article 2.

10
11 ARTICLE NUMBER 2
12

13 MR. BELL: I move that Nahant amend it's Zoning
14 Map to reflect the new Multi-Family Overlay District
15 as shown in the report and recommendations of the
16 Advisory and Finance Committee on page 15.

17 FEMALE: Can you repeat?

18 TOWN MODERATOR: Yeah, please repeat that.

19 MR. BELL: Okay. I move that Nahant amend it's
20 Zoning Map to reflect the new Multi-Family overlay
21 District as shown in the report and recommendations
22 of the Advisory and Finance Committee on page 15.

23 MS. WARREN: I'll second.

24 TOWN MODERATOR: Seconded, by Ms. Warren

1 And we do have a map up here. Does the Planning
2 Board have any comments?

3 MS. HAMBLETON: The parcel in -- outlined in
4 yellow is the Bass Point Apartment Map 19, Lot 54.
5 The purple is excluded area that is required by the
6 State. So, the area in green is just about 5.25 acres,
7 and that is the requirement for our Zoning Bylaw.

8 TOWN MODERATOR: Debate?

9 (Audience cross talking)

10 MR. GRAUL: We are on Article 2 now?

11 TOWN MODERATOR: We are on Article 2 now.

12 MR. GRAUL: Okay. I guess for the Planning Board
13 a clarification.

14 I believe the entire Bass Point property is in
15 a VE Zone and it's covered by the Nahant Overlay for
16 flood plain. I thought I heard a mention when we were
17 talking earlier about the Ward Bath House area, granted
18 it's public land and it's exempt, but whether 3A Multi-
19 Family Housing can be built on land that's in the flood
20 zone, which I think Bass Point Apartments is in a VE Zone
21 with a 18 foot.

22 If you look in Nahant Zoning, it defines where the
23 overlay is and it says, "VE Zones." So, my question is,
24 can the multi-family district be in a VE Zone if indeed

1 all of Bass Point is in a VE Zone?

2 TOWN MODERATOR: Yeah, you would have to answer
3 that.

4 MR. NELSON: Okay. So, the parcel, the overlay
5 district overlaps completely with the one parcel that
6 is Bass Point, which is the black line.

7 This map is meant to demonstrate that within the
8 black line, within that parcel, there is enough area to
9 be compliant with the requirements of MBTA communities,
10 which is to have a district of at least 5 acres of
11 developable land.

12 This excluded area in purple was created by the
13 State to show areas that they deemed to be excluded.
14 There's enough upland area, this 5.27-acres, to be
15 complaint. There is enough developable land to be
16 compliant.

17 MR. GRAUL: It may be developable by the State,
18 but the Town's Overlay Bylaw says it can't. And I see
19 Sheila shaking her head.

20 TOWN MODERATOR: Go ahead. Yeah. No, we need to
21 rebut.

22 MS. HAMBLETON: And that is absolutely true.
23 They ignored any of our laws.

24 We're having to meet the State's laws and their

1 requirements, and they are using, I think, information
2 that might be two years old because I've been trying
3 to make some changes, that's why it's been difficult
4 and why I finally didn't get what I needed to get into
5 the State in the first place because they were just
6 using old information, and that's What they're using,
7 and that's What they're using from everybody.

8 MR. GRAUL: So, it can't go there; right?

9 MS. HAMBLETON: No, that's why it's there. That's
10 why it's there and you don't see the flood zone, because
11 the State is using --

12 TOWN MODERATOR: Excuse me. Jody, you've been
13 at the mic more than anybody here tonight and we have
14 somebody in line.

15 MALE: Can I make a motion to vote and end debate?

16 TOWN MODERATOR: To call the question?

17 MALE: Yes, call the question.

18 (Applause)

19 TOWN MODERATOR: Yes. So, we have a motion to
20 call the question.

21 All those in favor say, "Aye."

22 ATTENDEES: Aye.

23 TOWN MODERATOR: All those opposed say, "No."
24

1 ATTENDEES: No.

2 TOWN MODERATOR: The "Ayes," have it.

3 We're going to the main motion. Do we need it
4 to be read again?

5 (Audience cross talking)

6 TOWN MODERATOR: What's that?

7 FEMALE: I didn't hear it seconded.

8 TOWN MODERATOR: Yeah, Ms. Warren seconded.

9 FEMALE: Okay. Awesome.

10 TOWN MODERATOR: All right. All those in favor
11 say, "Aye."

12 ATTENDEES: Aye.

13 TOWN MODERATOR: All those opposed say, "No."

14 ATTENDEES: No.

15 TOWN MODERATOR: The "Ayes" have it.

16 (Applause)

17 TOWN MODERATOR: Thank you all for coming, and
18 with the business of this meeting ended with no more
19 business to be had, I dissolve this meeting.

20 (Nahant Annual Town Meeting Concluded)

21

22

23

24

C E R T I F I C A T E

I, Susan M. Lobie, Certified Electronic Transcriptionist and Notary Public for the Commonwealth of Massachusetts, and a Court Approved Transcriptionist for Office Solutions Plus do hereby certify that the foregoing is a true and accurate transcript prepared to the best of my ability, from audio recordings provided to me by the Town of Nahant, Massachusetts, of the Nahant Special Town Meeting held on Wednesday, November 19, 2025.

I, Susan M. Lobie, further certify that the foregoing is in compliance with the Administrative Office of the Trial Court Directive on Transcript Format.

I, Susan M. Lobie, further certify that I neither am counsel for, related to, nor employed by any of the parties to the action in which this hearing was taken, and further that I am not financially nor otherwise interested in the outcome of the action.

Proceedings recorded by electronic sound recording equipment. Transcript produced from computer.



DATE: April 6, 2026

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Notary Public, Commonwealth of Massachusetts
My Commission Expires March 3, 2028

TOWN OF NAHANT - SPECIAL TOWN MEETING
HELD: WEDNESDAY, NOVEMBER 19, 2025

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