

**Planning Board Minutes**  
**January 13, 2021**  
**MEETING HELD VIRTUALLY USING GOTOWEBINAR PLATFORM**

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Present: Beth Ashman-Collins, Chair; Joseph Cerretani, Clerk; Michael McClanahan, Ralph Penney, Michael Feck, Sharon Friedman; Adrian LeCesne and Diana Bren, Alternates; Shaun P. Burke, Director of Planning and Development; Jennifer Davis, Administrative Secretary

The chair read the following statement:

*Whereas both the Federal Centers for Disease Control and Prevention and the Massachusetts Department of Public Health have advised residents to take extra measures to put distance between themselves and other people to further reduce the risk of being exposed to COVID-19, Governor Baker has issued an order suspending certain provisions of the Open Meeting Law, Massachusetts General Law c. 30A, §20.*

*In order to satisfy the Open Meeting Law requirements, today's Town of Mansfield Planning Board meeting will be available for the public via GoToWebinar and Mansfield Cable. The instructions for joining via GoToWebinar are in the Meeting Notice on the Town's Website at [www.mansfieldma.com](http://www.mansfieldma.com) and then clicking on today's date on the calendar.*

**1. Planning Board Meeting called to order at 7:00 p.m.**

**2. Correspondence**

1. December 9, 2020 minutes

**Motion:** To approve the December 9, 2020 minutes as submitted  
(Friedman-McClanahan)

Bren – In favor

LeCesne – In favor

Penney – In favor

Feck- In favor

McClanahan – In favor

Ashman-Collins – In favor

McClanahan – In favor

Cerretani – In favor

Eight (8) in favor. Zero (0) opposed. Zero (0) abstained. PASSES

**3. Form A (ANR) Plans**

660 North Main Street – McDermott. The plan seeks to split the existing lot into three lots, with Lot 3 labeled non-conforming and non-buildable. Lots 1 and 2 both have adequate frontage and area in the R3 zone. The existing house at 660 North Main Street will be removed. Mr. Burke recommended the plan warrants endorsement.

Ms. Friedman asked what the plans are for Lot 3; Mr. Burke said he does not know what the landowner has planned, but noted it is labeled as a non-buildable lot on this Form A plan.

**Motion:** To endorse the ANR plan for 660 North Main Street (Feck-Bren)

Bren – In favor  
LeCesne – In favor  
Penney – In favor  
McClanahan – In favor  
Feck – In favor  
Ashman-Collins – In favor  
Friedman- Abstained  
McClanahan – In favor  
Cerretani – In favor

Eight (8) in favor. Zero (0) opposed. One (1) abstained. PASSES

#### **4. Discussion with Chessman Road Residents – Potential for Street Acceptance**

Chessman Road residents Douglas LaCamera, Andre Fernandes, Brian Pomerleau and Jennifer James were present to discuss the possibility of Chessman Road being accepted as a public way.

In a December 15, 2020 memo, Mr. Burke explained Chessman Road was permitted as a private way within the Village at Gilbert Street residential compound on June 15, 2005. Chessman Road is 24-foot wide, 468 feet in length and provides frontage for four homes.

Mr. Fernandes explained the residents would like to discuss what would be needed to make Chessman Road a public way. He said when they bought their homes, the residents were told by the developer that Mansfield was not accepting new public ways, which is obviously not the case. He said the two primary services they would like from the town are snowplowing and maintenance of the roadway drainage system. He said they have had the drainage system inspected and it is in good condition, so they are not trying to pass along a problem. Chessman Road does not have sidewalks.

Mr. McClanahan said the residential compound by-law requires a private way to stay private. Ms. Ashman-Collins said developers choose to build private ways to avoid the cost of building a roadway to the town's standards, so they are basically a long, shared driveway. She said the board has not seen a process laid out for a private way to become a public way.

Mr. Fernandes said he understands the developer chose the less expensive way, but asked what would be needed to bring a private way up to the standards of a public way.

Mr. McClanahan said the residential compound by-law was adopted specifically to allow developers to build private ways, and he doesn't think Town Meeting would agree to accepting those as public ways.

Mr. LeCesne asked if the residents are willing to bring the private way up to the standards required of public roads; Mr. Fernandes said that would depend on what would be required. For example, he said adding a sidewalk would be expensive. Ms. Ashman-Collins said there are short roadways without sidewalks, and in some cases the board waived sidewalk installation on one or both sides. Mr. Burke said when sidewalks are waived, the developer makes a donation to the sidewalk fund.

Mr. Penney said over the years, the board has discussed residential compounds at length, including the possibility of eliminating the use. He said private ways are not constructed to the Town's subdivision roadway standards, and a homeowners' association is formed to maintain the way. He said he understands the homeowners' desire to have Chessman Road accepted, but said he is concerned that would set a precedent with the other private roads in town.

Mr. LaCamera said the homeowners understand there are some improvements they would have to make, and at this point, they are trying to find out what that process would be and whether it would even be possible.

Ms. Ashman-Collins said the Town would have to create a process because there isn't one now. Ms. Bren suggested a checklist to compare normal roadway approval compared to a private way and identify the differences to fully understand what it would take to get a private way to public way standards. Mr. LaCamera said he has talked to RIM Engineering about laying out what would need to be done.

Ms. Ashman-Collins said this may not set a precedent with all the private ways in town because some of them are obviously too narrow.

Mr. Penney said he thinks residents wanting to have residential compound roads accepted may have to come back to the board. Mr. Feck said a residential compound doesn't get extra lots, and when the plan is submitted, it has to include a conventional subdivision. He said the lots may need variances because they do not have the frontage and area required in the underlying zone.

Ms. Friedman said the original developer was granted relief by not having to build the road to subdivision standards, but she understands the residents have to pay for services and maintenance, so it may be worth it to them to bring the way up to subdivision standards to get it accepted.

Mr. McClanahan said he is concerned many residential compound lots lack sufficient frontage.

Mr. LeCesne suggested having the road inspected to see what the issues are.

Mr. Penney said the residential compound by-law requires the plan to include a restriction that "the Town will not be requested to accept or maintain the private access, drainage, open space or any other improvements within the compound. Further, all deed restrictions with respect to ownership, use and maintenance or permanent open space shall be referenced on, and recorded with, the plan." He said the Planning Board does not have the authority to remove that restriction.

Mr. LaCamera said the homeowners would be willing to do what may be necessary to bring the road up to subdivision standards, but he said he understands the process to do that is not in place.

Mr. Burke said this discussion was intended to find out whether the board is willing to entertain the idea. He said if it is not, it wouldn't be in the residents' interest to have the road examined.

Ms. Ashman-Collins asked Mr. Burke to look at the Chessman Road plan to see if it could have been approved as a traditional subdivision. Mr. Cerretani said if there are existing deed restrictions on the lots, the residents may want to hire an attorney to determine whether they can be changed. Mr. Penney said the road would have to meet the current roadway construction standards, which requires 5" of asphalt.

Mr. McClanahan asked Mr. Burke to send each board member a copy of the Chessman Road plan. Mr. Burke said he would also send a summary memorandum.

#### **5. Planning Board Density Discussion/Workshop**

Mr. Burke said the board has had several discussions about density in the B1, B4 and TOD zones and presented a density analysis of downtown Mansfield prepared by the Mansfield GIS Department and density examples from the following documents: Local Planning Handbook, Metropolitan Council, St. Paul, MN (June 2015); "Understanding Density and Development Intensity" League of California Cities – Planning Commissioners Academy (March, 2019); and "Density of Development" Metropolitan Council, Twin Cities Metropolitan Areas Examples.

Ms. Ashman-Collins said some of the concerns around density isn't strictly about the number of units, but can be more about the lack of things like greenspace or seating areas. Ms. Friedman said she thinks people want to have places to meet and sit down, and not a lot of concrete.

Ms. Friedman said if TOD is going to be developed, the town has the opportunity to do it in a way that will bring some greenspace into it and prevent the area from looking like a city. She said while economic conditions are not great right now, the town should think about what it wants to see in the future. Ms. Ashman-Collins said she thinks the current conditions have reminded everyone how important outdoor space is.

Ms. Friedman said she doesn't think we want to have only one-bedroom apartments downtown, discouraging families from living downtown. She said the Town also has to consider affordable units because not everyone can afford a single-family home.

Mr. LeCesne suggested design features, like greenspace or other amenities, may be more important than the residential density number. He said his neighborhood, Highland Avenue, is effectively cut off from downtown because of Chauncy Street, and adding greenspace and inviting commercial uses on the Highland Avenue side would be an amenity for those residents.

Ms. Bren said it is important to have space to congregate and to have residential development with more than one bedroom to encourage families.

Ms. Friedman said Mansfield needs units to address residents who are aging in place, and who may have different size requirements than commuters or people working from home. She suggested a study of what kinds of housing are needed in town, and to look at whether we are building a city in the downtown. Ms. Ashman-Collins said additional density around the train station would allow more development, but the TOD is a small enough area that it would not become its own city.

Mr. McClanahan said he thinks TOD is the most important area to look at density; Mr. Burke agreed. He asked the board to think about what other performance standards it would like to see in the TOD by-law, so we can go to Town Meeting with a full package. He noted the Town owns over 40 acres in the TOD, so there are opportunities for passive recreation areas, like a boardwalk system adjacent to the wetlands. Mr. LeCesne said public access to a waterway would be a huge resource. Mr. Burke said the BETA plan showed two points of access to the train station to divide the train traffic and to provide better emergency service access.

Mr. Feck said he thinks the reason new development tends not to have greenspace is because of parking. He said sub-grade parking isn't an option in the downtown area because of the water table, so developers have to pave the whole site for parking. Mr. Burke said one of the ideas in the BETA study was that a parking garage at the train station would attract commuters during the day and residents at night. He said the TOD by-law has flexibility, like shared parking.

Mr. McClanahan asked about the status of the track crossing; Mr. Burke said at least one of the landowners has expressed interested in participating, and the town is at 50% design on the roundabout and track crossing.

Ms. Friedman asked if the state has awarded Mansfield funding from Route 140 to Copeland Drive, including turning lanes and resignalization. Mr. Burke said it has, and said Mr. Azinheira has been trying to include all the improvements as part of the Route 140 improvements.

Mr. Penney said the Hatheway Patterson property is a beautiful site, and the town owns a large portion of upland, but it will be difficult to develop within 200 feet of the river. He said the board needs to get the landowners involved; he said the area it may not have been developed yet because it is not economically viable. He said the town has been discussing open air parking versus structured parking for years and thinks structured parking may not yet be economically viable. He said the Winthrop Street parking lot is not utilized at night, which could happen if there was an option for something like valet parking. He said the demographics of Mansfield is changing; the town is not just a bedroom community and we should think about how to accommodate the changing population. He said it may be better to build up than out, which could allow for more greenspace.

Mr. Penney said he was not originally in favor of residential compounds, but now that so many have been built, he has come to appreciate the fact that they include open space and places for children to play. He said we should look at getting more greenspace downtown. He said the northern access to the TOD area would be a win-win for everyone involved, and the Town should look at what can be done to make that area more economically viable for the property owners. Mr. LeCesne said that would require a focus on traffic; Mr. Penney said he thinks the access road is being worked on and will happen relatively soon, and the latest proposal will provide more frontage for the landowners.

Ms. Ashman-Collins said the legislature has adopted new density requirements for areas around train stations; Mr. Burke said Mansfield has been progressive about that issue and is ahead of those requirements. He said Mr. Penney's idea of inviting landowners to have a discussion is a good one.

Ms. Ashman-Collins asked if the state may be willing to help with funding for structured parking, given its priority for higher density residential near train stations. Mr. Burke said the last time the Town met with the MBTA, the message was that private landowners would have to fund a garage. He noted the train station area is a designated Economic Target Area and is part of the regional economic development plan.

Ms. Friedman said one of the documents Mr. Burke provided highlighted the reuse of an amusement park with housing, parking and lots of places to walk, which was a very creative reuse but was also tied to town's economic development plan. She said the board should consider that issue during development discussions and think about what amenities will benefit the whole community. Mr. Penney said the town can tell developers what it wants, but the landowners are the ones to actually build things. He said he thinks it would be worth getting together with the landowners to talk about that.

Ms. Ashman-Collins said the density in the overlay district starts at 10 and goes up with the provision of additional amenities, which is not high. She said she doesn't think TOD density needs to be lower than the downtown side of the tracks. Mr. Burke said TOD allows up to 20 units/acre and 1 Mansfield Avenue, for example, is built at 60 units/acre.

Mr. Ashman-Collins said 40 units/acre is not uncommon in downtown areas. Mr. Penney said that is a large number and suggested 30. Mr. Burke suggested mixed-use could be a use by right, and all-residential could be a special permit use. Mr. Feck suggested something like allowing more units/acre if the first floor is commercial. Ms. Friedman said with mixed-use, we have to be careful about how that is developed; it has to be built it so people will want to come, and suggested gathering places like piazzas. Ms. Ashman-Collins said she thinks outdoor dining will bring people.

Mr. Feck said he agrees it is important to meet with the landowners. He said the Town owns a lot of land in the zone as well, which will give it more leverage in the viability of projects.

Ms. Ashman-Collins said studies have shown that requiring individual parcels to have their own parking requires more parking than structured parking. She said parking is always what drives development, especially downtown.

Mr. Burke said he had anticipated getting a sense about whether the board wants to move forward with zoning changes at Town Meeting, but suggested that at this point, it may be more worthwhile to meet with landowners and talk more about performance standards to get to a desired density. Mr. Penney agreed.

Ms. Ashman-Collins said she would contact the Town Manager to talk about what his discussions with the landowners have involved. Mr. Penney said he thinks the landowners probably have some plans in mind.

Mr. McClanahan suggested inviting Mr. Dumas to talk to the board about his conversations with the landowners.

## 6. Around the Table

Ms. Bren asked if the members would be interested in participating in a “getting to know the Planning Board” information process.

Mr. Penney asked about progress on the Chocolate Factory; Mr. Burke said they are getting close to certificates of occupancy, and he got an email today from Wingate asking for a meeting to talk about a marketing plan for the affordable units. He said there has been interest in the commercial space from a yoga studio, dentist office and a brewpub.

Ms. Ashman-Collins said Mr. Dumas has brought in a playground consultant to work on reactivating “Harry Chase Place” (formerly the Fales site).

## 7. Adjournment

**Motion:** To adjourn at 9:30 p.m. (Penney- )

Bren – In favor

LeCesne – In favor

Feck – In favor

Penney – In favor

McClanahan – In favor


Ashman-Collins – In favor

McClanahan – In favor

Cerretani – In favor

Eight (8) in favor. Zero (0) opposed. Zero (0) abstentions. PASSES

Date of Next Planning Board Meeting: January 27, 2021 at 7:00 p.m.

  
Signature of Clerk

  
Date of Approval