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Planning Board Minutes
April 14, 2021
MEETING HELD VIRTUALLY USING GOTOWEBINAR PLATFORM

Present: Beth Ashman-Collins, Chair; Joseph Cerretani, Clerk; Michael McClanahan, Ralph Penney, 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 to 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 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. March 24, 2021 minutes

Motion: To approve the March 24, 2021 minutes as submitted (Friedman-McClanahan)

Friedman – In favor

Penney – Abstained

Ashman-Collins – In favor

Cerretani – In favor

McClanahan – In favor

LeCesne – In favor

Bren – Abstained

Five (5) in favor. Zero (0) opposed. Two (2) abstained. **PASSES**

2. April 7, 2021 letter from Rep. Jay Barrows; April 7, 2021 letter from Marco Crugnale; April 8, 2021 email from Bill Travers, Mass DOT re: traffic signal at Reservoir Street/Route 140
Mr. Burke explained all the equipment for the traffic signal has been ordered, but that delivery of some pieces, particularly the mast arm, have been delayed. He said Mr. Crugnale is hoping the equipment will arrive in time for the planned July hotel opening, and he plans to install as much as possible, including all the underground equipment. However, he would like to be able to open the hotel if the traffic signal is not fully installed. Representative Barrows has written a letter in support of the hotel opening.

Mr. Burke recommended the board not take any action until he meets with Mr. Crugnale, DOT and the Police Department.

Mr. LeCesne suggested asking DOT to evaluate whether the hotel opening would raise any risks to safety. Mr. Cerretani said he agrees and he would like to see something formal from DOT about safety and the timeline. Mr. McClanahan said everything in the construction field is delayed right now. Mr. LeCesne said there would be alternate mitigation, like police details, during high-traffic times. Mr. McClanahan agreed and said the Police Department plans to be at that intersection during concerts anyway.

3. March 17, 2021 letter from BETA Group re: Intersection and Signal Improvements – Chauncy Street/Copeland Drive

Mr. Burke explained the BETA plan, which includes a land taking at the northeast corner of the intersection and a middle turning lane on Chauncy Street. Mr. McClanahan asked the extend of the land taking; Mr. Burke said it would be 5-7 feet along Chauncy Street, which would impact the sidewalk, and some along the 300 Chauncy Street frontage. Mr. Burke said sidewalks will be replaced on both sides.

Mr. Cerretani said there have been concerns about turning radius for trucks turning right from Copeland Drive onto Chauncy Street at Honey Dew. Mr. Burke said the new configuration would be an improvement, but trucks will still have to make a wide turn.

Mr. Penney asked how this will work with the plan to extend the turning lanes at Chauncy Street/Route 140. Mr. Burke said the northbound slip ramp on Route 140 will be pulled back to the driveway at the apartment building. He said Mr. Azinheira is trying to get MassDOT to approve that work and the Copeland/Chauncy work as one project to be done at the same time.

Mr. LeCesne asked about Highland Ave/140. Mr. Burke said the surveying was completed in the fall, plans have been prepared, but he does not know if they have been submitted to MassDOT yet.

3. Form A (ANR) Plans

None

4. Public Hearing – Planning Board Zoning Articles – 5G in Airport; Adaptive Reuse in B4 and TOD; Site Plan

The clerk read the public hearing notice.

Article #21

Add 5 to Airport Zone in Schedule of Principal Use Regulations;

	Residential Districts			Business Districts				PBD	Industrial Districts			TOD	SPA	
	1	2	3	R	1	2	3	4	1	2	3	A		
3.6G 5G	S	S	S	Y	S	S	S	S	Y	Y	Y	<u>Y</u>	Y	Y

Mr. Burke explained 5G was inadvertently left off the Schedule of Principal Use Regulations when the use was adopted at 2020 Annual Town Meeting on June 23, 2020 and noted the airport already has a telecommunication tower.

Public Comment

The chair read the following statement.

It is important to us that you have a platform for your questions and comments during this meeting, therefore to ask questions or make a public comment during tonight's virtual meeting you must have registered and joined the meeting via GoToWebinar where you now have the ability to submit your question or comments through the questions option in your control panel, or you can use the raise your hand option to be allowed to speak.

*For those who have joined the meeting via telephone who would like to ask a question or make a comment, you are now welcome to unmute your phone. We ask that you only have your phone unmuted while you are asking your question. Please mute when you are no longer live. You can unmute your phone by pushing *6. Please then state your name and address, and when acknowledge by the Chairperson you can then state your question or comment. When you are done with your comment please mute your phone again by pushing *6.*

As with any public hearing we ask you to be respectful of the Board members and the other residents who are making their comments by patiently and quietly waiting your turn. Thank you.

There was no public comment on Article 21.

Motion: To support Article #21 at 2021 Annual Town Meeting (Penney-McClanahan)

Friedman – In favor

Penney – In favor

Ashman-Collins – In favor

Cerretani – In favor

McClanahan – In favor

LeCesne – In favor

Bren – In favor

Seven (7) in favor. Zero (0) opposed. Zero (0) abstained. PASSES

Article #22 Add Adaptive Reuse of Historic Structures to B4 and TOD Zone in Schedule of Principal Use Regulations;

	Residential Districts	Business Districts	PBD	Industrial Districts	TOD	SPA
	1 2 3 R	1 2 3 4		1 2 3 A		
3.7B Adaptive Reuse of Historic Structures	S S S S	S S S <u>S</u>	S	S S S S	<u>S</u>	Y

Mr. Burke explained the B4 and TOD zones were not in existence when the Adaptive Reuse use was adopted in 2014.

Public Comment

There was no public comment on Article 22.

Motion: To support Article #22 at 2021 Annual Town Meeting (Friedman-McClanahan)
Friedman – In favor
Penney – In favor
Ashman-Collins – In favor
Cerretani – In favor
McClanahan – In favor
LeCesne – In favor
Bren – In favor

Seven (7) in favor. Zero (0) opposed. Zero (0) abstained. PASSES

Article #23 Change “review” to “approve” in 5.3B.(1), Site Plan, Applicability

B. 5.3.2 Applicability

(1) In all instances specified in Section 3 Schedule of Principal Regulations, indicating that site plan approval is required, no building permit shall be issued in any case where a building is to be erected or externally enlarged and no area for parking, loading, or vehicular service (including driveways giving access thereto) shall be established or substantially changed, except in conformity with a site plan bearing an endorsement of approval by the Inspector of Buildings after ~~review~~ **approval** thereof by the Planning Board. Site plan approval shall not be required in any case where a building is to be externally changed for the purpose of closing an entrance or creating a new entrance thereto and for other extension(s) to a building, which in total shall not exceed more than 15% of the gross floor area of the building or 10,000 square feet, whichever is less.

Mr. Burke explained one instance of the word “review” was left in the paragraph when site plan approval was adopted in 2013.

Mr. Penney said before site plan approval by the Planning Board was adopted, final site plan approval rested with the Building Inspector and asked if the phrase “except in conformity with a site plan bearing an endorsement of approval by the Inspector of Buildings” confuses the issue. Mr. Burke said the Building Inspector reviews and approves the site plan for conformance to zoning. Mr. LeCesne said the paragraph seems to leave final approval to the Building Inspector. Mr. Burke said that was not the intent. Mr. LeCesne suggested making the simple word change now, then if more major changes are needed, proposing them at a later time. Mr. LeCesne asked if the section about Building Inspector approval could leave a site plan open to being denied by the Building Inspector.

Mr. Burke said if an amendment were to go beyond changing the one word proposed in this article, it would require a new public hearing.

Public Comment

There was no public comment on Article 23

Motion: To withdraw Article 23 from 2021 Annual Town Meeting (Penney-McClanahan)

Friedman – In favor
Penney – In favor
Ashman-Collins – In favor
Cerretani – In favor
McClanahan – In favor

LeCesne – In favor
Bren – In favor

Seven (7) in favor. Zero (0) opposed. Zero (0) abstained. PASSES

Article #24

Amend 5.4, Floodplain per Commonwealth Requirements

Mr. Burke explained the Commonwealth is requiring language changes by all cities and towns and explained the FEMA flood plain maps are not being amended.

Public Comment

There was no public comment on Article 22.

Motion: To support the Planning Board’s zoning amendment Article #24 at 2021 Annual Town Meeting (LeCesne-Friedman)

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

Seven (7) in favor. Zero (0) opposed. Zero (0) abstained. PASSES

Motion: To close the public hearing (Penney-Cerretani)

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

Seven (7) in favor. Zero (0) opposed. Zero (0) abstained. PASSES

5. Planning Board Workshop continued – Business 1 (B1) Zone, Building Height, North Main Street Business Overlay District

FAR in B1

Mr. Burke said at its last meeting, the board discussed amending FAR in B1 to 1.5 for retail, office, other non-retail and business/residential; and to .75 for residential.

Consensus was to go forward with those FAR maximums.

Mr. Burke presented photographs of downtown buildings with details about the lot size, number of units and FAR for each.

Mr. LeCesne asked about providing the underground parking incentive in other zones as a way to get parking off the streets. Ms. Ashman-Collins said underground parking is only allowed if the parking could be accommodated on the site, so it wouldn't really change on-street parking.

Mr. Penney said the photographs are helpful in understanding the FAR actual FAR for downtown buildings, and said he is comfortable that 1.5 is the right number.

The board discussed the fact that many older buildings wouldn't have been constructed the same way because parking wasn't as big an issue; parking is now the main driving force in building design.

Ms. Ashman-Collins said the parking requirement for downtown restaurants has been reduced recently. Mr. Penney said valet parking is allowed, but no one is using that option yet. Mr. Burke said there is a lot of vacant parking near downtown in the evening and weekends.

Building Height

Mr. Burke explained the draft definitions came as a result of the board's last discussion. Mr. Penney said he thinks the board would like to see architectural elements rather than just flat roofs, and the third draft definition includes some exemptions to allow those architectural features. He suggested adding stairwells to the list of items that would require a special permit.

Mr. Penney asked if measurement from the "finish grade" can be manipulated. Mr. Burke said that is typically the sidewalk grade, but said the finished grade of a site could be mounded.

Mr. Burke said he has shared these drafts with the Building Inspector, who is not opposed to any of the definitions.

Ms. Friedman asked if allowing some things by special permit would open the board up to appeal. Mr. LeCesne said a special permit is discretionary. Mr. Penney said the board would look at each site individually. Mr. LeCesne said a definition cannot be written to guarantee no appeals will be filed, but an appeal would have to have facts to back it up.

Ms. Ashman-Collins asked if measurement from the finish grade should be replaced with measurement from the sidewalk. Mr. Burke said that is a more reliable measurement.

Consensus was to go forward with the third draft definition with the above changes.

North Main Street Business Overlay District

Mr. Burke explained the series of amendments that include revising the map date and several density-reducing measures in the overlay zone.

Mr. Burke explained Amendment B would require a special permit for developments of 20 or more units (that standard is already included as a footnote in the use table).

Amendment D would reduce density bonuses for developments using the density incentives.

Mr. Penney asked if the streetscape incentives should be required rather than be optional. Mr. Burke said that is a good idea, but he would be concerned that requiring incentives to be constructed on public land as part of a special permit may be perceived as beyond the board's authority. Mr. Burke said one of the criticisms he has always heard about downtown is the lack of street furniture. He said 300 North Main Street is the first development that has put benches on the sidewalk, and that is the sort of thing that helps bring people outside.

Mr. Cerretani asked about the reduction in the density bonus from 25% to 5%; Mr. Burke said that was a result of the FAR of recent downtown developments and said 5% would be a large reduction. Mr. Cerretani asked if 10% would work; Mr. Burke said it would.

Ms. Friedman said she doesn't think some of the items on the list are worth granting density incentives for, and she thinks downtown needs more pedestrian-oriented features. Ms. Ashman-Collins agreed some of the items on the list may be worth more of an incentive; for example, outdoor dining would have a larger impact than trash receptacles.

The board discussed a sliding scale, with public space incentives getting a 15% bonus and streetscape incentives 10%.

Ms. Friedman said downtown is primarily one long street and there isn't a lot of room for greenspace. For example, the vacant lot next to the North Main Street fire station could be a small greenspace. Ms. Ashman-Collins said the town has retained a consultant to activate Harry Chase Place, the small park on Old Colony Way. Mr. LeCesne said developers would have to have enough robust options to arrive at the density incentive and suggested adding an option for incentives for other significant creative alternatives proposed by the developer.

Consensus was to use a sliding scale for density incentives of 5%, 10%, 15%.

Mr. Burke said LEED certification is expensive and he doesn't think there will be many downtown buildings that will use it. However, he said it is worth allowing a bonus for those that do.

Mr. Burke said Amendment D proposes a reduction from 100% to 60% for subcompact parking. He said in the real world, 100% subcompact parking is not realistic.

Mr. Burk explained the draft deletes the "and/or" option for density bonuses.

Mr. Burke said the draft eliminates allowing on-street parking to be counted toward the project's parking requirement. Mr. Penney asked about allowing on-street parking to be counted for retail uses; Mr. Burke said he would rather see all the parking onsite. Ms. Ashman-Collins said the retail customers can still use the on-street parking, those spaces just couldn't be counted toward the parking requirement. Mr. Burke said the town has a program allowing retail employees to park on side streets rather than on North Main Street; Ms. Bren said that program has opened up spaces in front of businesses for customers. Mr. Penney said he thinks the developer should be able to count the spaces in front of the property toward the retail parking requirement. Mr. Cerretani agreed.

Definition of first-floor uses – Ms. Ashman-Collins suggested adding non-profit uses such as the Black Doll Museum as an allowed first-floor use.

6. Around the Table

Mr. LeCesne asked about the 571 Ware Street appeal; Ms. Ashman-Collins said the board will leave that up to town counsel.

7. Adjournment

Motion: To adjourn at 9:15 p.m. (Bren-Friedman)

Friedman – In favor

Penney – In favor

McClanahan – In favor

Ashman-Collins – In favor

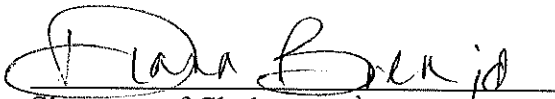
Cerretani – In favor

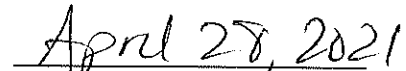
Bren – In favor

LeCesne – In favor

Seven (7) in favor. Zero (0) opposed. Zero (0) abstained. PASSES

Date of Next Planning Board Meeting: April 28, 2021 at 7:00 p.m.


Signature of Clerk, Acting


Date of Approval