

Planning Board Minutes

August 19, 2020

MEETING HELD VIRTUALLY USING GOTOWEBINAR PLATFORM

Present: Beth Ashman-Collins, Chair; Joseph Cerretani, Clerk; Richard LeBlanc, Michael McClanahan, 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 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 7:30 p.m.

2. Form A (ANR) Plans

None

3. Correspondence

1. June 10, 2020

Motion: To approve the June 10, 2020 minutes as submitted (Cerretani-Friedman)

LeBlanc – Abstained

Bren - Abstained

Friedman – In favor

LeCesne – In favor

Cerretani – In favor

Ashman-Collins – In favor

Four (4) in favor. None (0) opposed. Two (2) abstained. PASSES

[Mr. McClanahan arrived at 7:35]

4. Special Permit Public Hearing continued – 70 Potash Road - Accessory Apartment – Underwood and Valentino

The clerk read the public hearing notice. Homeowners Ed Underwood and Mary Valentino explained the application for a Special Permit under Sections 230-5.5, Special Permits and 3.9, Accessory Apartments as special permit use, of the Mansfield Zoning By-Law to allow a one-bedroom accessory apartment within the existing single-family home at 70 Potash Road in the Residential 1 (R1) Zone.

The following documents were introduced:

- Application for special permit, filed with the Town Clerk's office June 9, 2020;
- Copy of legal advertisement;
- Certified mailing return receipts;
- Pages 1-3 of plans titled "Underwood Basement Renovation 70 Potash Road Mansfield,

- MA 02048” dated June 7, 2020, prepared by Rustic Elegance, Inc.;
- As-Built Plan of 70 Potash Road, dated November 13, 1986, prepared by Dunn Engineering Co., Inc.

Mr. Underwood explained the application for the construction of a one-bedroom accessory apartment for his son, who has physical and intellectual disabilities, in the basement of the existing house. He said the work could have been done as a renovation with a building permit, but the HUD housing voucher program requires the space to be a separate, permitted unit.

Ms. Ashman-Collins noted all the changes are interior and will not change the appearance of the existing house.

Board Comment

Mr. McClanahan said he understands the applicant needs a special permit for the HUD housing voucher program.

Mr. LeCesne asked about the septic system; Mr. Underwood said spoke with the Health Agent and there is plenty of capacity for an additional bedroom

Ms. Friedman asked about a hard-wired fire alarm system; Mr. Underwood said that is a requirement of the building permit.

Mr. LeBlanc asked if there are precedents for this type of special permit and what would happen when the house is sold. Ms. Ashman-Collins said “accessory apartment” is an existing special permit use and noted 2020 Town Meeting removed the age requirement for accessory apartments, so it will be a legal unit.

Department Head Comments

There were no department head comments

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 acknowledged 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.

Motion: To approve the special permit for a one-bedroom accessory apartment within the existing single-family home at 70 Potash Road in accordance with Sheets A-001, A-002 and I-001 of "Underwood Basement Renovation 70 Potash Rd Mansfield, MA 02048," dated June 7, 2020, prepared by Rustic Elegance, Inc.; and the As-Built Plan of 70 Potash Road, dated November 13, 1986, prepared by Dunn Engineering Co., Inc. (McClanahan-LeBlanc)

Cerretani – In favor. The applicant did a great job anticipating and answering questions in his application, the benefits outweigh the detriments, the use falls in line with the recent Town Meeting vote, it will provide another housing option and increase the tax base, but will not adversely impact public safety or municipal services.

McClanahan – In favor. The benefits outweigh the detriments, will be an ideal situation for this family, and will have no negative impacts on the neighborhood.

LeBlanc – In favor. The benefits outweigh the detriments, and there will be no adverse effects on public health and safety.

Friedman – In favor. The benefits outweigh the detriments and there will be a positive impact on the health and welfare of the family by allowing them to continue to take care of an important family member.

LeCesne – In favor. There will be no negative impacts on density or traffic, and will be a positive for the family. This is a good thing for the community, and fits in perfectly with the Town Meeting Vote to remove the age limitation on accessory units.

Bren – In favor. This will have a positive impact on the family, will have no negative impacts to the neighborhood and aligns with the recent Town Meeting vote.

Ashman-Collins - In favor. The benefits outweigh the detriments, and the proposal will have no negative impact or a positive impact on the natural environment, municipal facilities and neighborhood character.

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

Motion: To close the public hearing (McClanahan-Freidman)

Friedman – In favor

LeCesne – In favor

LeBlanc – In favor

McClanahan – In favor

Bren – In favor

Cerretani – In favor

Ashman-Collins - In favor

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

5. Special Permit Public Hearing continued – 500 School Street – Marijuana Cultivation Facility – Community Gardens, Inc.

The clerk read a request from the applicant's attorney to continue the special permit public

Mr. LeCesne asked if anyone has thought about the 55-foot maximum building height that has been discussed for the TOD district adjacent to the train station and Route 106. He said he has visited the area, and said the structures cannot really be seen by drivers coming up Route 106, and he thinks there would be more visual impact on pedestrians.

Ms. Ashman-Collins said the Downtown Committee has been meeting, and a grant application was submitted “parklets” for outdoor restaurant seating along North Main Street, which was not funded. She said there has been discussion about including public art on the new ramps at the train station. She said the MBTA has to approve the design and it would be considered temporary, which means they could remove or paint over it at any time. Ms. Friedman said the idea of public art may be something to explore as downtown becomes more developed.

Ms. Ashman-Collins said Mr. Dumas is putting together a gift fund to receive donations for downtown improvements and said there is a group interested in adding a play structure on Old Colony Way.

Ms. Friedman asked about the North Main Street Fire Station RFP. Mr. Burke said it went out, but there were no respondents so it will be revised and re-released. Mr. Cerretani said that may have been because of Covid; Mr. Burke agreed and said the original RFP went out right before the Covid-related shutdowns began.

Mr. Cerretani asked about the movie theater at Mansfield Crossing; Mr. Burke said he has not heard from them since the special permit was approved. Mr. LeCesne said theaters have been hit hard by the pandemic.

Mr. Cerretani asked about the ReLeaf retail marijuana business; Mr. Burke said they have their state permits, but have not filed for any building permits.

The board members welcomed Ms. Bren to the Planning Board. Ms. Bren said she is very excited to be part of the board and said she has lived in downtown Mansfield for about 10 years, works in the business park and has been involved in the Master Plan, Mansfield Women of Today and the Return to School plan.

7. Adjournment

Motion: To adjourn at 8:30 p.m. (Cerretani-LeBlanc)

LeCesne – In favor

LeBlanc – In favor

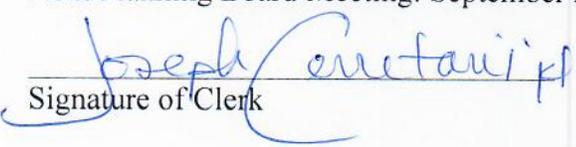
Friedman - In favor

Bren – In favor

Cerretani – In favor

Ashman-Collins – In favor Six (6) in favor. Zero (0) opposed. Zero (0) abstentions. PASSES

Next Planning Board Meeting: September 23, 2020 at 7:30 p.m.


Signature of Clerk


Date of Approval