

PLANNING BOARD

Meeting Minutes

Thursday, June 11, 2020

6:00 P.M.

PB Members Present: Brandon Quesnell, Paul Graves, Ross Zachs, Jeff Mulliken, Monica Stubner, Paul Kelly and Steven Azar.

Members Absent: John Peters-Campbell (excused).

Staff: Thaddeus Soulé (Town Planner).

Mr. Soulé introduced the virtual hearing, explaining the reason the Public Hearing was being held virtually, how the Board, the applicants and the public could participate remotely, and the meeting protocol. He then called the roll.

Chair Brandon Quesnell called the Planning Board Public Hearing to order at 6:01 P.M.

1. **Public Comment:** None.
2. **Consent Agenda:** Approval without objection required for the following item: None.
3. **Public Hearings:**

PLN 20-34 (*request to postpone to the meeting of August 27th*)

Application by **Keith LeBlanc**, of **LeBlanc Jones Landscape Architects**, seeking a Site Plan Review pursuant to Article 2, Section 2320(A), High Elevation Protection District (A), of the Zoning By-Laws for changes to parking, stairs, and walkways, and adding a wood deck, and installing a pre-fabricated swim spa, an outdoor shower, retaining walls, and native plantings on the property located at **14 Thistlemore Road (Residential 1 Zone)**. There was a request by the applicant to postpone the application to the Public Hearing of August 27, 2020 at 6:00 P.M. ***There was a motion by Jeffrey Mulliken to grant the request to postpone PLN 20-34 to the Public Hearing of August 27, 2020 at 6:30 P.M. Paul Graves seconded. VOTE: 7-0 by roll call.***

5. **Work Session:**

a) Pending Decisions:

PLN 20-31

Application by **Don DiRocco**, of **Hammer Architects**, seeking a Site Plan Review pursuant to Article 2, Section 2320 (B), High Elevation Protection District (B), of the Zoning By-Laws to construct a screen porch on an existing second floor deck and reconstruct an existing set of stairs on the structure located at **5 Telegraph Road**. ***There was a motion by Ross Zachs to approve the language as written. Jeff Mulliken seconded. VOTE: 7-0 by roll call.***

PLN 20-35

Application by **Dave Krohn** seeking a Site Plan Review by Special Permit pursuant to Article 4, Section 4015, a. (1) and (5), Site Plan Review by Special Permit, and Article 4, Section 4180, Inclusionary and Incentive By-Law, of the Zoning By-Laws to construct five dwelling units, two septic systems, gravel driveways, and retaining walls, re-align fencing, complete associated utility upgrades, add hardscape patios and other landscape improvements, resulting in the moving of more than 750 cu. yds. of earth, which will alter the topography from the natural grade on the properties located at **66 & 72 West Vine Street**. *There was a motion by **Monica Stubner** to approve the language as amended. **Paul Graves** seconded. VOTE: 7-0 by roll call.*

PLN 20-36

Application by **Deborah Rossi, Patricia Ackad, & Jonathan Stevens** seeking a Site Plan Review pursuant to Article 2, Section 2320 (A), High Elevation Protection District (A), of the Zoning By-Laws to add a wrap-around deck and to remove a concrete ramp on the structure located at **19 Brewster Street**. *There was a motion by **Jeffrey Mulliken** to approve the language as written. **Monica Stubner** seconded. VOTE: 7-0 by roll call.*

PLN 20-37

Application by **Melissa S. Schwartz & Linda M. Freundlich** seeking a Site Plan Review pursuant to Article 2, Section 2320 (B), High Elevation Protection District (B), of the Zoning By-Laws to construct a three-season addition and two decks on the structure located at **24 Berry Lane**. *There was a motion by **Paul Graves** to approve the language as written. **Jeff Mulliken** seconded. VOTE: 7-0 by roll call.*

PLN 20-39

Application by **James & Luanne McCullum** seeking a Site Plan Review pursuant to Article 2, Section 2320 (A), High Elevation Protection District (A), of the Zoning By-Laws to construct an enclosed screened-in porch over an existing deck and to add egress stairs on grade to the structure on the property located at **28 Berry Lane**. The decision was not ready.

PLN 20-40

Application by **Ted Smith, Architect, LLC**, on behalf of **Steven Lagana**, seeking a Special Permit pursuant to Article 2, Section 2440, Permitted Principal Uses, A1b, Two Family Dwelling, 1., One per lot, and Article 4, Section 4180, Inclusionary and Incentive By-Law, of the Zoning By-Laws to construct a new structure containing two dwelling units on a vacant lot located at **46.5 Harry Kemp Way**. There was a question about the payment in lieu; when it gets paid and how it is monitored by staff. *There was a motion by **Jeffrey Mulliken** to approve the language as written. **Monica Stubner** seconded. VOTE: 7-0 by roll call.*

PLN 20-42

Application by **William N. Rogers, II, P.E., P.L.S.**, on behalf of **Adam S. Ackerman**, seeking a Site Plan Review pursuant to Article 2, Section 2320 (A), High Elevation Protection District (A), of the Zoning By-Laws to add a new entryway and a new covered porch and to convert an existing deck into a screened-in porch on the structure located at **2 Willow Drive**. The decision was not ready.

PLN 20-44

Application by **Robin B. Reid, Esq.**, on behalf of **Pensco Trust Company, Custodian**, seeking a Special Permit pursuant to Article 2, Section 2440, Permitted Principal Uses, B15, Marijuana Establishment, Industrial, of the Zoning By-Laws to establish a marijuana production facility on the property located at **220 Commercial Street, U2 (Town Center Commercial Zone)**. The decision was not ready.

b) **Minutes of April 23, August 27 and October 22, 2015, January 14, March 24, April 28, and June 9, 2016, and May 14 and May 28, 2020.**

May 14, 2020: *There was a motion by Jeff Mulliken to approve the minutes of May 14, 2020 as written. Ross Zachs seconded. VOTE: 7-0-0.*

May 28, 2020: *There was a motion by Jeff Mulliken to approve the minutes of May 28, 2020 as amended. Monica Stubner seconded. VOTE: 7-0-0.*

August 27, 2015: *There was a motion by Paul Graves to approve the minutes of August 27, 2015 minutes as written. Ross Zachs seconded. VOTE: 7-0-0.*

October 22, 2015: *There was a motion by Jeff Mulliken to approve the minutes of October 22, 2015 as written. Paul Graves seconded. VOTE: 7-0-0.*

Mr. Quesnell asked Mr. Thaddeus Soulé if any further action was needed by the Board to move the motion made on May 28, 2020 Public Hearing forward. Mr. Soulé gave an update, saying that over a dozen restaurants were able to modify their outdoor and/or provide socially-distanced outdoor seating to comply with state guidelines regarding same.

c) **Any other business that may properly come before the Board:** Mr. Kelly reviewed his ideas regarding high elevation protection district and Special Permit applications and checklists. The former, he suggested, could be reviewed under Article 4, s. 4010, Administrative Site Plan Review, to save staff time and Town funds. He reviewed several items from the application checklist. He had questions about site plan review and how it was handled by staff. Mr. Quesnell said that he and Mr. Soulé have been reviewing that by-law with the intention of revising it for projects in the high elevation protection district. The proposed revisions would be brought to the Board for review. Mr. Zachs and Mr. Mulliken suggested instituting a process such as that used by the Historic District Commission for reviewing projects that just involve a replacement in kind of architectural features. The latter are considered as administrative reviews and undergo a more expedited process than full hearings by the Commission. The Board discussed the issue and potential changes to Article 2, s. 2320 of the Zoning By-Laws. Mr. Soulé asked for suggestions from Board members. Mr. Mulliken suggested appointing a sub-committee of the Board to research the topic. Mr. Quesnell recommended that the material be gathered and sent out to the entire Board before any further discussion proceeds, as some members did not have any relevant material in front of them at this time. Mr. Quesnell suggested that the topic be placed on the next agenda for

discussion. The Board agreed. Mr. Soulé said he would send out material for discussion at the next hearing.

Mr. Quesnell asked if an updated version of proposed amendments to Zoning By-Laws for the Fall Town Meeting was available. Mr. Soulé said that the warrant was still open and more amendments could be added to it. The Board questioned him about the warrant.

Mr. Quesnell asked if any Board member had attended the coastal resiliency grant listening session. No one had participated.

Mr. Mulliken reviewed the status of his work researching making amendments to the illumination Zoning By-Law. He has spoken with a lighting consultant who is both a colleague of his and does work for a premier lighting design firm in Boston. The firm helps municipalities amend their illumination by-laws. Since the Board does not have a budget for consultants, the firm is willing to participate in a conference call with Mr. Mulliken and Mr. Soulé in order to give guidance on amending the Town's illumination by-law based upon similar by-laws in other towns. The firm offered to review what the Board had written after a revision was made. There was no objection to the suggestion. Mr. Soulé said that any proposals for revision or an update on the status of proposed revisions would come to the Board for discussion at the next hearing.

There was a motion by Jeffrey Mulliken to adjourn the meeting at 6:48 P.M. Paul Graves seconded. VOTE: unanimous by roll call.

Respectfully submitted,

Ellen C. Battaglini

Approved by _____ on _____, 2020
Thaddeus Soulé, Town Planner,
on behalf of the Planning Board