

# Planning Board Minutes

January 12, 2022

MEETING HELD VIRTUALLY USING GOTOWEBINAR PLATFORM

RECEIVED  
TOWN CLERKS OFFICE  
2022 FEB -1 P 3:43  
TRANSFIED  
MASSACHUSETTS

Present: Beth Ashman-Collins, Chair; Joseph Cerretani, Clerk; Diana Bren; Sharon Friedman; Michael Feck; Brendan Roche, Alternate; Adrian LeCesne, alternate

Shaun P. Burke, Director of Planning and Development;  
Priscilla McGill, Administrative Secretary

Absent: Michael McClanahan; and Ralph Penney

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

The Chair read the virtual meeting statement.

**Motion:** For Sharon Friedman to serve as Clerk for the meeting. (Feck-Bren) Roll Call Vote  
Diana Bren – in favor  
Michael Feck – in favor  
Sharon Friedman – in favor  
Brendan Roche – in favor  
Beth Ashman-Collins – in favor

Five (5) in favor, Zero (0) opposed, Zero (0) abstained PASSES

## 2. Form A (ANR) Plans

There were no submitted Form A plans.

## 3. Correspondence

1. December 8, 2021 Minutes  
Approval postponed to January 26, 2021

7:10 p.m. Mr. Cerretani entered the virtual meeting.

## 4. Special Permit Public Hearing Continued - 20-22 Pleasant Street – 7-Unit Residential Development at 7:15 p.m.

The applicant submitted a request for continuance to January 26, 2022 at 7:45 p.m.

**Motion:** To continue the hearing to January 26, 2022 at 7:45 p.m. (Feck-Friedman) Roll Call Vote

Diana Bren – in favor  
Michael Feck – in favor  
Sharon Friedman – in favor  
Brendan Roche – in favor  
Joseph Cerretani – in favor  
Beth Ashman-Collins – in favor

Six (6) in favor, Zero (0) opposed, Zero (0) abstained PASSES

#### **5. Preliminary (Form B) Subdivision Plan “Field of Dreams” at 19 Knight Way at 7:30 p.m.**

The applicant submitted a request for continuance to January 26, 2022 at 8:00 p.m.

**Motion:** To continue the hearing to January 26, 2022 at 8:00 p.m. (Cerretani-Roche) Roll Call Vote

Diana Bren – in favor  
Michael Feck – in favor  
Sharon Friedman – in favor  
Brendan Roche – in favor  
Joseph Cerretani – in favor  
Beth Ashman-Collins – in favor

Six (6) in favor, Zero (0) opposed, Zero (0) abstained PASSES

#### **6. Discussion – Mass Planners Draft Guidelines for MBTA Communities**

Mr. Burke stated that the legislation was voted into law in 2020 and went into effect December 15, 2021. There are dates that the Town of Mansfield has to conform to and the final adoption is not until 2023. By May 22, 2022 a proposal will need to be submitted to the Massachusetts Bay Transportation Authority (MBTA) and Department of Housing and Community Development (DHCD) on what the Town proposes to do for zoning and when it will be implemented. Mr. Burke also noted that the proposal will need to be submitted for Town Meeting.

Mr. Burke explained that the new legislation, Section 3A in the Zoning Act, would affect approximately 170 towns in the Commonwealth. The legislation will affect communities that are directly served by bus, subway, and commuter rail, and those communities that directly abut towns with service. Mr. Burke noted attending a webinar conducted by DHCD that further clarified the legislation for the measurement of the half mile distance from the train station to fall into the category of a walkable neighborhood. It was clarified at the webinar that the distance is calculated from the property lines, not the train station building. Mr. Burke stated that a GIS map depicting the radius will be forwarded to the Board for reference. He further explained the reasoning for the contiguous 50 acres of land required for this zoning is so that communities do not pick and choose small parcels of land that combined would equal 50 acres.

Mr. Burke clarified that the zoning specifies that the closer to Boston the greater the density and the higher the number of new units they want to create. The towns with greater access will have higher demand for new units and towns with less access will have the least demand for new units. He referenced that Secretary of Housing and Economic Development, Mike Kennealy, stated that this is not a housing production plan. The zoning proposal is simply identifying the land area, identifying the process, and changing the zoning to a use by right. The number of units per community is based on the percentage (25%, 15%, or 10%) of the total number of housing units and let the market drive the production of the units.

*7:30 p.m. Mr. LeCesne entered the virtual meeting.*

Discussion ensued for the existing building within the proposed 50-acre district and requirements for new units. Mr. Burke clarified that the existing sites can be included, but not the existing units in the count for new units. Further Board discussion ensued with agreement for pushback to have the existing units be included. Mr. Burke noted that there is a comment period to allow cities and towns to comment before the May 22<sup>nd</sup> deadline date and the final guidelines would not be released until about early June. He also reiterated that the density requirement is 15 units per acre.

Mr. Roche inquired as which parameters are required by law and which are set as guidelines. Mr. Burke referenced the draft guidelines document and MGL Ch.40A, Sec. 3A and noted that it is still in the draft stage and each town's proposal will be evaluated for the final document. DHCD will be providing resources to meet the mandate. Mr. Burke expressed concern that if one could get 15 units per acre on existing property in the overlay district, they could raze the existing structure and replace with a 15-unit structure and it would be by right.

Ms. Ashman-Collins noted agreement with the premise of Section 3A and is pleased with the actions that Mansfield has taken to comply with the Master Plan, but is also concerned with the by right density this would create. Discussion ensued for density, overlay district and use of existing units.

Ms. Friedman inquired if a community workshop would be required. Mr. Burke replied that the Select Board is the lead for this project. He suggested that the Planning Board meet to discuss the ramifications of the law and then meet in a joint session with the Select Board and discuss the Town's response. He noted that if the Town complied it would be eligible for grants, if the town does not comply, it would no longer be eligible for grants.

Mr. Burke spoke of current downtown mixed-use zoning and new law compliance which is residential only. He also spoke of grant applications which are for the betterment of the town and past grant awards such as the bike path and the supplemental grants awarded to extend the path. He expresses his opinion that he does not want the ability of the Commonwealth to be able to close the door on future grants. And that this new law potentially provides a disincentive for communities to build and reinvest in downtown revitalization.

Mr. Feck questioned that if meeting the housing percentage is market driven, why would it impact the ability of the town to get grant awards and why the current downtown housing could not be included. Mr. Burke said that he hopes the questions will be clarified on the website after submissions have been reviewed.

Mr. Cerretani suggested that our local State Government Representatives, such as Mr. Barrows, and others be invited to the meeting. Mr. Burke clarified that Federal Government grants would not be affected by the new law.

Mr. LeCesne suggested that bylaw changes looking forward for impacting the further outlying areas could be improved for accessibility to the commuter rail to meet new housing requirements. Mr. Cerretani expressed concern with tear down housing and rebuild of large structures not in keeping with existing neighborhood. Mr. LeCesne noted that any tear down would have to keep within the setback, height, size, and sidewalk bylaws. Mr. Burke stated that it is important to note that this is not another Ch. 40B Comprehensive Permit that overrides all other zoning.

Mr. Burke apprised the Board of an \$82,000 Housing Choice Grant Award and BETA Engineering has been contracted to do the visioning and drafting regulations for the TODs. The Mansfield Housing Corp. has been awarded a grant and will be working with SRPEDD to do a Housing Production Plan.

Ms. Friedman expressed concern with bylaw zoning changes in relation to residential and commercial where some areas overlap and be consistent in keeping with what has previously been established.

## **7. Around the Table**

Ms. Ashman-Collins noted the upcoming workshop (date not yet established) for schools in residential neighborhoods and that the Town Manager will contract with a facilitator. Ms. Bren confirmed that the timeline will work in line for timing of Town Meeting. Mr. Burke confirmed that the Warrant date is March 1<sup>st</sup> and suggested that the Board be allowed to put a placeholder for the warrant article to allow more time beyond the March 1<sup>st</sup> deadline to write the article.

Ms. Bren inquired as to COVID restrictions for the Public Forum and Mr. Burke noted that is has not been determined at this time.

Mr. Roche recommended the book *Missing Middle Housing* as a resource for discussion with the new Sec. 3A law.

Ms. Ashman-Collins noted that Michael McClanahan has been reappointed to the Planning Board.

Ms. Ashman-Collins noted that the Mansfield One suit has been dropped with the building being under new ownership.

## 8. Adjournment

**Motion:** To adjourn at 8:18 p.m. (Bren-Cerretani) Roll Call Vote

Diana Bren – in favor

Michael Feck – in favor

Sharon Friedman – in favor

Brendan Roche – in favor

Joseph Cerretani – in favor

Beth Ashman-Collins – in favor

Adrian LeCesne – in favor

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

Date of Next Planning Board Meeting: January 26, 2021 at 7:30 p.m.

**Signature of Clerk**

**Date of Approval**

Joseph Cerretani / pm

1/26/22