

## **Town of Sharon Planning Board**

**Minutes of 11/10/22**

**Meeting held via ZOOM**

### **Planning Board Members**

Pasqualino Pannone, Chair	David Blaszkowsky
Rob Maidman, Vice Chair	Peter O'Cain, Town Engineer
Xander Shapiro	
Shannon McLaughlin, Secretary	

### **Other Attendees:**

Maria De La Fuente, Dick Gelerman, Steve Allen, Dan Greenwald, Michael Littman, Bran Striar

### **Meeting Initiation**

Chair Pannone called the meeting (via ZOOM) to order at 7:05 PM. He announced that the Planning Board was going into Executive Session and all others needed to log off. Mr. Blaszkowsky motioned to open into Executive Session for pending litigation. Ms. McLaughlin seconded the motion. Each member voted yes to enter into Executive Session. Executive Session was continued until next meeting. The Board continued to open session.

### **Meeting Minutes**

Mr. Maidman moved to approve the minutes of 10/06/22. Ms. McLaughlin seconded the motion. The Board voted 4-0-1 (Blaszkowsky) in favor of approval.

### **Sharon Gallery Update**

Mr. O'Cain said the ZBA met last night regarding Phase 2 of the Sharon Gallery. For housing, there will be 156 two bedroom units. Tom Houston was hired by the ZBA to perform a technical review. The meeting was a project overview described by Attorney Shelmerdine. There will be 4 residential buildings, a pool and club house. 224 units are allowed as per Mr. Shelmerdine. We are awaiting Dick Gelerman's response if this filing is under new or old zoning said Mr. O'Cain. Is this linked project part of the original filing?

Mr. Maidman asked Mr. O'Cain how close we are to Costco build. He said Shaw's owners are going to court about this and the appeal was delayed to January. He said the applicant needs to finish the road to 192 apartments that exists and add lighting.

Ms. McLaughlin said she needs to relinquish herself from the Gallery Project as there is a remote possibility she would be interested in retail space in the future.

### **Governance Committee Vote to recommend 3-year term for PB**

Chair Pannone said he was invited to the meeting to discuss changing the PB term from 5 to 3 years. It was voted to recommend but this is just a recommendation to the Select Board. He is unsure if it will make its way to Town Meeting.

### **Update to Chapter 180 of the Acts of 2022, "An Act Relative to Equity in the Cannabis Industry"**

Ms. De La Fuente updated the Planning Board on this Act. Cannabis Cafes are social consumption establishments. We have no more marijuana establishment licenses left as they are tied to liquor licenses. Would you consider marijuana cafes she asked? Should we change the cap on the number of establishments? She said that no other communities have officially agreed to this yet.

Mr. Maidman asked what's the point of views for health life in Sharon.

Ms. McLaughlin wants to know the impact based on other localities. She wants more information on the financial impact to the Town.

Mr. Blaszkowsky has no objection to keeping this in the existing location to maximize revenue.

Mr. Pannone said he is interested in learning more and see how it applies to Sharon. Maria will look into what can be served at these establishments.

### **Marijuana regulation - should Sharon limit retail licenses to a percentage of liquor licenses or not**

Mr. Pannone said that liquor licenses are tied to marijuana establishments and should Sharon limit the number of licenses.

Mr. Maidman asked Ms. De La Fuente to keep track of what other towns are doing.

### **ADU by-law road block**

Ms. De La Fuente said that Town Counsel commented that the bylaw did not specify setbacks for a conversion and should apply principal dwelling regulations. This would be blocking accessory structures.

Ms. McLaughlin said she hopes collectively we can right the ship and hope the intent can be carried out. If added to the house great but we would allow detached structures like carriage houses. We need to support intergenerational living.

Mr. Maidman said he appreciates Town Counsels view on things as first reference to interpret legalities. Should TC revisit and is there a misreading. Sets precedent to undo intent.

Ms. McLaughlin said if there is an ambiguity look at intent of what the law means. That's usually the first step.

Mr. Maidman said we need to invite Attorney Gelerman to a meeting to identify intent. What was written by the Attorney shuts off what's approved in the future.

Mr. Pannone said it's on us to be explicit to Zoning. Accessory Dwelling means accessory to primary. Need to deliberate and refine.

Mr. Blaszkowsky said we should have been consulted.

Mr. Shapiro said we can do a benchmark. What is the norm.

Ms. De La Fuente said that in most cases ADU's are only allowed in 1/3 of Town in Massachusetts. Little precedent on what to do. If detached structure use principal housing structure. She said Town Counsel said we were not explicit.

### **AG approval with conditions of zoning bylaw amendments and codification**

Ms. De La Fuente said that the AG approved the bylaws with a few conditions that Mr. Bobrowski is taking care of.

### **New challenges with the requirements of accessory dwelling units**

Ms. De La Fuente said she got a request for all information on ADU's. The applicant did not submit a building permit. She is unsure if there will be litigation.

### **Review potential zoning articles for the next annual town meeting**

Ms. De La Fuente discussed short term rental bylaw and the dimensional use table changes. A general discussion ensued with suggestion for changes.

Ms. De La Fuente also shared the proposed MBTA Zoning. It's a blanket regulation and Mr. Pannone said not one size fits all.

### **Future Discussions**

Review of Post Office Square Design Guidelines

Zoning Bylaw 4391

There is no definitive plan for the Cape Club yet. All units in Phase 1 are built but not complete.

North Main Street property is a LIP. It will be filed as a comprehensive permit from the ZBA.

The Maskwonicut Bridge should be completed August 2024. Construction will occur around train schedules.

### **Future Scheduled Meetings**

12/1 – 5 PM

### **Adjournment**

Mr. Pannone moved to adjourn the meeting and Mr. Maidman seconded the motion. The Board voted 4-0-0 in favor of adjournment at 8:30 PM.