

## **Town of Sharon Planning Board**

**Minutes 11/9/23**

**Meeting held via ZOOM**

### **Planning Board Members**

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

### **Other Attendees**

Bob Shelmerdine, David Spiegel, Matt Smith (Norwood Engineering), Sonal Pai

### **Meeting Initiation**

Chair McLaughlin called the meeting to order (via ZOOM) at 7:02 PM.

### **Meeting Minutes**

Deferred

### **Public Hearing - Continuation of the 11/2/23 Public Hearing - Proposed Zoning By-Law revisions which pertain to Business District D**

Mr. Blaszkowsky moved to continue hearing for Business District D changes. Mr. Shapiro seconded the motion to reopen hearing. Chair McLaughlin said we need chart to look at revised chart of changes. All members received.

Mr. Pannone said he reviewed 11/2 PB meeting that he missed.

Chair McLaughlin said we will get Town staff to review and provide feedback on revised chart. Mr. O'Cain said he met with Mr. Houston and Mr. Shelmerdine and they verified what was restorative.

Mr. Houston reviewed chart:

First item multiple free standing buildings in lot - restorative.

Dwelling units over nonresidential first floor uses - restorative.

Residential uses multifamily uses in Business District D. Restore to by rite use. Restorative.

Larger child care facility - restorative. David Spiegel said would be helpful to development to have it.

Major residential and mixed use development in Business District D - restorative

Commercial fuel storage and retail sales - restorative. Use by Special Permit.

Major nonresidential development - special permit per ZBA. Change to use by rite. Requires major site plan review. Restorative.

Major parking facility - not defined term. Change to use by rite.

A private garage with provision for more than 3 motor vehicles is currently prohibited - Allow by rite.

Correcting building height - restore to allow buildings to be 4 stories and 60 feet height. - Restorative.

Lot coverage issue - actual lot coverage is 53.7 percent on the approved plans. Between old and current bylaw definition of lot coverage significantly changed. The new bylaw counts building footprints plus impervious parking, In retail development. Parking area larger than buildings. What put out of skew is definition change to include impervious. Need to increase percentage.

Lot within a Business District D - restore dimensional criteria for lots to pre 2022 bylaws.

Business parcel - similar to lot to allow business owner to create and own parcel where the building is. Costco island.

Lot shape - various criteria: required circle, shape ratio, requirement for 50-foot distance from lot lines to building. Lots don't determine density. Omit 50-foot width and shape factor from lots in Business District D only.

Clarifying building area - idea to go back to original bylaw with clearer language.

Maximum number of dwelling units - 180 based on last amendment to MOU. Original allowed for 220 units. Mr. Pannone said round down. Does not want applicant coming back asking for additional units. Board wants it to say 180 units.

Natural Vegetation area - change is original bylaw had 35% minimum. Current has no minimum for natural vegetation area. Rob Maidman asking for more vegetation. This would get rid of 55 additional spaces. 35% would be okay. Natural coverage is new term which means landscaped areas, which includes natural vegetation and ornamental landscaping areas.

Minor and Major Site Plan Approval – priority low based on what's needed for Sharon Gallery project. It has received Site Plan approval. Suggestion is critical for town to have site plan review process in place for other areas in town.

Residential Floor Area – legitimize what's approved. Allow 340,000 square feet of residential.

Raise building floor area for entire development –from max of 750,000 sq. feet to 810,000 sq. feet. Issue when 750,000 sq. foot set didn't think of garages which need to be included in projects total floor area. To go to 810,000 takes you to what's approved.

No cut line on South Walpole Street. Proposal to allow to be narrow as 35 feet permanently. 20 feet during construction. Purpose to address wall construction issue along South Walpole Street. New design less costly. On Costco approved plan there is a wall 30 ft. high. It is difficult to build but by changing to this allows for slope and put greenery. Make it safer so don't have 30 foot drop off. More plantings at Walpole Street for better screening. Maintain 50 feet where they can. Word prefer doesn't belong in regulations. Board says to tighten language. 35 feet is a minimum. Need to know what's relief down to 35 feet.

Minor site plan approval – Important for town. Sonal Pai thinks should be high priority. Major mistake. Impacts projects in other zones.

Definitions were discussed prior.

Chair McLaughlin said Mr. Shapiro will take over as Chair for a bit as she has to attend to something else.

Ms. McLaughlin opened to audience for clarification.

Mr. Pannone asked if this meeting will continue to the 20<sup>th</sup>.

Ms. McLaughlin said this is a contingency. The 20<sup>th</sup> is noticed.

Laura Nelson of Edgehill Road asked about I.11 – is this a total reversion? Mr. Houston said old bylaw had no requirement. In current bylaw it's a prohibited use. Proposal to change for use by rite. Restoring because want mentioned in old bylaw.

Laura Nelson asked will parking facility be used by public as commuting space or is it private for Business District D only. Mr. Houston said it's a decision by the owner. Mr. Spiegel said intent to be used for businesses on the property. Developed as mixed use site. It should only be used for tenants. Don't want people parking there and running off. It will be monitored.

Laura Nelson said within 4.3.7 the maximum number of dwelling units is now 156 with 24 affordable. if numbers change will it still be 12.5% affordable.

Peter O'Cain said the reason there is another scheduled public hearing is because zoning language not available to public. At night of next hearing need to close this hearing and open new hearing so can have appropriate language for AG.

Mr. Shelmerdine recommendation is to continue this hearing while at same time open up advertised hearing of the 20<sup>th</sup>. Can do both at same time.

Laura Nelson regarding 4.3.10 are there any implications for Con Comm on this with cut lines and walls? Mr. Spiegel said not near water so Con Comm not involved in this.

## **PB Discussion**

Mr. Maidman said there are two distinct lines of demarcation. One is Costco to rectify omissions or errors that render current status non-compliant. Other on parcels ZBA gave approval but not complete. No known tenants. Laying ground work for substantive changes to give maximum flexibility. Considerable amount of by rite. One is to say rides with land. Other part implies level of expediency to get things done faster but less expensively. That's part he is concerned with, He would like to deal with things specific for Costco to get in compliance then tackle substantive changes.

Mr. Blaszkowsky said proceed as Rob suggests. Remedy Costco first. Then go to rest of it with special attention to where by rite is being requested. Need high bar to grant by rite status.

Mr. Pannone said he agrees the bar for by rite should be set high. At same time we have been crafting Business District D for this purpose. He is on fence if by rite is acceptable or not. By rite makes sense on a certain level. Wants Business District D over with. Wants to make sure its buttoned up so no new requests needed.

Ms. McLaughlin said she is similar in thoughts as Pat and David. By rite needs extra attention. Where elements of project are approved and reinforced by rite then take into consideration. Move on responsibility. Take care of Business District D but not at cost of speeding through.

Mr. Pannone not willing to sacrifice a better product for speed. Somethings may need to wait to May for deeper discussion. Low hanging fruit – let's get through it.

Ms. Pai said to get through Business District D. Other articles to be discussed in May. Found issues with Business District A.

Mr. O'Cain reiterated that major site plan/minor site plan review if we get large projects over 25,000 square feet there is no process, no language. We would be in tough spot.

Mr. Spiegel said Costco hope this can go forward and be opened next year. He said as a developer he would prefer to work with one board. Hard to get approval from multiple boards which increase chances transaction will fall apart because of the time it takes. As a developer we only want to develop in a professional way. Difficult in today's environment. Peter and town spent time and energy. All being done at developer's risk.

Mr. Shapiro said your feedback is helpful.

Mr. Shelmerdine most of by rite trying to do is restorative. There maybe one or two because definition changed. Most is restorative. When bylaw drafted in 2007 and 2017 it was site plan approval. Tom Houston drafted tight process to cross all hurdles of this type of development.

Mr. Houston's idea in drafting zoning bylaw in Business District D is that uses by rite but ensure community impacts were addressed, major site plan review process was developed. Things that occur in no other bylaws like building new roads etc. and operate acceptable levels of service for traffic mitigate impacts of project were included. Know constraints up front and fundamental uses.

Mr. Maidman said we need to review this again and a made a motion that we continue hearing to night of November 20, 2023. Mr. Blaszkowsky seconded the motion. By roll call vote the PB voted in favor, 5-0-0 to continue the PH to 11/20/23.

### **Future Topics**

Meeting format - ZOOM/Hybrid

District Improvement Finance Report

### **Next Meeting Dates**

11/20

### **Adjournment**

Mr. Blaszkowsky moved to adjourn at 9:05 PM. Mr. Maidman seconded the motion. The Board voted 5-0-0 in favor of adjourning.