

## Planning and Development Committee Meeting

December 9, 2021

Attendees: Councillor Heather Shand, Councillor Jared Eigerman, Councillor Christine Wallace, Councillor Jim McCauley, Planning Director Andy Port

### Agenda:

- Approval of meeting minutes from 11/17 & 11/29
- ORDR305\_11\_08\_2021 Evergreen Parcel A
- ORDR306\_11\_08\_2021 Evergreen Parcel C
- ORDR307\_11\_08\_2021 Evergreen Trail Easement
- ORDR308\_11\_08\_2021 Evergreen Utilities Access Easement
- COMM338\_08\_09\_2021 Blight at State & High, Abandoned Global Oil Service Station
- COMM351\_09\_2021 Notice of Public Hearing Pursuant 107 State St.
- COMM352\_09\_2021 ORDER Pursuant to G.L. c.139 §1 on Dangerous Building at 107 State St.
- ODNC046\_01\_27\_2020 Zoning Amendment Short Term Rental Unit (STRU)
- COMM213\_03\_09\_2020 Ltr re:Short-Term Rental Ordinance
- COMM346\_08\_30\_2021 Ltr. Jane Snow Coffin St. safety concerns

### Minutes

- Committee voted 3-0 in favor of approving minutes from 11/17 and 11/29 meeting

### ORDR305-308 discussed

- Councillor Eigerman asked for clarification on each parcel from the applicants attorney, Atty Mead. Atty Mead and Director Port spoke to the 4 orders.
  - o Parcel A is required by DPS for the water division
  - o Parcel C is required by DPS for the sewer lift station
  - o Trail easement is for possible connection of the trail to the Whittier bridge trail
  - o Utilities access Easement is for emergency access regions
- Page 8, paragraph 2 of the HOA agreement was reviewed regarding questions of account funding the upkeep of the grounds as a condition of the planning board. The HOA agreement allows the city to place liens on homes unless the conditions of the SP are maintained.
- Director Port commented on the accessibility concerns that the ADA administrator was reviewing and noted the councils acceptance of the CR does not impact the on-going efforts with the developer to meet ADA compliance.
- No public comment
- Committee voted 3-0 in favor of approving ORDR305-308, collectively

COMM338, COMM351 & COMM352 were discussed collectively

- Councillor Eigerman reviewed the latest updates from the Global Oil lawyer with regards to the agreement the City and Global Oil.
  - o Agreement would last through December 31, 2022
  - o May 3, 2021 date defined as opportunity for City to “fish or cut bait” if deadlines aren’t met.
- No public comment
- Committee voted 3-0 in favor of R&F

ODNC046\_01\_27\_2020 Zoning Amendment Short Term Rental Unit (STRU)

- Reconciled version of the ODNC was reviewed, Councillor McCauley commented on the updates
- Public Comment
  - o Robert Koup, 36 Lime Street
    - Had questions on definitions of owner operator, agent and emergency contact and 14 days of rental
  - o Michael Underwood, 21 Beck Street
    - Lives in between two short term rentals and asks the city to pass legislation to regulate these units.
  - o Jane Snow, 9 Coffin Street
    - Thanks Councillor McCauley for efforts to write the legislation
  - o Bonnie Sontag, Chair of the Planning Board, 21 Smith Street
    - Appreciated latest version
  - o Stephanie Niketic, 93 High Street
    - Thinks this ordinance is an emergency and requests moving forward.
  - o Bonnie Sontag
    - Noted in Special permit criteria, 3 v. needs to change “No” to “a” STRU subject.
- Councillor Eigerman commented can’t change the 14 days as it is part of state law. Also, ordinance does not allow variances to the parking requirement of one off street space per one bedroom.
- Councillor Shand asked Director Port to comment on the need for an additional public hearing to assure the city has met its legal requirements for public hearing notices. Director Port agreed, given the updates to the ordinance, one additional public hearing should be scheduled in the new session.

- Given the need to continue the STRU ordinance into the new session, an amendment was offered by Councillor Eigerman and seconded by Councillor Shand to add at the end,
- “That this Zoning Ordinance will take effect immediately, with enforcement to take effect on June 1, 2021.”
- Based on the acceptance of the prior amendment, Councillor McCauley requested section 5D be deleted.
- All three amendments were recommended by Councillor Eigerman and seconded by Councillor Shand.
- Councillor Eigerman agreed to follow up with KP Law to assure wording for additional amendment is appropriate prior to 12/13 council meeting.
- Committee voted 3-0 in favor of recommending continuance of the ORDN into next session.

COMM346\_08\_30\_2021 Ltr. Jane Snow Coffin St. safety concerns

- Councillor Eigerman provided (attached to meeting minutes) of Arlington, MA reviews of statutory way, statutory private way and private way.
- Review will be discussed in Executive Session on 12/13.
- Committee voted 3-0 to R&F communication.

Meeting adjourned.

Start Time: Dec 9, 2021 07:30 PM

Meeting Recording:

[https://us02web.zoom.us/rec/share/Mw9-er3yTWwaxNnz1lFcIqLwormlBNQg\\_RZyYuZedjud-KSMSG7VohKuYsa5ePaM.-DW-cz3N1HKS5Nh5](https://us02web.zoom.us/rec/share/Mw9-er3yTWwaxNnz1lFcIqLwormlBNQg_RZyYuZedjud-KSMSG7VohKuYsa5ePaM.-DW-cz3N1HKS5Nh5)

Access Passcode: 00Fs%\*kG

Attachments:

Evergreen HOA Declaration of Trust



HOA-DECLARATION  
OF TRUST-.pdf

Zoning Administrator Jennifer Blanchett email regarding STRU.



Email from Jennifer  
Blanchett.docx

Councillor Eigerman attachments regarding Arlington Streets.



Arlington, MA -- MassPlanners listserv  
Memo to BOS re Privi -- 12-08-2201.pdf



Amended ODNC046



draft 12-02-2021  
-- STRU -- Zoning

Title Examination – Coffin Street



RAINEN -- Title  
Examination -- 12-01-

