



Hanson Planning Board
Minutes of the Public Meeting of
March 4, 2024 at 6:30 PM
Town Hall, Select Board Meeting Room
542 Liberty Street, Hanson, MA02341

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2024 MAR 26 PM 1:00

Members Present:

- Joe Campbell, Chairman
- Kevin Cohen, Vice Chairman
- John Kemmett, Member
- Paul Benenato, Clerk

Absent:

- Don Ellis, Member

Others Present:

- Tony DeFrias, Town Planner
- Kimberly Cunningham, Planning Board Administrative Assistant

Call to Order

At 6:35 PM the Hanson Planning Board was called to order by Chairman Campbell.

Minutes

Chairman Campbell stated: *"I would like to announce for those that are in attendance, that this meeting is being recorded for distribution on the Whitman/Hanson Community Access Page. Play back times and other related information on this recording can be found on WHCHA.TV. Our audio is being recorded and will be published."*

Let the record reflect that the meeting has been moved from the second-floor meeting room to the Select Board Meeting room on the main level of the Town Hall.

Clerical items that we would like to share are to make sure that all attendees at the meeting have signed in with their name and address, please silence your cell phones and if there are any recordings of this meeting place, please make sure that you notify the Chairs so that we can have it noted in the record.

Mr. Dias shared: I am recording the meeting.

Chairman Campbell stated: Please let the record reflect that Mr. Dias is recording the meeting via video and audio.

MOTION was made by Mr. Kemmett to take the approval of the Planning Board meeting minutes out of order. Motion seconded by Mr. Cohen and carried. **Voted 4-0-1.**

I. Public Hearings

- **CONTINUED** Public Hearing to amend the **Town of Hanson Zoning Map and the Town of Hanson Land Use Regulations Zoning By-law** in accordance with the Massachusetts General Laws Chapter 40A Section 5 and Section 3A, The Zoning Act:

MBTA District Map – The District Map outlines the area designated to allow multi-family housing as of right. The District meets compliance model requirements established by the Executive Office of Housing and Livable Communities EOHLC (formerly the DHCD). The current Town of Hanson Zoning Map must be updated to include the new MBTA zoning district.

Draft Zoning Bylaws – The bylaws provide zoning regulations for setbacks, land areas, etc. The bylaws conform with sample zoning provided by the EOHLC and have been tailored to meet the needs of the Town of Hanson.

Chairman Campbell read into the record a letter he personally wrote to the Town of Hanson Residents addressing the rumors regarding the MBTA Zoning District. He believes that there is miscommunication taking place regarding the new district. (The full letter is attached to these minutes).

Mr. DeFrias shared: The Planning Board has been task with a report to the Select Board regarding the overlay district bylaws and new overlay as part of the district zoning map. There were a few edits requested at the last Planning Board meeting and those have since been looked at by Town Council. You have the final language version in front of you.

The Commonwealth under the previous Governor created a housing mandate in order to create more affordable housing in Massachusetts. Communities with rapid transit, commuter rail, or commuter rail adjacent are required to create a zoning district that will allow multifamily housing by rite and special permits. Hanson, as a Commuter Rail town is required to create just the zone for multifamily housing within ½ mile of the Commuter Rail Station. The State provided an Excel workbook that requires the input of information requested that verifies that the District complies to the requirements within that workbook. At the same time, we received a grant to work with Old Colony Planning Council who helped us complete the workbook and finished it together last June. Hanson then received an addition grant and began working with VHB who looked over the workbook, adjusted it and assisted with the District Map and Bylaws. Once this is handed to the Select Board, it would then be their decision to move this to Town Meeting. Since this is a Bylaw, a Town Meeting is required. This bylaw is not a 2/3 vote, at Town Meeting, it is a majority vote. The people in the end will decide whether or not to accept the Bylaw. The down side to not accepting this mandated zone by the Attorney General's office is that any community that is not in compliance is subjected to not being able to apply for grant funding under three specific types of grants. They have since gone on to say that is would not be just those grants affected but any grant requested by a town that is not compliant.

We are moving forward with this MBTA District Zone because Hanson needs grant money in order to assist with projects that the Town is working on. In the end is up to the Citizens as to whether or not they want to move forward.

Chairman Campbell stated: We have records to show that a year ago we received the advisory that the MBTA District Zone needs to be created, sent by Andrea Jo Campbell, Attorney General for the state of Massachusetts. It stated the enforcement requirements to create the zone and the need for commuter towns to have a reasonably size zone that provide housing near transit stations as of rite within a half of mile of a transit station. The Town Planner and the Town of Hanson jumped on this immediately to be compliant with the State's demands. Those communities that are not compliant with this law may be subject to civil enforcement action. This making non-compliant community's ineligible to receive certain forms of State funding. MBTA Communities cannot avoid their obligations under the law by forgoing this funding.

The Planning Department and Planning Board have been working diligently since 2022 in order to be compliant with this law. We know the detriment of not complying with it. One of the majority of ways that the Town of Hanson receives funding is through grants. We know that based on other town's happenings that will seize, it has been stated and is already happening in other towns.

In order for the Planning Office to create a zone, it is a line on a map, nothing more is being built or happening at this time. In 2021 the Town Planner went to a MALSCE meeting where there was a presentation regarding MBTA Zoning, The MMA in 2021 released newsletters, OCPC assisted us in 2022 in the creation of this Zone. There have been presentations by the Town Planner with a Power Point slide show in February 2022. In December of 2023, DHCD guidelines were released and discussed. The preliminary guidelines first came out in January 2021, In the 2023 Annual Town Report there was a detailed section about the MBTA Communities. There were Public Hearings on November 27, November 13, September 25, there was also a Draft Zone meeting. The Town has been working on this since 2021 and again it is only for the Zone.

Tonight's meeting is about the Draft and countless hours of work that has been done over the past three years to create that Zone and will be proposed at the May Town Meeting.

Mr. DeFrias shared: The difference between Milton and Hanson is that Milton is a Rapid Transit community and that town had a different deadline for their compliance (December 2023). This is why you are seeing that they are non-compliant. Hanson is a Commuter Rail community so we must comply by December 31, 2024, and commuter adjacent towns must comply by December 2025.

Chairman Campbell opened the floor for questions.

Mr. Dias from Halifax asked: Are the soils suitable for building in that area?

Chairman Campbell responded: That is not the jurisdiction of the Planning Board.

Chairman Campbell stated: Let the record reflect that Mr. Dias passed in paper work in regards to soil conditions (the report was from National Resources Conservation Services, a web soil survey).

Mr. Dias questioned: Would Mr. Kemmett have financial interest?

Mr. Kemmett responded: Point of order.

Chairman Campbell stated: That has nothing to do with us creating a Zone. He then recommended that Mr. Dias reach out to the State Ethics Board with questions regarding the Board Member's involvement regarding what they vote on.

Mr. Mansfield, 145 Stonebridge Drive asked: Is there anything in the State guidelines or thoughts given to the infrastructure's improvements to the area? Does the State offer any means for funding for that so that we can function in the Zone?

Chairman Campbell responded: We already know there will not be any funding if we do not create the Zone. That would be on the tax payers for any of that infrastructure improvements if it's needed.

Mr. DeFrias added: They have not taken that into consideration, and to Mr. Dias question it's the same thing. The State for some reason didn't make that one of the requirements.

Mr. Benenato shared: As you can see the requirement is a zone, there is nothing in it as to how it's built. We are required to zone an area for multi-family units and that's all.

Mr. Kemmett shared: This is an as right by-law and whenever the as right by-law are included the files apply but site plan views still exist. If that's true then all the review stuff we would normally go through most of that will still continue, there are many more Hearings to go, it's not saying that they can start using this tomorrow. There's still a long way to go.

Mr. DeFrias added: The MBTA Zone is created and then anyone who decides to build will still have to come before all the required Boards for approval.

Mr. Milisi, 604 Brook Street asked: How much money have we received from these grants over the past couple of years?

Mr. DeFrias responded: We have received just under \$500 thousand dollars over the past two years. I think the amount is \$462 thousand dollars. The grant money has been used for the Master Plan, Pedestrian Improvements on Main Street, the property owned by the Town on West Washington Street, and investigation of a 40Y Starter Home District if plausible.

Mr. Perkins, 86 Tavern Way shared: There seems to be very little access points to the land. Also, if we are creating a fictitious zone that isn't really buildable what will happen then?

Chairman Campbell responded: It's not the Planning Board's determination whether it is buildable or not. We are staying in the bounds that we are here for by creating the MBTA Zone.

Mr. DeFrias added: This By-law and Map have been submitted to the State for review and the State requires that you submit it 90 days prior to Town Meeting. We have done everything that they have asked, so now the State will look at it. They may say you need to make some changes or they may

approve it. The State has the final say over it and if they desire to make changes to it, we can then present it to Town Meeting in October if necessary.

Chairman Campbell expressed: There have been discussions over the past years and we agree as the Planning Board and Town Planner, this is not how we like to make zoning changes in the Town. There is nothing we can do about it and the threats that have been put out there are substantial. Hours have been put into creating the best option for Hanson.

MOTION was made by Mr. Kemmett to close the Public Hearing regarding the Draft Zoning Bylaws. Motion seconded by Mr. Cohen and carried. ***Voted 4-0-1.***

MOTION was made by Mr. Cohen to accept the By-Law with the most recent edits made. Motion was second by Mr. Benenato and carried. ***Voted 4-0-1.***

MOTION was made by Mr. Benenato to accept the MBTA Zoning Map. Motion was second by Mr. Cohen and carried. ***Voted 4-0-1.***

Mr. DeFrias shared: I would like to compile a FAQ packet and have it added to the web page for the citizens to be able to access. This information can also be accessed at [MASS.gov/MBTA zoning](http://MASS.gov/MBTA_zoning).

MOTION was made by Mr. Kemmett to provide a report to the Select Board regarding MBTA Zoning By-Laws and Map. Motion was seconded by Mr. Cohen and carried. ***Voted 4-0-1.***

7:23 pm the Chairman called a brief recess.

7:26 pm the meeting was back in session.

II. Appointments

Master Plan –Old Colony Planning Council meeting and update with Master Plan Steering Committee

It is noted that Peter Butler of the Master Plan Steering Committee is not in attendance.

Ms. Rhiannon Dugan from Old Colony Planning Council shared: There was a second Master Plan public meeting that took place last week at Camp Kiwanee. Good turn out and great conversation about things that are needed in Town. The take a way items that were discussed at the meeting were; enhancing parks and green spaces, potential indoor sports center, better cell reception, increasing senior housing, connecting the forest to High Street, and creating an interconnected park system. There was a discussion on dangerous intersections in Town; Liberty and Winter Street, Liberty and Spring Street, Intersection of RT 58 and RT 27, Brook and Winter Street, East Washington and State Street, Cross Street and RT 14.

Tomorrow at 6:30 PM there will be an additional public Master Plan meeting via Zoom. There will be a Power Point from the first meeting that took place that explains the process of what is happening. This is beneficial for the new attendees. We will be digitally looking at all the Town maps and compare them.

The timeline is going well, we will have the first three chapters for review one week from today. Everything is happening at once, you're getting the information from me in pieces however every chapter is currently being worked on. Some chapters write themselves faster than others. I should be able to update you with additional chapters every 2-3 weeks.

There are currently 246 surveys completed and still more paper surveys to input. I may have a paper survey day at the Council of Aging. The survey's closing day is March 12th. We are looking to have a final meeting in early June and it will be a public meeting to share all the final actions items that we have gathered. When it is completed it will be accepted by the Planning Board and then the Town will decide if it will be taken to Town Meeting.

III. Board Business

Minutes Approval:

MOTION was made by Mr. Benenato to approve the Planning Board meeting minutes from February 26, 2024. Motion seconded by Mr. Cohen and carried. ***Voted 4-0-1.***

Mr. Cohen shared: There is a correction to be made, the date on the top states February 12th not 26th.

MOTION was made by Mr. Benenato to accept the February 26, 2024 Planning Board meeting minutes with adjustments. Motion seconded by Mr. Kemmett and carried. ***Voted 4-0-1.***

IV. Administration

The next Planning Board meeting is scheduled for Monday, March 25th, 2024

MOTION was made by Mr. Cohen to schedule the next Planning Board Meeting for March 25th, 2024. Motion seconded by Mr. Kemmett and carried. ***Voted 4-0-1.***

IV. Adjournment

MOTION was made by Mr. Kemmett to adjourn the Planning Board Meeting. Motion seconded by Mr. Cohen and carried. ***Vote 4-0-1.***

The meeting was adjourned at 7:44 pm.

Respectfully submitted,
Kimberly Cunningham
Administrative Assistant, Town of Hanson, Massachusetts



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PLANNING BOARD MEETING ITEM LIST 03-04-24

Item #1 – Meeting minutes from February 26th meeting - Draft

Item #2 – Final MBTA bylaw with edits reviewed and approved by Counsel

Item #3– Final MBTA zoning map

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Subject: Clarification Regarding Recent Rumors – MBTA Zoning area

Dear Residents,

I hope this letter finds you well. I am writing to address some recent rumors that have been circulating within our community. It has come to my attention that there is misinformation spreading, and I believe it is crucial to provide clarity and transparency.

Rumors can be unsettling and create unnecessary anxiety among residents. In the spirit of open communication, I want to assure you that the TOH Planning Board's primary goal is to keep everyone informed and foster a sense of unity within our town.

One of the rumors circulating pertains to accusatory language about the TOH Planning Office and the landowners of the proposed MBTA Zone. I would like to categorically state that there is no truth to this rumor. Our town government is committed to upholding the highest standards of honesty and integrity, and any information circulated without proper verification should be treated with skepticism.

It is essential for us, as a community, to rely on accurate and verified information. If you ever have concerns or questions about any issue, please feel free to reach out to the appropriate channels, such as our town offices like the TOH Planning Department. We are here to address your queries and provide the information you need to dispel any uncertainties.

Additionally, I encourage all residents to be mindful of the impact rumors can have on our community's cohesion. Let us prioritize open dialogue, fact-checking, and respectful communication to maintain the trust and harmony that define our town.

In the coming weeks, we will be again presenting to the community information to address any lingering concerns and answer questions directly. Your participation is crucial to building a strong and informed community.

Together, we can foster an environment where accurate information prevails, and rumors are dispelled through open and honest communication. Thank you for your understanding and continued support.

Sincerely,

Joe Campbell, Planning Board Chair 2024, Town of Hanson

