

**MELROSE PLANNING BOARD
MEETING MINUTES
Zoning Subcommittee
Monday, July 23, 2020
7:30 PM
Remote Meeting**

PRESENT: Anne DeSouza-Ward, Paul King, Sharon Petrillo, & Greg Sampson

ABSENT: None

STAFF PRESENT: Denise Gaffey, Director, Emma Battaglia, Senior Planner & Lori Massa, Planning Coordinator

The meeting was called to order at 7:30 PM by Mr. Sampson.

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting was conducted via remote participation to the greatest extent possible. Meeting access and the general guidelines for remote participation by members of the public and/or parties with a right and/or requirement to attend this meeting was found on the City of Melrose's website, at www.cityofmelrose.org/remote-meetings. No in-person attendance of members of the public was permitted, but every effort was made to ensure that the public could adequately access the proceedings in real time. An audio or video recording, transcript, or other comprehensive record of proceedings was posted on the mmtv3.org website as soon as possible after the meeting. A link was also available on www.cityofmelrose.org.

1. Incentive Zoning for TOD Locations, including BA-1 and BA-2 Districts

The subcommittee discussed possible changes to the Zoning Ordinance for the BA-1 and/or BA-2 districts that would allow for development that they support. Often projects that they approve in the Site Plan review process require variances. Most recently this happened with the 360 Main Street project. There was wide community support for it but it needed several variances and the case was appealed.

The same zoning, BA-1, exists from Essex Street to Grove Street and Wyoming Avenue but there are different conditions along this stretch of Main Street. The district is also mapped between Lynn Fells Parkway and Green Street. The discussion led to working towards rezoning sections of the southern BA-1 district on Main Street to BA-2 and amending the BA-2 zoning district. The Board also discussed possibly changing the BA-1 district on the northern section of Main Street to BA-2.

They were interested in discussing changes to height/number of stories, floor area ratio (FAR), allowing for some compact parking spaces, parking and loading, and driveway width

requirements. There was discussion about how the changes should not negatively impact the public realm in terms of parking, loading/trash removal, queuing to enter a driveway, and utilities. There should be a look at the existing infrastructure to know if it can support more development.

Members discussed how incentives could be allowed for providing sustainability measures, underground parking, or other community benefits. They could be permitted by Special Permit or by-right. Any substantial development in this district would require Site Plan Approval so the Board would review the projects in either case.

The required driveway widths are necessary for commercial parking lots, not residential driveways where vehicles are moving at slow speeds and drivers that are familiar and comfortable with the space.

The maximum FAR allowed is low and the dimension is often not helpful in getting to a desired form. They would explore removing the requirement if they are comfortable that height, setbacks and lot coverage would better address the massing of the building.

Parking requirements could have some flexibility if an adequate study is provided to the Board to show that the parking proposed is sufficient. The structure should not be set up so that the ZBA would need to grant a variance for parking for a project that the Planning Board approved. Some developers want to provide parking while others do not. It is typically a marketing decision for the development. Also with larger developments it is more likely that some units will not need a parking space. Staff will also provide the MAPC parking study, which included Melrose, and showed that regionally 30% of the parking is not utilized. Members asked planning staff to summarize the parking requirements and existing forms of parking reductions for them to review.

The Subcommittee opened the meeting up for attendees that wanted to speak. Marybeth McAteer Margolis said that she was thankful that they are considering zoning amendments that would bring green development, more tax base, and affordable housing without changing the character of the community. Other members of the public said that they would submit comments in writing.

2. Miscellaneous/Housekeeping Items:

Planning Staff provided a brief explanation of these potential amendments. The Subcommittee was amenable to working on all of them and provided comments. Staff will draft language to review in a future meeting.

- i. Corner Lots – remove the 2 front and rear lot requirement and ensure that there would not be a visual barrier for drivers
- ii. Modify term for Special Permits consistent with MGL – 3 years
- iii. Remove restrictive In Law Apartment provisions – allow for alterations after 1990

- iv. Reduce driveway width requirement – 18 foot driveway and 20 foot aisle width are sufficient for residential. There is a relationship between parking space size and the aisle width required.
- v. Review setback requirements for Retaining Walls – remove the reference to a retaining wall being a structure so that it does not need to be set back. Make sure that fences do not need to be setback.
- vi. Modify setback for Accessory structures in SR districts – reduce the requirement to be similar to UR districts so that there is not unusable/unmaintained yard space.

3. Nonconforming Structures, Lots and Uses

The Subcommittee would like to amend the nonconforming section of the zoning ordinance and will get into the details of what should be allowed by-right or by special permit at a future meeting. There is case law that makes clear that some of the applications that we required a variance to construct should be handled differently.

4. Accessory Dwelling Units

Planning staff have been researching if and how accessory dwelling units (ADUs) may work in Melrose. The City received a grant to create a housing production plan and will be working with MAPC and the Planning Board on it. This plan will likely include ADUs as a way of increasing the supply of housing.

5. Rezoning 401 Upham Street

An attorney for the owner of 401 Upham Street asked about changing its zoning district since it is a legally preexisting nonconforming use and with every change to the business a variance is required. The Subcommittee found that it would be best for the attorney to present a proposed zoning change to them and they would respond to it.

6. Other Equity and Affordability Zoning Amendments

The Mayor has issued a report on equity which includes existing practices and action items for each department. Ms. Gaffey encouraged members to read it and consider the zoning amendments cited. Many of the items involve housing, which the housing production plan previously discussed will address. The Planning Board as well as the City Council will vote on the plan and it would be helpful to have a member of the Board on the plan's working group.

NEXT MEETING

The Zoning Subcommittee meeting is scheduled for August 31, 2020 at 7:30pm.
The meeting adjourned at 9:30 pm.