

**MELROSE PLANNING BOARD
ZONING SUBCOMMITTEE
MEETING MINUTES
Meeting
Monday, May 18, 2021
7:30 PM
Remote Meeting**

PRESENT: Beth Delahaij, Anne DeSouza-Ward, Greg Sampson & Sharon Petrillo

ABSENT: None

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

The meeting was called to order at 7:35 PM by Ms. DeSouza-Ward.

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 of the Melrose Planning Board 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.

The Subcommittee met to review the comments from the public hearing regarding the zoning amendment that allows for incentives in the BA districts and parking regulations. The joint hearing with the City Council was on April 29, 2021 and the City Council held another public hearing on May 6, 2021.

The members discussed the following concerns and questions that were raised during the public hearing process.

1. Green Building Practices and Energy Efficiency Requirements

Comments included that there should be more mandatory requirements for green building practices in order to take advantage of the incentives. Members were supportive of moving the green building practices paragraph (D.2.a) from an optional community benefit to one required (D.1.b).

They discussed how the City's Net-Zero Plan will be completed soon and it will include city-wide recommendations. Also, the Governor recently signed legislation that includes creating an opt-in net-zero stretch code within 18 months that would also apply city-wide. The proposed zoning is only for a small portion of the city and it has inherent sustainability by allowing for more housing and services in walkable, transit accessible locations. The Planning Board has been successful in pushing for energy efficiency in projects. They discussed making the language stronger to ensure that it is clear that including only one of the measures listed will not be sufficient. A package of green building practices will be required. Members did not want to limit redevelopment by requiring green building certification due to the cost and timing challenges of issuing permits for the building that align with performance testing for certification. If certification is achieved, the development would clearly meet this requirement.

The ordinance does not have a definition of net-zero or net-zero ready but there are accepted definitions and the Board could create a policy to define their definition or use an existing one.

Revised language for the green building practices paragraph to reflect the discussion and make it a requirement will be provided to the full Board.

2. Local Historic District

Some expressed concern that the zoning map change at the northern end of Main Street will encourage redevelopment of parcels in the local historic district. This is a legitimate concern in terms of messaging to developers; however, the reality is that the Historic District Commission has jurisdiction over the demolition and alteration of structures and the zoning does not override their approval. These properties have existing zoning that allows for 8-stories, although, it would be difficult to redevelop to that height without the consolidation of parcels.

The original reason to include changing the zoning district at Main Street and Emerson Street was to allow for the Caruso's property to be redeveloped in a way that aligns with what the City would want to see there. The BA-1 is a better fit for this intersection and along Main Street than the existing zoning. The Councilor asked for the proposed boundary to be expanded to Lebanon Street.

Members discussed adding a prerequisite to obtain a Certificate of Appropriateness from the Historic District Commission before being able to apply for a special permit for the incentive zoning. They would like to discuss the options for addressing this concern with the full board.

3. Boundary of the proposed BA-1 District at Emerson & Main

There was a comment that the Planning Board should consider if the proposed BA-1 boundary near Main Street and Emerson Street should be extended northward to include the whole block surrounded by Main Street, Lebanon Street and East Emerson Street. The Subcommittee felt that since the hospital is directly across the street from the northern end of the block and there are medical uses there, including a nursing home, which is not allowed in the BA-1 district, the

boundary should not extend northward at this time. There is no plan to develop the municipal parking lot on the block and therefore there would be no benefit to changing the zoning of it.

4. Affordable Housing

There were comments in support of the amendment for its ability to allow for more housing and affordable housing in appropriate areas. Others had questions and confusion about how the affordable housing requirements relate to this amendment. The confusion may have been the result of striking Section 235-66 for the Design Review Permits which includes an affordable housing requirement but it is no longer relevant. The report will include an explanation of how the 15% affordable housing requirement will apply to all of the residential units in a development, with or without the incentive. If a project can build more units because of the incentive, they will have to provide the resulting percentage of affordable units.

5. Open Space

There was a comment about how public green space has been removed as a community benefit in place of private roof decks, balconies, green roofs, and/or plazas. The report will explain that the requirement for open space is low because the BA-1 and -2 districts are intended to have buildings that create a strong streetscape. Open space is not intended to be community benefit. It is often an underutilized space or utility space. The amendment would allow for the open space to be counted in more flexible ways so that it has a benefit to the residents.

6. Public Participation

There was a comment that the public hearing was not widely advertised. The Melrose Affordable Housing Cooperation, Melrose Energy Commission, Melrose Historical Commission, and Zero Waste Melrose should be invited to the public hearing. These commissions all took part in the public hearing process. The advertisement of the public hearing was above the statutory requirement as all of the property owners within the areas affected by the zoning map changes were mailed a notification of the hearing. The public hearing process has been effective and has generated a lot of feedback.

7. Front Yard Parking

There was a comment that the front yard parking limitation should not be eliminated. The report will explain that this restriction will still be in the ordinance. It is currently in there twice, which causes confusion.

8. Change in Height

An architect contacted Ms. Gaffey about the height of the 5-story building allowed with the incentive zoning. He said that the height limit should be increased from 62 feet to 65 feet to allow for an appropriate floor to ceiling height for first floor commercial space. The Subcommittee agreed and will recommend increasing the height to 65 feet.

9. Change in the Number of Compact Spaces Allowed

An architect contacted Ms. Gaffey about the percentage of compact parking spaces that the amendment would allow. He recommended increasing the percentage from 30% to 50 or 100% of the spaces. The Subcommittee discussed how columns in garages can make parking challenging and how EV charging stations take up space. The Subcommittee will recommend allowing for an increase in the number of compact spaces by Special Permit from the Planning Board so that the Board can consider the parking layout and nature of the development such as size of residential units in making the determination if more compact spaces will be functional.

Public Comment:

The Subcommittee asked if members of the public would like to provide comments and three people spoke.

Susan Murphy was concerned that the requirement for green building will not be meaningful without the certification requirement. The building envelop is important and performance measures are necessary to know if everything was installed correctly. It is hard to retrofit a building later that is not built with a tight building envelop. Constructing to certification standards is not that much more expensive and the price is scaled with the building.

Ellen Katz said that developers will do the minimal required and there needs to be measurable standards. She said that the Subcommittee's topics of discussion for meetings are hard to find.

Bob Bell said that there is an underlying cynicism of developers but most are conscious of energy efficiency. The amendment empowers the Planning Board to deny projects that do not provide enough community benefit. With more mandates developers will be pushed to the 40B route. The amendment is balanced and removes the risky variance process. There are a lot of competing interests such as affordable housing, good design, etc. We don't want to put ourselves at a disadvantage for redevelopment when the state will be releasing a new stretch code in 12 to 18 months.

The Subcommittee will discuss these items with the full Board at their next meeting on May 24, 2021. The Planning Board will provide a report to the City Council within 21 days of the close of the public hearing.

Documents: Draft Zoning Text and Map Amendment dated March 11, 2021

The meeting adjourned at 9:25 pm.