

**MELROSE PLANNING BOARD
ZONING SUBCOMMITTEE
MEETING MINUTES
Wednesday, October 19, 2022
7:30 PM
Cassidy Conference Room, City Hall, 562 Main Street**

PRESENT: Anne DeSouza-Ward, Gregory Sampson, Beth Delahaij, & Brian Gregory
ABSENT: None
STAFF PRESENT: Denise Gaffey, Director, & Lori Massa, Senior Planner

The meeting was called to order at 7:30 PM by Ms. DeSouza Ward.

The Zoning Subcommittee reviewed the zoning amendments that they had reviewed at their last meeting on May 17, 2022. Planning staff incorporated the members' comments from that meeting and also met with the Building Commissioner to review the amendments and incorporate his comments into the latest drafts. The nonconforming section and other amendments marked as medium and long term on the list that the members had at the meeting will be addressed at a later date.

The Members also discussed which amendments require a majority vote and which require a supermajority vote considering that the Housing Choice Legislation applies to some of the amendments. The conclusions are noted below.

They discussed the following edits since the last meeting and made additional changes to some of the amendments as follows:

Votes for Special Permit Approval & Term

- No changes since the last meeting and no changes were requested.
- Supermajority needed

In-law apartment definition

- No changes since the last meeting and no changes were requested.
- Simple majority needed

BA-2 Zoning District line change

- No changes since the last meeting and no changes were requested.
- Simple majority needed

Corner lot setback

- Added 'typically identified by street address' for clarity.
- Added an addition to the Rear Lot Line definition so that it does not conflict with the new yard designations.
- Supermajority vote needed

Definition of retail food establishment

- A semicolon was added during the meeting.
- No other changes since the last meeting.

- Supermajority needed

Definition of structure

- The Building Commissioner requested that swimming pool equipment is added to the definition.
- Members discussed removing the reference to time that this in the definition and adding ‘that are constructed or erected on the ground, such as...’.
- Supermajority vote needed

Site lines and fence height

- A diagram was provided that showed three scenarios of how to measure the required setback from a corner. One was the way that was originally proposed and how Planning Staff interpreted the existing language, one was how the Building Commissioner enforced the code, and the final was a revised way to do the measurement, which is easier to measure in the field. The Engineering Department did not have an issue with the first two options that were presented to them and will be shown the third option. Since the third option is more restrictive than the first two but easier to measure, the Subcommittee supported that option but reduce the distance to 20 feet.
- The amendment was also edited to be applicable to districts “with a required front yard setback”. The zoning districts that do not have required front yards, such as downtown, where buildings are built up to the sidewalk and vehicles drive more slowly, should not have the same triangular area measurement.
- Supermajority vote needed

Site Plan Review

- To ensure that site lines are still considered for new construction when no front yard setback is required, a change to the Site Plan Review criteria to add this consideration is proposed.

General Code

- The vegetation height regulation as taken out of the Site Lines and Fence Height zoning amendment and a General Code amendment is proposed for the following reasons:
 - The Engineering Department is a more appropriate department to address issues of limited visibility due to vegetation.
 - With the regulation outside of zoning a hedge that exists today will not become legally nonconforming and be allowed to remain. The general code applies to existing vegetation.
- The measurement from the corner will be the same as was chosen for the zoning regulation for fences.
- The Subcommittee added leafy vegetation in addition to hedges to expand the types of plants that will obstruct views.

Planning Staff will make the final edits before the full Planning Board reviews the proposed amendments at the next available meeting.

Documents: Zoning Amendment List 2022
Corner Lot Definition Amendment
In-Law Definition Amendment

Structure Definition Amendment

Additional Dimensional and Density Provisions Sections §235-25.K & L.
Amendment

Zoning District Change Amendment

Definition of a Retail Establishment Amendment

General Code Amendment

Site Plan Approval Criteria Amendment

Special Permit Approval and Term Amendment

The meeting adjourned at 8:30 PM.