

MELROSE PLANNING BOARD
MEETING MINUTES
Regular Meeting
Monday, January 23, 2023
7:30 PM
Remote Meeting

PRESENT: Tim Bailey, Beth Delahaij, Anne DeSouza Ward, Brian Gregory, Carla Morelli, Greg Sampson, Jack Welch, Michael Aveni & Paul King

ABSENT: None

STAFF PRESENT: Denise Gaffey, Director & City Planner, Lori Massa, Senior Planner & Maya Noviski, Assistant Planner

The meeting was called to order at 7:31 PM by Mr. Sampson.

Pursuant to An Act Relative to Extending Certain State of Emergency Accommodations, signed into law by Governor Baker on July 16, 2022, this meeting was be conducted via remote participation. Specific information 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 could be found on the City of Melrose's website, at www.cityofmelrose.org. 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, or in the event that we are unable to do so, they would be post on the mmtv3.org website an audio or video recording, transcript, or other comprehensive record of proceedings as soon as possible after the meeting. A link was also available on www.cityofmelrose.org.

Meeting access information was found at the following link:
<https://www.cityofmelrose.org/remote-meetings>

APPROVAL OF MINUTES

Planning Board Regular Meeting, December 19, 2022

Board Members had no comments or adjustments to the minutes. Mr. King made a motion to approve the meeting minutes. Mr. Welch seconded the motion. All members voted in favor. None were opposed.

SUBDIVISION PUBLIC HEARING

Summit Avenue, North Shore Residential Development (continued public hearing)

Patrick McAvoy, Attorney, appeared to ask for a continuance until the March 13th meeting. Denise Gaffey, City Planner, explained that the Peer Review Consultant will attend the next meeting to answer questions and review the report's findings. One Board Member requested that the Applicant be prepared to address other issues with the project that the Board has highlighted at the next meeting, as well.

Ms. DeSouza Ward made a motion to continue the public hearing to March 13th. Mr. Gregory seconded the motion. By roll call vote, all voted in favor. None were opposed.

SUBDIVISION—REQUEST TO REDUCE BOND AMOUNT

Patrick's Place/0 Swains Pond Avenue Subdivision

Ms. Gaffey explained that the Developer has requested to reduce the bond amount for the Patrick's Place/0 Swains Pond Avenue Subdivision by about \$200,000. The City Engineer has reviewed the request and has agreed to the reduction. Board Members reviewed the schedule of values for all the road-related work; there is still about \$1.5 million of work remaining.

Ms. DeSouza Ward made a motion to grant the request. Ms. Morelli seconded the motion. By roll call vote, all voted in favor. None were opposed.

Documents: Schedule of Values, December 15, 2022

ZONING AMENDMENTS

Ms. Gaffey explained that Staff has reviewed the City's Zoning Ordinance to ensure that the City complies with the Department of Housing and Community Development's guidelines regarding the new multi-family zoning requirements for MBTA Communities that was part of the 2021 Economic Development Bill. While the City does not believe that substantive changes are needed to comply, there are two items in the Zoning Code that need amending: restrictions on unit size and the definition of "Family." Municipalities that do not comply with the legislation by upcoming deadlines will no longer be eligible for certain grant funding. These amendments can be included in the package of zoning amendments that the Planning Board is initiating.

Lori Massa, Senior Planner, explained that the goal of the legislation is to eliminate restrictions on the creation of multifamily housing including the size of the units and the number of occupants. Currently, the Melrose Zoning Ordinance (MZO) establishes a minimum square footage for units based on the number of bedrooms. The proposed zoning amendment strikes this regulation. Ms. Massa explained that the State Sanitary Code, enforced by the Board of Health, addresses residential unit sizes by establishing minimum dwelling unit and bedroom sizes per occupant. She also noted that some zoning districts regulate the number of units per lot based on lot area, and all districts control a building's size through Floor Area Ratio and/or height and setback regulations.

Ms. Gaffey noted that apart from the MBTA Communities requirements, the unit size regulation has created a hardship for a few recent projects that created micro units and had to receive relief from the Board of Appeals. Micro units are often offered as a more affordable housing option, which, if allowed, would positively contribute to the City's housing stock.

Ms. Massa continued by presenting the proposed amendment for the definition of "Family." She explained that the current definition is antiquated and limits the number of unrelated individuals, which is not allowed under the MBTA Communities regulations. The amendment eliminates the definition and replaces it with definitions for "Single-Family Dwelling" and "Two-Family

Dwelling.” The MZO already defines “Dwelling Unit” and “Multifamily Dwelling Unit” thereby organizing the code in a more logical and streamlined manner. She explained that the definition of “Dwelling Unit” establishes the primary intent of a residential unit being a space with complete living facilities (living, sleeping, eating, cooking and sanitation) occupied by people that share the use of that space together as a single housekeeping unit.

Ms. Massa also explained that this amendment strikes the definition of “Apartment House” from the MZO and the Table of Use and Parking Regulations. The definition and use of “Multifamily Dwelling” duplicates the apartment house use rendering it obsolete. Lastly, this amendment seeks to eliminate the references to “apartment house” and “garden house” from the definition of “Multifamily Dwelling,” which are repetitive.

Ms. Massa responded to Members concerns about density control by explaining that the City has not had issues with overcrowding but if there are future issues, the Board of Health or the Fire Department will respond rather than the Building Commissioner. She also noted that Medford does not have a limit on the number of unrelated individuals who can live together, even with the Tufts University student population who may be more predisposed to overcrowding.

By roll call vote, all voted in favor of the proposed zoning amendments. None were opposed.

RECOMMENDATIONS TO THE BOARD OF APPEALS

Board of Appeals Public Hearing on February 8, 2023.

Case 22-029 27 Temple St.

Board Members discussed the request for an administrative appeal. Members had differing opinions on the appeal and decided to stay neutral on this part of the application. Members agreed that the driveway width should be brought into conformance, and it was clarified that because the change is de minimus, the Applicants can amend the plan without having to come back before the Planning Board. Members were supportive of the other variance requests noting that the project has undergone extensive review by the Board and Members would be comfortable with the Board of Appeals approving this project.

Ms. DeSouza Ward made a motion to send a letter of recommendation to the Board of Appeals stating that the Planning Board takes a neutral position with regards to the administrative appeal and supports the request for variances, except the one for the driveway width. Mr. Aveni seconded the motion. All voted in favor. None were opposed.

Documents: Applicant Materials for Case 22-029

Case 23-001 423 Pleasant St.

Board Members were supportive of the proposal. It was noted that two different businesses have recently received approval to occupy this site but it has not worked out for various reasons. It was clarified that the proposed use would require a variance to operate. Members felt that the property would be great for a bicycle manufacturer and were supportive of the reduced parking.

Members agreed that due to the businesses' model of manufacturing custom ordered bicycles and the limited number of employees and customers onsite, parking and the driveway width would not be an issue.

Mr. Welch made a motion to send a letter of support to the Board of Appeals for the project's change of use and reduced parking and driveway width requests. Mr. Aveni seconded the motion. All voted in favor. None were opposed.

Documents: Applicant Materials for Case 23-001

NEXT MEETING

The next regular meeting of the Planning Board is scheduled for February 27, 2023.
The meeting adjourned at 8:38 pm.