

**MELROSE PLANNING BOARD
MEETING MINUTES**

Special Meeting

Monday, January 12, 2015

7:45 PM

Mayor's Conference Room, Second Floor, City Hall, 562 Main Street

PRESENT: Anne DeSouza-Ward, Paul King, Michael Cassavoy, Sharon Petrillo, John Sadowski, Ed Cassidy, Robert Mercado, and Jack Welch

ABSENT: Carla Morelli

Denise Gaffey, Director and City Planner, and Erin Zwirko, Assistant Planning Director, were present.

The meeting was called to order at 7:50 PM by Ms. DeSouza-Ward.

ZONING SUBCOMMITTEE REPORT

Proposed Station Area Zoning Amendments and Map Changes

Ms. DeSouza-Ward noted that the Special Meeting was called to further discuss certain particulars related to the proposed station area zoning amendments and map changes. Ms. Gaffey noted that the documents have been reformatted in the way that zoning amendments are presented to the Board of Aldermen, including a cover letter describing the amendments and a narrative that details each of the proposed revisions. The cover letter reviews the background of the recent transit oriented design zoning amendments, the proposed amendments, and the process. Attached to the narrative are graphics depicting the map changes as well as revisions to the Table of Use and Parking Regulations and the Table of Dimensional and Density Regulations. The tables have been revised to incorporate the new zoning district, the BA-2. Many of the revisions relate to the new zoning district, but some are also housekeeping items. Ms. Gaffey reminded the Planning Board of the major elements that were described during the December meeting.

Ms. Gaffey noted that the Planning Board may initiate the zoning amendments with the Board of Aldermen for the station areas. She pointed out that the Planning Board should also consider amending the density for assisted living facilities in the Rail Corridor Overlay District. Ms. Gaffey noted that this technical amendment could increase the density for assisted living facilities to 55 units per acre. Ms. Gaffey explained that representatives from LCB Senior Living were present at the meeting to answer any questions from the Planning Board.

Ms. Gaffey first wanted to respond to Ms. Petrillo's questions about spot zoning. Ms. Gaffey explained that she asked the City Solicitor for his opinion on whether the proposed amendment would constitute spot zoning. Mr. Van Campen, the City Solicitor, responded to Ms. Gaffey via email indicating that spot zoning is the singling out of a specific lot for the economic benefit of its owner. Mr. Van Campen also noted in his email that spot zoning is the denial of equal protection under the Constitution. He opined that the proposed amendments are not an equal protection issue as there is no one specific parcel in question; rather it would be applied to the whole Rail Corridor Overlay District. Ms. Petrillo noted that the Planning Board is considering the amendments for a specific project within the Rail Corridor Overlay District, and she felt that this situation could be considered spot zoning. Ms. DeSouza-Ward and Ms. Gaffey disagreed and noted that the proposed amendment would apply to any assisted living proposal in the Rail Corridor Overlay District.

Mr. Cassavoy noted that he completed some research about the density of assisted living facilities. He indicated that generally there is 1,000 square feet per unit per acre. Mr. Cassidy explained that it's in

relation to building size, not lot size. For example, an 100 unit facility should be sized at 100,000 square feet of building. However, the typical sites he deals with are rural sites, and it varies due to the amount of common space.

Ms. DeSouza-Ward indicated that she would like to hear from the representatives of LCB Senior Living. Ms. DeSouza-Ward noted that the Zoning Subcommittee, when it was considering the density of assisted living facilities, looked at a variety of projects to develop the density including the project proposed by LCB at the Deering Lumber site. She indicated that the Subcommittee was comfortable with the proposed 90 units on the site based on the preliminary massing illustrations and elevations presented by LCB. She indicated that she thought the project fit on the site. Mr. King agreed, indicating that the project and the site have not changed.

Ms. DeSouza-Ward asked the representatives from LCB Senior Living to present any information to the Planning Board. Ted Doyle noted that he was present with Ed SanClemente and Attorney Bob Bell. Mr. Doyle apologized for the inconvenience. Mr. Doyle indicated that the Deering Lumber site worked well within their pro forma at the 90 unit threshold. Mr. Doyle indicated that they would be happy to answer any questions.

Ms. DeSouza-Ward asked about the density at LCB's other facilities. Mr. SanClemente noted that the density varies across their portfolio. He indicated that it is not usually an x unit per square feet per acre. It is based on the location. Typically, the facilities are 80 to 100 units in size. At the Watertown Square location, which is their newest facility, the lot is approximately 32,000 square feet with a similar number of units as proposed for Melrose. In Ipswich, they did 78 units on 15 acres of land. Mr. SanClemente explained that more units would not be feasible in Ipswich because of their ability to fill the facility in that location. Mr. SanClemente indicated that every site has its limitation. Attorney Bell noted that LCB is ready to start the permitting process, and will request a dimensional variance if the zoning amendment is not approved.

Mr. Cassavoy asked how large the units were. Mr. SanClemente indicated that the units proposed for Melrose are less than 1,000 square feet. Mr. Cassavoy also asked how many bedrooms are proposed per unit. Mr. SanClemente indicated that there will be a mix of studios, one bedroom, and two bedroom units. Each unit has a small kitchenette, with no cooking facilities, a living area, bedroom and bathroom. Mr. Cassavoy asked how many one bedroom units there will be. Mr. SanClemente indicated that the mix will likely be about 60 percent one bedroom units and 40 percent studios, with a handful of two bedroom units. Mr. SanClemente also noted that memory care will be provided at this facility, and residents of those units are often paired in a roommate situation to facilitate socializing.

Mr. Cassavoy asked about services in the building. Mr. SanClemente indicated that there will be a restaurant style seating offering meals throughout the day rather than at specific hours. There is centralized kitchen that will serve other meal options available such as at a small bistro. Mr. Cassavoy asked if transportation to downtown will be provided. Mr. SanClemente indicated that a dedicated van will be offered to transport residents to medical appointments, shopping, and recreational offerings.

Mr. SanClemente presented preliminary illustrations of the massing and elevations. The building will be a 5 story building where the fifth story is stepped back in accordance with the zoning. There will be streetscape work included in the project, such as a small dining terrace and landscaping. Mr. Doyle indicated that the curved façade at the corner of Essex Street and Willow Street is the main architectural statement intended to draw people from Main Street toward the area.

Mr. Cassavoy asked about the parking for the facility and parking for Hallmark Health. Mr. SanClemente indicated that the parking available for Hallmark Health will not be impacted. Parking for the facility will be at the rear of the building, adjacent to the train tracks. Mr. Cassavoy thought it was a nice looking building, and confirmed that landscaping will be provided. It will be. Mr. SanClemente also noted that a plaza will be added to the Essex Street side of the property that will be accessible by the public.

Mr. Mercado asked if the building was taller than Station Crossing. Attorney Bell indicated that Station Crossing is four stories, but the first floor is elevated to compensate for the underground parking.

Mr. Cassidy asked how many parking spaces will be provided. Mr. SanClemente noted that it will be in compliance with the Rail Corridor Overlay District, which requires 1 space for every four dwelling units and 1 space for each employee during the largest shift. Attorney Bell noted that assisted living is very different from independent living. He noted that it is unlikely that many residents will have their own vehicle. Mr. Doyle indicated that the average resident is an 85 year old woman.

Mr. Mercado thought that the building looked large. Attorney Bell indicated that the site is constrained due to a culvert. The design cannot be flattened out and it cannot go underground. Mr. SanClemente noted that most of the first floor is services, which also contributes to the mass. He noted there are social spaces on each floor which will be further developed as the floor plans are refined.

Ms. Gaffey noted that the Planning Staff will amend the draft letter to the Board of Aldermen to include the density amendment for assisted living facilities. From the standpoint of the process, the density amendment will be packaged together with the station area rezoning and map amendments.

Mr. Cassidy asked if there is a single lot or multiple lots that need to be consolidated. Attorney Bell indicated that it is multiple lots that need to be consolidated. Ms. DeSouza-Ward asked if an ANR plan would be submitted to consolidate the lots. It would be.

Attorney Bell explained that the project is in compliance with all of the Rail Corridor Overlay District requirements with the exception of density at this time. Attorney Bell had investigated a lease-back situation with the Hallmark Health parking, but the technical amendment is more straight forward.

Ms. Petrillo asked if this action would be precedent setting. She stated that another developer may ask for a rezoning to suit their needs in the future. Mr. Cassavoy indicated that he had considered this situation as well. Mr. Cassavoy indicated that the zoning may be too restrictive and suggested 60 units per acre for assisted living facilities. Ms. DeSouza-Ward noted that this discussion has been educational for the Planning Board.

Mr. Cassavoy explained that he found it is typically 20 to 30 units per acre in rural situations. Melrose certainly calls for higher density. Ms. Petrillo indicated that she is more comfortable with going higher than the requested 55 units per acre. Ms. DeSouza-Ward stated that doubling the density to be similar to the Watertown Square facility may be too high.

Attorney Bell noted that LCB Senior Living may not be the only assisted living facility developer interested in Melrose and the Rail Corridor Overlay District. Every developer would have to comply with all of the requirements. Since there have been no projects in the district, now is the time to change the zoning to address this technical amendment.

Ms. Gaffey noted that the Planning Board needs to consider what the Board of Aldermen will approve as well. Mr. Cassidy asked if there is a meaningful difference between 55 units and 60 units per acre. Ms.

Gaffey noted that the Planning Board could consider removing the density requirement entirely, and let the other dimensional controls rule. Ms. DeSouza-Ward thought that removing the density requirement may be easier to explain as the other dimensional controls rule. Mr. SanClemente indicated that the proposed project's density would not increase based on the density approved by the Planning Board and Board of Aldermen.

Mr. Welch asked about projects that are mixed assisted living and independent living. Ms. DeSouza-Ward noted that the Rail Corridor Overlay District only allows assisted living. She noted that the Subcommittee chose to keep the allowed uses very narrow rather than try to define every type of senior housing.

Mr. Cassidy asked Ms. Gaffey for her recommendation. She noted that the proposed project at Deering Lumber could not add any more units as they cannot add more parking. The density, however, is not adequate. She thought 55 or 60 units per acre would be fine. Ms. Petrillo asked if the Planning Board could allow the Board of Aldermen to choose. Ms. DeSouza-Ward indicated that a recommendation from the Planning Board is necessary. Mr. Cassidy noted that the Planning Board could let the Board of Aldermen know that they considered 55 units per acre, but settled on 60 units per acre after considering the facts.

Mr. Sadowski MADE a MOTION to initiate the proposed station area zoning amendments and related map changes as well as revising the density for assisted living facilities. Mr. Mercado SECONDED the MOTION. All members voted in favor. None were opposed.

Documents: Draft Letter from the Planning Board to the Board of Aldermen, dated January 13, 2015
Proposed Station Areas Rezoning, dated January 13, 2015
Maps illustrating the three proposed BA-2 Districts
The Table of Use and Parking Regulations with a column for the BA-2 District added
The Table of Dimensional and Density Regulations with the regulations for the new BA-2 District added and the modifications to the existing BA-1 District shown in track changes.
Assisted Living Facility Projects in the Rail Corridor Overlay District, dated December 11, 2014

OTHER

Modification of Case 14-001, 92 Franklin Street

Ms. Gaffey noted that the Applicant for the project at 92 Franklin Street has requested a reduction of the number of units within the project. Interior demolition has been completed, and upon closer evaluation by the Applicant, it appears that the project would be better with only three units rather than four units. The second floor unit would be combined with the third floor unit, creating a three-bedroom unit. The request requires internal modifications to the floor plans only, and there are no external modifications required. Ms. Gaffey noted that the Applicant would like to maintain the originally approved 8 parking spaces, with the extra two parking spaces being designated for visitor parking. Ms. Gaffey also noted that having the additional parking may be beneficial as the larger family-sized unit may have need for additional parking in the future.

Mr. Cassidy MADE a MOTION to approve the request for a modification to Site Plan Review Case 14-001, 92 Franklin Street, in order to reduce the number of units from four to three. Mr. Welch SECONDED the MOTION. All members voted in favor. None were opposed.

2015 Meeting Calendar

The Planning Board will meet on the fourth Monday of every month in 2015, with the exception of May 18, November 16, and December 14.

The meeting adjourned at 9:15 PM.