

**MELROSE PLANNING BOARD
ZONING SUBCOMMITTEE
MEETING MINUTES**

Thursday, January 9, 2014

7:00 PM

Mayor's Conference Room, 2nd Floor, City Hall, 562 Main Street

PRESENT: Paul King, Carla Morelli, Sharon Petrillo, and John Sadowski

ABSENT: Anne DeSouza-Ward

Denise Gaffey, Director and City Planner, and Adam Duchesneau, Assistant Planning Director, were present.

The meeting was called to order at 7:12 PM by Ms. Morelli.

Tremont Street/Essex Street Rezoning

Ms. Gaffey began by informing the Zoning Subcommittee that the City has been awarded \$20,000 to \$25,000 in funding from the Metropolitan Area Planning Council (MAPC) through a District Local Technical Assistance Program grant to assist with implementing the recommendations from the Commuter Rail Corridor Plan. The assistance will likely include much of the legwork required to move forward with the Tremont Street/Essex Street rezoning initiative such as drafting the new zoning, public outreach, and preparation for public meetings. Ms. Gaffey then discussed the BC Zoning District map that had been prepared for the meeting which showed where the existing BC zoning districts were located in the City. It was pointed out that there are no vacancies in any of the BC districts with the exception of a space on Marvin Road next to RD's Delicatessen. Ms. Gaffey stated that a tattoo parlor had been proposed for this space in the past but there is no proposal for the storefront currently.

Ms. Morelli stated that she felt the BC district on the Melrose/Wakefield border was more like the BC districts around the Commuter Rail stations than the BC district near Oak Grove Village. There was then a discussion about the types of uses that are permitted in the UR-B district. Mr. King indicated that he thought it would make sense to change many, if not all, of the retail use categories to permitted uses in the BC districts as opposed to only have them be allowed by Special Permit. Ms. Morelli thought that the Subcommittee should also permit most office uses in the BC districts because they would help to bring in business for the retail spaces in the area.

There was then conversation about how the Hinchey Brothers Inc. business came to be in the storefront space on Franklin Street in the Highlands. Attorney Robert Bell who was in attendance indicated that he believed they had received some type of zoning relief to locate in that space, but that they seem to use the storefront simply as office space. He continued on to note that they also have business space in the structure behind the businesses on Franklin Street which used to be a single-family home. Ms. Gaffey indicated that she felt perhaps they should still require a Special Permit for the miscellaneous professional and business office use category in the BC districts.

A discussion then began about the types of uses that were permitted as-of-right and those which needed a Special Permit as part of a mixed use development in the BC zoning districts. Ms. Gaffey suggested that the Subcommittee go line by line through the Table of Use and Parking Regulations. Mr. King asked if the Special Permit process was a big hurdle for those seeking new development and Ms. Gaffey indicated that it was not a huge process. Mr. King then asked if the Commuter Rail station parking lots were owned by the City and Ms. Gaffey indicated that was correct. Mr. King then stated that perhaps these lots could be used for parking at night for businesses when they are not being used by commuters. Ms. Morelli

asked if the City has been approached by any developers that are interested in redeveloping some of the existing single story properties in these BC districts. Ms. Gaffey indicated that staff has heard from some developers that are interested in reworking some of the properties. Ms. Morelli added that she felt some additional height could be added to the structures in the Highlands area. There was then some discussion by the Subcommittee regarding the property impact if some of the established permitted uses were changed to nonconforming uses.

Mr. Bell noted that the Subcommittee seems to be talking about mixed use development, adding residential units above first floor commercial uses, and permitted eating establishments in the BC districts. He noted that these were all items that developers were thinking about but that the Subcommittee should also think about the parking situation for the area. Mr. Bell stated that one of the biggest items that helped the downtown businesses was the parking exemption that was put into place for businesses located between Essex/Upham Street and Grove Street. He urged the Subcommittee to consider a similar type of provision for the Cedar Park and Highlands areas, one which would exempt properties from on-site parking requirements. Mr. Bell stated that he felt the on-site parking exemption has really worked well in the downtown area. He also asked the Subcommittee to think about what is being done to the Cedar Park and Highlands area and applying those same principles to the Wyoming Commuter Rail station area.

Ms. Gaffey asked Mr. Bell if he thought the biggest challenge to redevelopment in the Cedar Park and Highlands areas is parking and Mr. Bell indicated that it seemed that way. Mr. Bell urged that the City consider cutting back on the number of Commuter Rail spaces in each of the parking lots. He noted that if some of the spaces were made non-Commuter Rail parking spaces it would help the retail uses in the station areas. Mr. Bell continued on to note that the architectural control that has also been put into place in the downtown area has also greatly helped the vibrancy of that area. He asked the Subcommittee to consider identifying specific buildings in the Commuter Rail station areas where more design control could be established.

Ms. Morelli then confirmed that a nursing home use was not permitted in the BC district and Ms. Gaffey indicated this was correct. Mr. King stated that young professionals need a variety of transportation options. There was then conversation about whether or not a multi-family dwelling use should continue to be allowed by Special Permit or if it should not be permitted at all in the BC districts. There seemed to be general consensus that the multi-family dwelling use should not be allowed as-of-right in the BC district. Mr. King noted that allowing the multi-family dwelling use by Special Permit (as it is currently) would still allow for the use to be an option in the district, but it would give the Board of Appeals some discretion as to whether it should be permitted. Ms. Gaffey noted, however, that if the Special Permit requirements are met for the particular use, it cannot be denied. Ms. Morelli stated that the Subcommittee should be thinking about the amount of residential density they desire in these transit station areas. Mr. King asked about potentially expanding the BC district in the Cedar Park area further to the north along Tremont Street. Ms. Gaffey indicated that this area would be addressed with an overlay zone which would likely permit multi-family dwellings.

The Subcommittee then went through the Table of Use and Parking Regulations, use category by use category, to determine if any of the allowed uses should be changed for the BC zoning districts. There was consensus that the retail establishments selling general merchandise and eating and drinking places use categories should be changed from being permitted only by Special Permit to as-of-right uses. The Subcommittee also agreed that the funeral establishment use category should be changed from being allowed by Special Permit to a use that is simply not permitted. There was then substantial conversation about the medical office use category and whether or not this type of use should be allowed as-of-right. Questions were also raised about what type of uses the membership club category would include.

Mr. Sadowski reminded the Subcommittee that they should be thinking about the parking requirements for each of these types of uses as well. Ms. Morelli noted that any use category that requires a Special Permit will likely fall to the bottom of the list of possibilities for a developer. Mr. King added that a Special Permit allows for a layer of review before the use is permitted to be established. The Subcommittee agreed that for the mixed residential/business use category, the permitted business uses should be regulated as allowed in the Table of Use and Parking Regulations in the Zoning Ordinance.

The meeting adjourned at 9:30 PM.