

**MELROSE PLANNING BOARD
ZONING SUBCOMMITTEE
MEETING MINUTES**

Tuesday, April 1, 2014

7:00 PM

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

PRESENT: Paul King

ABSENT: Anne DeSouza-Ward, Carla Morelli, and Sharon Petrillo

Denise Gaffey, Director and City Planner, Adam Duchesneau, Assistant Planning Director, Zoning Board of Appeals member James Bradley, and Manisha Bewtra from the Metropolitan Area Planning Council were present.

The meeting was called to order at 7:15 PM by Mr. King.

Tremont Street/Essex Street Rezoning

Ms. Gaffey began by going over the Zoning Amendments for RCOD-BC Districts document which was a summary of the various zoning amendments Planning Staff and the Zoning Subcommittee had been working on. She noted the proposed definition for "Assisted Living Facility" which was created after Planning Staff had researched definitions in a number of other communities. Mr. King asked about the various levels of senior housing that were discussed at the last Planning Board meeting. Ms. Gaffey noted that Massachusetts General Laws (M.G.L.) defines some of the various levels of senior housing, but for this particular overlay district Planning Staff thought it made sense to simply focus on only Assisted Living. She continued on to note that the Zoning Subcommittee and the Planning Board seem to be supportive of this use being permitted in the Tremont/Essex Street neighborhood area. Mr. Bradley noted that most of the Assisted Living Facility definitions from other communities reference M.G.L. 19D which requires state certification for a facility. Ms. Gaffey stated that Planning Staff had noticed that as well and decided to include this in the proposed definition. Mr. Bradley asked what "consanguinity" meant and Attorney Lou Izzi who was in attendance indicated that it meant "blood relation." Mr. Bradley stated that a broad based definition that only dealt with Assisted Living Facilities seemed like the way to go.

Ms. Gaffey then went over the most recent draft of the Rail Corridor Overlay District (RCOD) regulations. She pointed out the BB parcels that are located on the east side of Tremont Street near the High School-Middle School complex and stated that it might make sense to exclude these parcels from the RCOD because they are bordered closely on two sides by a number of single- and two-family homes. Ms. Gaffey noted that if excluded from the RCOD, owners or Applicants for the parcels would still have the option to apply for a multi-family residential Special Permit if the proposed zoning amendment to change this BB district to a BB-1 district were to be approved by the Aldermen. Mr. Bradley confirmed that Ms. Gaffey was suggesting leaving these parcels out of the proposed RCOD and Ms. Gaffey indicated that was correct.

Mr. King noted that there had been conversation about adding language that would require additional setbacks for properties in the RCOD that abut residential properties. Ms. Gaffey stated that the two parcels east of Tremont Street and a few on the northeast side of Essex Street are the only properties where these additional setback requirements might come into play. Mr. Bradley asked if the Subcommittee wanted to promote redevelopment in these particular areas. Ms. Gaffey stated that provisions could be included in the RCOD which would require additional setbacks for properties that abut residential lots. The Subcommittee then continued to discuss whether or not the parcels on the east side of Tremont Street near the High School-Middle School complex should be included in the RCOD.

Mr. Bradley suggested that perhaps the parcels should be left out of the RCOD. Ms. Bewtra suggested that perhaps there could be different setbacks for properties that abut particular zoning districts as opposed to just residential districts. The Subcommittee then determined that they would like to add language into the RCOD regulations which required additional side and rear setbacks for properties which abut a UR-B zoning district.

Ms. Gaffey then indicated that Planning Staff was proposing to change the BC zoning districts by the Melrose-Wakefield border and by Pine Banks Park to BB zoning districts. She stated that it may be preferable to keep these areas as business zones which have less opportunity for residential development. Mr. Bradley asked if the BB-1 zone allows for residential development and Ms. Gaffey stated that it was only permitted through a Special Permit from the Planning Board. Mr. Bradley also confirmed that mixed-use development was not permitted in the BB-1 zones and Ms. Gaffey indicated that was correct. Mr. Bradley then added that he felt that mixed-use development might be very appropriate for these areas.

Mr. King asked what uses in the BC districts should be excluded from those two areas (the BC districts by the Melrose-Wakefield border and by Pine Banks Park). Ms. Gaffey stated that perhaps no uses should be excluded but the Subcommittee is proposing changes to the dimensional requirements which would have a significant impact on these areas. She continued on to note that the Subcommittee could perhaps table the discussion about BC zoning district amendments and simply move forward with the proposed RCOD amendment.

Ms. Gaffey then went over the remaining outstanding items in the proposed draft RCOD regulations. She noted that the minimum unit size regulation in the zoning ordinance may not be applicable to Assisted Living Facilities because they are not a multi-family residential use, which is specifically referred to in this provision. Mr. Bradley noted that an Assisted Living Facility would likely object to a per unit payment to the Open Space Fund.

There was then discussion about the upper level step back provision and how additional open space would be required at a property if a project was being proposed to be five stories in height. Mr. Bradley felt that the word "landscaping" might be too limiting in terms of what could be placed in these additional open space areas. The Subcommittee then determined that it would be appropriate to only require an additional 500 square feet of open space that is at least 15 feet deep for projects that wished to be five stories in height. The Subcommittee also determined that they would like to move the provision which required parking and loading areas to be hidden from view from public ways to the design standards section of the RCOD.

There was then discussion about the minimum bicycle parking requirements for the district. Mr. Bradley indicated that LEED standards require there to be bicycle parking for 15% of the units in a residential project. Ms. Bewtra stated that she would argue that LEED requirements are nationwide standards but that in a city like Melrose the Subcommittee should be pushing for more aggressive bicycle parking requirements. Mr. King indicated that he felt that requiring bicycle parking for 20% of the residential units in a project was not a bad place to start.

The Subcommittee then had a conversation about the possible affordability component for Assisted Living Facilities. Mr. Duchesneau explained how an affordability component was worked into an Assisted Living Facility project in Ipswich, Massachusetts at a project called Riverbend. Mr. Bradley indicated that it was his understanding that people only stay in Assisted Living Facilities for approximately two years before moving on to a nursing home. Mr. Duchesneau noted that some communities have simply waived their affordability requirement for Assisted Living Facilities. There was then discussion about whether or not Assisted Living Facilities were counted as one housing unit or

multiple housing units for the U.S. Census. Ms. Gaffey indicated that Planning Staff has not been able to get a straight answer from the Department of Housing and Community Development (DHCD) on this topic. Mr. Bradley asked how it is even possible, out of principle, to allow Assisted Living Facilities to have no affordability component. Ms. Gaffey stated that it is a very difficult topic as the City wants to provide additional housing opportunities to the senior population to be able to remain in Melrose. She continued on to note that the Subcommittee did not need to have an answer for the topic that evening, but it is something to think about.

Ms. Gaffey then discussed the new proposed definition for “Substance Abuse Treatment Center” and covered some of the other miscellaneous items in the Zoning Amendments for RCOD-BC Districts document. Planning Staff would like to rectify how the BA-1 districts only permit 50 feet of building height but at the same time allow for 8 story structures. She also noted that Planning Staff would like to add the retail food establishment in conjunction with an off-premises liquor license (liquor store) use to the Smart Growth District and perhaps increase the minimum required affordable housing percentage from 10% to 12.5% to ensure that projects are contributing towards the City’s overall goal of 10% of the housing stock being affordable by DHCD’s standards.

The Subcommittee then set their next meeting date for Wednesday, April 9, 2014 at 7:00 PM. Ms. Gaffey also informed the Subcommittee members that the community meeting regarding the proposed RCOD for the Tremont/Essex Street neighborhood area would be held on Wednesday, April 16, 2014 at 7:00 PM at the Milano Senior Center, 201 West Foster Street.

Documents: Rail Corridor Overlay District Regulations DRAFT 4-1-14
Zoning Amendments for RCOD-BC Districts (Summary Document)

The meeting adjourned at 9:20 PM.