

City of Everett

PLANNING BOARD
484 BROADWAY
EVERETT, MA 02149

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CITY CLERK'S OFFICE
EVERETT, MA

Frederick Cafasso-*Chairman*
Nancy Koury
Anthony Medeiros
Leo Pizzano, Jr.
Michael O'Connor



Speaker George Keverian Room
3rd Floor - City Hall
2nd & 4th Mondays
7:00 pm

Jeannie Vitukevich - Clerk

MINUTES Planning Board Meeting June 11, 2018

- I. **Roll Call of Members:** Frederick Cafasso, Nancy Koury, Anthony Medeiros, Michael O'Connor and Leo Pizzano, Jr. were present.

Representing the Planning Department: Executive Director, Tony Sousa Clerk, Jeannie Vitukevich, Senior Planner Michael Vivaldi, Building Commissioner James Soper and Special Council Robin Stein of KP Law.

II. Public Hearing

1. Zoning Amendment – City of Everett – Industrial District

M. Vivaldi read the legal notice into the record.

T. Sousa presented a powerpoint presentation of the zoning amendment. As part of the presentation, he reminded the Planning Board of the progression of all the different steps that the zoning amendment takes prior to being approved by the City Council and eventual endorsement of the Mayor. He proceeded to present the information related to the zoning amendments.

The proposal for the zoning amendment is intended to rezone the existing industrial district along the northern side of the Revere Beach Parkway to become Business District which is in alignment with the neighboring uses and district.

“that the Zoning Map be amended by removing the Industrial District along Revere Beach Parkway and replacing it with the Business District so that it is consistent with existing zoning nearby.”

J. Soper elaborated on the purpose of the zoning amendment to rezone the existing industrial district to the business district; the history of the City is not well know how the industrial district remains on Revere Beach Parkway, so now it is intended to prevent any further industrial uses to being developed and therefore more aligned with the neighborhood.

Owner, William Gear, 365 Third Street commented that he is in favor of this zoning amendment.

Chairman F. Cafasso asked J. Soper if he would like to add any further comment. J. Soper explained to the Board that these high rises and storage units devalues the adjacent properties, especially where the City has its athletic stadium nearby. The rezoning is overdue, but we hope it will prevent any further high rise developments adjacent to the residents.

L. Pizzano. made a motion to continue the meeting until Monday, June 25, 2018. A. Medeiros seconded the motion. The Board voted in the following manner, with 4 members in favor of the motion and 1 member opposed to the motion and 0 abstained. The motion passed.

2. Zoning Amendment – City of Everett – Commercial Triangle Economic Dev. District

M. Vivaldi read the legal notice into the record.

T. Sousa along with J. Soper explained that the City wants to promote mixed-use properties and other non-industrial type of land uses in this new proposed zoning district, thereby making the majority of the existing properties existing non –conforming uses. It is the City’s hope eventually the existing uses would be replaced with the new proposed zoning and thereby create nice neighborhoods with a mix of restaurants, offices and retail with the residential. It is intende to allow different uses via ‘By-Right’ and by Special Permit to give the discretion to the Planning Board to model the future development projects in the manner the Board views as appropriate.

J. Soper explained the proposed Uses By-Right and by Special Permit; the following is a list of the proposed land uses proposed to be By-Right:

1. Uses Allowed By Right

- a. *Mixed-use (residential and commercial) developments, subject to the following:*
 - i. *The development must include a minimum of 12.5 square feet of retail, office, and/or restaurant space per residential unit. Any such commercial component must involve on-site employees and may not be comprised of ATM kiosks, vending machine areas or other similar uses. Further, rental or sales offices dedicated to marketing, leasing and/or selling units within the development shall not count toward the required commercial component.*
 - ii. *A mixed-use development may be comprised of one or more buildings on one or more parcels, providing such parcels abut one another and/or are directly across the street from one another, and the required commercial component, parking and other development features and amenities may be distributed among such parcels, subject to site plan review and approval.*
- b. *Business office, bank and financial services up to 15,000 s.f. of gross floor area per lot.*
- c. *Research and development facilities, including laboratories, up to 15,000 s.f. of gross floor area per lot.*
- d. *Retail, involving on-site sales of goods and services to customers, up to 15,000 s.f. of gross floor area per lot.*
- e. *Inside entertainment or recreation venue, up to 15,000 s.f. of gross floor area per lot.*

J. Soper then elaborated on the proposed Uses by Special Permit; the following is a list of the proposed land Uses by Special Permit:

2. Uses Allowed by Special Permit from the Planning Board
 - a. *Multifamily residential developments , provided that the minimum density of such a development shall be fifty (50) units per acre, which density requirement shall be prorated based upon the size of the development parcel.*
 - b. *Hotel, as defined in Section 30, Appendix C.*
 - c. *Restaurant and Fast Order Food Establishment, as defined in Section 30, Appendix C. The Planning Board may approve a drive through window in conjunction with such use.*
 - d. *Business office, bank and financial services in excess of 15,000 s.f. of gross floor area per lot.*
 - e. *Research and development facilities, including laboratories, in excess of 15,000 s.f. of gross floor area per lot.*
 - f. *Retail, involving on-site sales of goods and services to customers, in excess of 15,000 s.f. of gross floor area per lot.*
 - g. *Entertainment or recreation venue, involving outdoor entertainment and recreation and/or in excess of 15,000 s.f. of gross floor area per lot.*
 - h. *Commercial parking lot not accessory to a permitted primary use*

T. Sousa explained the list of ‘Prohibited Uses’ and these same uses will be exempt from receiving a variance. He also went on to describe the the proposed ‘Dimensional Regulations’.

3. Prohibited Uses and Exempt from Use Variances: Uses not specifically allowed are prohibited and no variance may be issued to allow such use. The following is a non-exclusive list of uses that are specifically prohibited:

- a. *Adult entertainment*
- b. *Self storage*
- c. *Contractor yard*
- d. *Warehouse, trucking terminal or storage facility*
- e. *Fuel station*
- f. *Automobile repair or service station*
- g. *Automobile parts distribution or sales facility*
- h. *Scrap or junk yard or recycling facility*
- i. *Outside manufacturing or processing*
- j. *Smoke shop, hooka bar, cigar bar and/or vape shop.*
- k. *Tattoo, Piercing Parlor*
- l. *Gun shop*
- m. *Motel, as defined in Section 30, Appendix C*
- n. *Pawn broker*
- o. *Trailer and Mobile Homes*
- p. *Checking cashing / payday lending facility*
- q. *Billboards*
- r. *Animal Slaughter House*

J. Soper explained this Ordinance continues to give the ‘rights’ to the existing uses, but if the property owner decides to change, they will be forced to comply with the new zoning. that existing uses will become existing non-conforming also known as ‘Grandfathered uses’ and can remain but if they choose to discontinue the use, they will be forced to follow the new proposed zoning amendment. M.G.L Chapter 40A, Section gives the rights to property owners if they decide to expand, the Zoning Board of Appeals has the discretion of a Special Permit to ‘make a finding’ if the new use is no further detrimental to the neighborhood. The new parking regulations will be defined by Section 30.7 of the Lower Broadway Economic Development District.

L. Pizzano asked how the recommendation came about relating to the idea for mixed-use as a 'By-Right' use subject to the minimum of 12.5 square feet per unit, L. Pizzano questioned whether wouldn't it be better to go with the total square feet of the building?

J. Soper replied the intent of the '*minimum of 12.5 square feet*' is meant to be easier to calculate for the developer. We are trying to encourage on-site commercial retail / office or service such as a dry cleaners; we are encouraging the developers to create the retail / service on-site for the residents who live there; otherwise a Special Permit will be required for the residential. T. Sousa elaborated that the retail / service does not include *leasing office space* nor an '*ATM*' machine.

R. Stein of KP Law explained that the Special Permit is 'discretionary' of the Planning Board and the Board will have ability to limit the the project if it is not compliant with the types of proposed uses outlines above. The Board has the discretion' that the project is detrimental to the neighborhood.

L. Pizzano questioned that the proposal for the dimensional regulations will not require a front yard setback; J. Soper replied yes; you are correct it is designed to create a 'village' neighborhood like the areas along Broadway or Main Street with parking at the rear of the property. There was a quick discussion regarding the amount of open space and other dimensional regulations.

Richard Nysten, representative for Woodwaste explained that his client supports this new Ordinance, but a few questions regarding the ability of existing uses to enclose their 'outdoor uses' in the future and whether that would be considered 'expanding the non-conformity'. He wants to ensure that he can protect his client's existing uses and its ability to 'modify' or potentially do 'minimal' amount of work without having continually return to the Zoning Board of Appeals to receive the 'Section 6 Finding of a Special Permit'. R. Nysten recommends inserting 'Not Withstanding Section 3' into this new section.

F. Cafasso asked three times if anyone is opposed to this petition and no one was opposed.

L. Pizzano made a motion to continue the public hearing to Monday, June 25, 2018 at 7:00 pm. A. Medeiros seconded the motion. All members were in favor of the motion to continue, the motion carried 5-0-0.

3. Zoning Amendment – City of Everett – Section 32 - Inclusionary Zoning

M. Vivaldi read the legal notice into the record.

J. Soper explained to the Board that the City staff are looking to reduce the required percentage of affordability that was originally approved in March 2017. The Planning Board made its recommendation to the City Council in December 2016, 10% across the board recommendation and the City Council decided to increase the maximum percentage to 20% over fifty (50) units without any significant research. J. Soper explained the current requirements will continue to restrict the new development projects in a couple of ways. The Mayor and his City staff invited a few different developers and/or real estate attorneys to discuss the limitations to real estate development within in Everett and those same developers explained to the Mayor the financial pressures that are currently upon them.

J. Soper provided the example of the property on Second Street known as 'Market Forge' is sitting idle partly due to contaminated soil, uncertainty of the market dynamics and but also the existing Ordinance requiring 20 percent affordability for large-scale residential. These types of limitations can bring developers to a 'breaking point' of making a profit. For the developers, there has to be some profit and for the City, the City wants to see some affordable housing / inclusion in these new developments. So, we are trying to create that 'happy medium' for both sides. With these types of limitations, it pushes developers to adjacent municipalities such as in Malden, Medford and Revere which have no requirement for Inclusionary Zoning. All of Greater Boston has a housing shortage in general and the City of Everett has to do its part to increase the inventory while increasing its subsidized housing inventory, too. By reducing the IZ percentages, the City feels it will incentivize new development, too.

M. Vivaldi explained that over the course of the past year and several months, a total of 2 proposals and 5 affordable units and of these two proposals, no building permits have been issued yet. However, we think the new incentives will help to increase the housing supply in the region.

A. Medeiros questioned whether the City will offer *Tax Incentive Financing* (TIF) Agreements for a certain amount of years in this proposed district and M. Vivaldi replied it is not pertinent to the discussion of the Inclusionary Zoning, we are discussing appropriate percentage of affordability when residential development occurs, not commercial development.

L. Pizzano commented that he remembers the Board recommended 10% affordability as part of their original recommendation to City Council in December 2016. L. Pizzano recommends the IZ to return to 10% 'across the board'.

J. Soper explained that possible incentives and inclusion of additional amenities which could include valet parking, a function room / common area or maybe covered bicycle parking.

L. Pizzano said we agree with all that, but it doesn't say that here and if we are going to give in then I would like to add the recommendations.

F. Cafasso asked three times if anyone is in favor of this zoning amendment.

John McDermott, representing Rossi & Law, explained his company is also in favor of the lower affordable housing percentages. We believe it will give an incentive to new developments to begin construction. He went on to elaborate

F. Cafasso asked three times if anyone is opposed to this zoning amendment.

Kathleen O'Brien, resident, asked if the current requirement is 20% or 10% affordability zoning. M. Vivaldi went on to read the current Ordinance Section 32 for Inclusionary Zoning, K. O'Brien talked about Everett's Housing Production Plan and that a vast majority of Everett residents pay 30% of income goes to housing and some people are even more leverage with their cost burden which they pay 50% of their income to housing costs. As Mr. Pizzano pointed out we want to retain current residents in Everett; Everett has many 'soft evictions' for renters. She went on to explain the going rental rate in Everett for a 2 bedroom is approximately \$2,000. She does not think the City should cut this. There are other affordable options and there some creative ways to increase affordable housing in Everett and she would like to look forward to talking to the Board about these options.

Samantha Lambert, resident of 20 Pierce Avenue, explained she grew up in Everett and she made a home here. Now I see families moving out and kids can't afford to go to college. I would ask to look at a modest percentage to maintain and increase the amount of affordable housing stock in Everett.

Vedette Gavin asked what does the current Zoning Ordinance define as affordable or workforce housing? M. Vivaldi explained the existing Ordinance requires affordable housing for those of 'low and moderate' income as defined by M.G.L c. 40B sect. 20-24 and Dept. Housing of Community Development. V. Gavin, explained she works in partnership with residents for a non-profit residency-based research project for the past three years, we found that 20% of the people that have been surveyed who have been surveyed had to move and over 50% of the surveyed people think they will have to move due to the rising cost of living in the region and limited options for affordable housing. I think we could both work for positive change together. The shortage of housing for the lower income is critical. A lot of the research looks at the impacts of having to move. Our number one concern is to protect the work-force housing for all people.

Karen Alzayer, 42 Pearl Street, is an independent artist and she mentioned she created some artwork at a new high-end building in Boston and explained it was not even close to affordable. It made me think and I am not convinced that a new development of large scale is not going to alleviate the shortage of housing for low-moderate income people. I think more new development will displace more people if there is not more affordability required.

L. Pizzano made a motion to continue the meeting until Monday, June 25, 2018. A. Medeiros seconded the motion, all members were in favor, the motion carried 5-0-0.

III. New Business - None

IV. Old Business –

V. Approval of Meeting Minutes -

L. Pizzano made a motion to approve the meeting minutes of May 14, 2018 and May 29, 2018. A. Medeiros seconded the motion and all members were in favor of the motion to approve the meeting minutes.

VI. Director's Updates – None

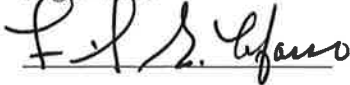
VII. Adjournment -

L. Pizzano made a motion to adjourn the Planning Board meeting . M. O'Connor seconded the motion and all members were in favor.

The meeting adjourned at 8:45 pm

Approved by Planning Board: June 25, 2018

Signatures:



Fred Cafasso
Chairman
Everett Planning Board



Michael Vivaldi, AICP
Senior Planner
Department of Planning and Development

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