



CITY OF CHELSEA PLANNING BOARD

City Hall, 500 Broadway, Room 101
Chelsea, Massachusetts 02150

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Tuck Willis, Chairman
Shuvam Bhaumik
Lad Dell
Christopher Falbo
John Matosky
Ashley Owens
Sishir Rao, M.D.
Todd Taylor
Henry Wilson

MEETING MINUTES TUESDAY, JULY 26, 2016

A meeting of the Chelsea Planning Board was called to order by Chairman Tuck Willis at 6:05 p.m. on Tuesday, July 26, 2016 in the Chelsea Senior Center, 10 Riley Way, Chelsea, MA, with the following members in attendance: Tuck Willis, Henry Wilson, Shuvam Bhaumik, Lad Dell, Todd Taylor, Sishir Rao (arrived at 6:13 p.m.), and Ashley Owens. John Matosky and Christopher Falbo were not present.

Present from the Department of Planning and Development was John DePriest, Director, and Alexander Mello, Planner/Land Use Administrator.

Minutes

Reading of the minutes from the June 28, 2016 meeting was waived and approved as written on a motion by Todd Taylor, seconded by Lad Dell, it was voted 6-0-0 (6-Yes- Tuck Willis, Henry Wilson, Lad Dell, Todd Taylor, Shuvam, Bhaumik, and Ashley Owens; 0-No; 0-Abstain) to approve the minutes of the June 28, 2016 meeting.

2016-25 267 Broadway – Gerald M. Sneirson

For Major Site Plan Approval, Special Permit, and Variance to establish sixteen (16) residential units and three (3) commercial units and construct a second and third floor addition to above rear ground level parking lot

PUBLIC HEARING – MAJOR SITE PLAN APPROVAL

PUBLIC MEETING – SPECIAL PERMIT RECOMMENDATION

Present was the Petitioner/Owner, Gerald Sneirson, Nalin Mistry, and Attorney Jeffrey Turco. Mr. Sneirson presented the Board with an overview of his proposal, which includes extending the second and third floor of the building backwards to establish sixteen residential units on floors two and three and establish three commercial units on the basement and ground level. There will be nine parking spaces provided underneath the proposed building expansion. The proposed one-bedroom units will range between 500 to 600 square feet and will be targeting toward the working class earning between \$40-\$70k per year. Mr. Mistry provided a more technical overview of the proposed development stating that the building is currently two stories but has high ceilings so it's possible to have a three-story building without increasing the height. The design of the façade will maintain the existing granite and also incorporate brick.

There was a discussion between the Mr. Sneirson, Mr. Mistry, Attorney Turco, and Councilor Giovanni Recupero about the Councilor feeling that the neighborhood was too congested with cars and he doesn't think that people will rely on public transportation. Mr. Sneirson informed the Board that he owns other rental property in the adjacent area and most of his tenants do not have cars and he feels that nine parking spaces would be enough for sixteen units and three commercial units.

Chairman, Tuck Willis asked if Board members had any questions. (Responses from the Petitioner and his team will be in parentheses)

Lad Dell: what will the affordability of the units be? (They will be priced between \$1,400 and \$1,600 or slightly lower for tenants without automobiles.)

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Todd Taylor: What will be in the basement? (A commercial unit)

Shuvam Bhaumik: is the parking area in the rear going to be opened? (Yes)

Henry Wilson: Have you considered a garage? (Yes, there is not enough room)

Todd Taylor: If approved, when is construction going to start? Will there need to be any street closures? (It will take about four weeks to have the building plans drawn and to address DPW's utility concerns. Anticipating to start construction in October and complete within 9 to 12 months. The sidewalk along Congress Street may need to close while masonry work is being performed. Also, Division Street may need to be closed while a crane maneuvers steel beams.)

Todd Taylor: Councilor Recupero had a good point about parking. There is nowhere for people to park. I have a concern for the residents living here now. I understand that there may be open parking spaces but it doesn't solve the problem.

Mr. Sneirson: I grew up here and have pride in investing here.

Henry Wilson: will you be doing any late night or weekend construction. (No, maybe when the building is all closed in we may have people inside on the weekends).

Todd Taylor: you are giving people without automobiles a break for not having a car? (Yes)

Shuvam Bhaumik: gated parking area? (No, open) How will you monitor it? (With signs and tow the violators) What are your plans for security? (Cameras, locks, lights, videos, similar to Saint Stanislaus)

Being a public hearing Chairman, Tuck Willis asked if any member of the public would like to comment on the Petition.

Rich Cuthie: more spaces than the proposal at 307 Broadway. Adding more people adds eyes and ears to the Broadway corridor. I can start to think of Broadway as a Hanover Street. The City can't move forward without changing rules or granting relief. There is also a movement encouraging less automobile trips.

Councilor Damali Vidot: huge density issue, constituents are upset, congestion is spilling into neighborhood. The City needs to figure out how to handle this and accommodate current residents.

Henry Wilson: Have you considered scaling down? (The economics do not work.) Have you had inquiries on the commercial space? (Yes, too many I had to take the sign down.) Where will commercial customers park? (The parking lot can be used during the day by employees.)

Lad Dell: Can you just provide eight units on the second floor. (No, we have over 100 spots between our other properties, if they are empty residents can park there. One building has 10 units and there are only two cars there. I will also perform snow removal.)

Tuck Willis: Board faces a problem. Hears from residents to stop development.

Todd Taylor: over and over again but can see both sides of the argument.

Shuvam Bhaumik: what was the construction schedule?

Todd Taylor: Mr. DePriest, can the City coordinate that?

John DePriest: Yes, the Board can condition that they work with the Traffic Commission on coordination construction logistics.

On a motion by Shuvam Bhaumik and seconded by Todd Taylor, it was voted 5-1-1 (5-Yes- Tuck Willis, Shuvam Bhaumik, Todd Taylor, Sishir Rao, and Ashley Owens; 1-No- Henry Wilson; 1-Abstain- Lad Dell) to grant Major Site Plan Approval and to recommend approval of the Special Permit with Standard Conditions to the Zoning Board of Appeals.

2016-26 **327 & 337 Third Street – Third Street Realty Corp.**

For Variance for dimensional relief for the division of a lot and for the establishment of two primary uses on a single lot and for a Special Permit for relief from the minimum off-street parking requirements

PUBLIC MEETING – SPECIAL PERMIT RECOMMENDATION

Present was Patrick Canonica, Petitioner/Owner and his attorney Dan Casper. Attorney Casper introduced the proposal to divide the lot, which is located in Chelsea and Everett. The proposal does not include any construction or modifications to the locus. The purpose is to provide Peter Pan with their own parcel. The Variance is for frontage and the Special Permit is because existing bus parking spaces are within five feet of the property line.

Lad Dell: Can you clarify the proposed boundary lines. (Mr. Canonica depicted the proposed lot lines).
Shuvam Bhaumik: Is Lot 1 in Everett? (Yes, a small portion is.)

On a motion by Henry Wilson and seconded by Lad Dell, it was voted 7-0-0 (7-Yes- Tuck Willis, Henry Wilson, Shuvam Bhaumik, Lad Dell, Todd Taylor, Sishir Rao, and Ashley Owens; 0-No; 0-Abstain) to recommend approval of the Special Permit with Standard Conditions to the Zoning Board of Appeals.

2016-27 **68 Pearl Street – Sotiris Sotiropoulos**

For Special Permit for the conversion of an existing residential structure from a one (1) family to a two (2) family which does not meet current minimum zoning requirements for lot area, open space and number of off-street parking spaces and for the construction of a roof deck

PUBLIC MEETING – SPECIAL PERMIT RECOMMENDATION

Present was Petitioner/Owner, Sotiris Sotiropoulos, representing himself. Mr. Sotiropoulos provided the Board with an overview of his proposal and documented the properties permitting history dating back to 2004 where he received ZBA approval in 2004 and began work but stopped shortly after. He is now seeking to establish another dwelling unit in the second and third floor, build porches on the side, and construct a roof deck.

Todd Taylor: The posts on the roof deck are too high, above the allowed thirty-five feet. (Yes, I will remove the posts.)

Henry Wilson: Two units? (Yes, first floor is one unit and the second and third floor is another unit.)

Lad Dell: Have there been any comments from abutters?

Alexander Mello: No, the Board has not received any comment letters from abutting residents.

Shuvam Bhaumik: Can both dwelling units access the roof deck? (Yes) Is there parking on the site (Yes, two sets of tandem spaces.)

On a motion by Todd Taylor and seconded by Ashley Owens, it was voted 7-0-0 (7-Yes- Tuck Willis, Henry Wilson, Shuvam Bhaumik, Lad Dell, Todd Taylor, Sishir Rao, and Ashley Owens; 0-No; 0-Abstain) to recommend approval of the Special Permit to the Zoning Board of Appeals with the condition that the proposed roof deck shall be no higher than thirty-five feet high.

2016-28 **311 Eastern Avenue – Steven McDonough**

For a Special Permit for Use to establish a health and fitness studio and for relief from the minimum off-street parking requirements.

PUBLIC MEETING – SPECIAL PERMIT RECOMMENDATION

Present was Steven McDonough, Petitioner, and Gerald Berberian, owner. Mr. McDonough presented an overview to the Board about his request to open a small private gym where he will instruct private classes for groups of 6-10 people. Mr. Berberian informed the Board that there is a warehouse tenant also in the building.

Henry Wilson: Do you have a gym now? (Yes, I'm currently in East Boston but I am looking to move to Chelsea.)

Lad Dell: What type of training will you be teaching? (We will be doing body weight training, yoga, and self-defense – all private training.)

Shuvam Bhaumik: Will you provide teaching on an appointment only basis? (Yes, I will have customers sign up for slots.)

Henry Wilson: What are your proposed hours of operation? (M-F 5am-10am and 5pm-10pm and two morning classes and an afternoon class on Saturdays and Sundays.) Are you having a pool? (No.9) How many employees? (Maybe two including myself.) Price? (\$10-\$13 per class with discounts for yearly plans.)

Lad Dell: Where in the building is the gym? (Along the Crescent Street side of the building.)

Todd Taylor: What does the zoning say for parking regulations?

Alexander Mello: Aisle width along Eastern Avenue is too small and circulation is tight around the Crescent Avenue side of the building. (Realistically the warehouse uses maybe six spaces and the gym, at a maximum will have 5-7 cars).

On a motion by Todd Taylor and seconded by Henry Wilson, it was voted 7-0-0 (7-Yes- Tuck Willis, Henry Wilson, Shuvam Bhaumik, Lad Dell, Todd Taylor, Sishir Rao, and Ashley Owens; 0-No; 0-Abstain) to recommend approval of the Special Permit to the Zoning Board of Appeals with the condition that the Petitioner work with the Department of Planning and Development to maximize the amount of off-street parking spaces on the locus.

2016-29 214 Arlington Street – Erik Rueda

For Special Permit and Major Site Plan Approval and Special Permit to change a nonconforming use, storage space, to another nonconforming use, a business office, on the second floor of the existing building.

PUBLIC HEARING – MAJOR SITE PLAN APPROVAL

PUBLIC MEETING – SPECIAL PERMIT RECOMMENDATION

Present was the Petitioner, Erik Rueda. Mr. Rueda provided the Board with an overview of his proposal to occupy the vacant upstairs, which was formerly storage spaces for the sculpting use below, with an open office floor plan for business partners of the foundry and woodworking operations in the lower floor. He needs to provide parking spaces in order to market the office space and get tenants. Most of his employees take public transit, walk, or run to work. There is street parking out front during the day and the proposed Silver Line will help provided an addition transit option for potential workers. Plans on adding bicycle racks.

Shuvam Bhaumik: How many spaces do you currently have? (Eight spaces, the City is pursuing a lease of the state owned land behind the building for a civic use. I want to be partner in that by providing design services, lighting, or even construction. I hope off-street parking spaces is part of that proposal but this is maybe two years away.)

Henry Wilson: What style of businesses would occupy the second floor? (Tech type businesses and a furniture start-up selling high end. I want to gear it toward design related businesses.)

Shuvam Bhaumik: Do clients come to you? (Yes, via taxi or Uber.)

Todd Taylor: I like the idea but the lack of parking is a problem. (Parking is a big factor for attracting businesses.)

Shuvam Bhaumik: Do you have a plan B? Getting approved won't solve your parking problem. (I'm willing to take that risk.)

Henry Wilson: Hours? (M-F 8-4:30)

Todd Taylor: How is street parking?

Tuck Willis: Not too bad, there is a problem on Sixth Street.

John DePriest: Yes, there is resident sticker parking only on Sixth Street. (We can buy residential sticker on a six-month basis.)

Being a public hearing Chairman, Tuck Willis asked if any member of the public would like to comment on the Petition.

Councilor Vidot: There is an issue with parking in that area. Teachers at CHS have a hard time finding parking and it is hectic with the current construction that is currently going on.

Shuvam Bhaumik: How will the second floor layout flow? (Offices around the perimeter and flexible open space in the middle.)

Shuvam Bhaumik: fabrication there now? (Yes, on the first floor along with the foundry. Second floor will be the design space.)

Todd Taylor: Can you scale back the office space?

Rich Cuthie: the City is getting close to acquiring underneath Route 1 and there is the parking lot on Arlington Street Extension nearby.

John DePriest: The City is looking at leasing land under the Tobin to help w/ off-street parking.

Erik Rueda: I don't think the office space will be full within the first two years.

On a motion by Todd Taylor and seconded by Henry Wilson, it was voted 7-0-0 (7-Yes- Tuck Willis, Henry Wilson, Shuvam Bhaumik, Lad Dell, Todd Taylor, Sishir Rao, and Ashley Owens; 0-No; 0-Abstain) to recommend approval of the Special Permit to the Zoning Board of Appeals with the condition that the Petitioner lease out the proposed office space on a phased schedule.

On a motion by Shuvam Bhaumik and seconded by Todd Taylor, it was voted 7-0-0 (7-Yes- Tuck Willis, Henry Wilson, Shuvam Bhaumik, Lad Dell, Todd Taylor, Sishir Rao, and Ashley Owens; 0-No; 0-Abstain) to grant Major Site Plan Approval.

Proposed Package of Amendments to Chapter 34 (Zoning) of the City of Chelsea Code of Ordinances

Alexander Mello presented a summary of the proposed zoning amendments. He started with a basic introduction to zoning and the amendment process. He followed this with a section-by-section general description of the proposed amendments:

Section 1, Bed and Breakfasts: the proposal is to add Air BnB type uses to the definition of "bread and breakfast." Board members asked why the uses were restricted to certain zoning districts, and Mr. DePriest listed potential issues with these type of uses – bringing transient uses to residential neighborhoods, loss of general rental units, loss of hotel and meals taxes, off-street parking needs. Members of the public expanded on the issues and identified specific locations where such uses are now. In response to a question by the Board, Mr. Mello stated that where such uses are not allowed by zoning, they would be subject to enforcement by the zoning enforcement officer, which could include fines and court action.

Sections 2 and 3: Mr. Mello indicated that these were more or less housekeeping issues. He indicated that a prior zoning change had created a conflict between the definition of dog day care and dog kennels on the Table of Uses and in the definition section. The propose change will address the inconsistency.

Section 4: Substance abuse treatment centers. Mr. Mello stated that the proposal would allow counselling centers in certain districts, which would allow for a more holistic treatment of people with substance abuse issues. Two members of the public who work for such facilities expressed the need for these facilities.

Section 5: Green Community status. Mr. Mello stated that the City is seeking to be designated as a Green Community, which would make the City eligible for technical assistance and funds for prompting renewable energy. In order to be eligible, the City must allow renewable energy research by right.

Section 6: Amendment of the BR District. The proposed amendments would make several changes to the zoning in the downtown and Prattville Square. The amendments would prohibit residential use on ground or basement floors, which is intended to maintain the vibrancy and street activity. Existing residential uses will be grandfathered. The amendment would also eliminate the requirement of having residential uses meet the dimensional requirements of the R2 District. This results in all residential uses requiring variance and/or special permit relief.

Section 7: Zoning map amendment: The amendment would expand the LI2 District to include two parcels on Vila Street. The map was amended several years ago and these two parcels were changed to a residential (R3) district. It is now impossible to get new uses for the commercial structures. The owner of one of the structures related that he pays commercial taxes on the building but cannot reuse them for such uses. Some speakers expressed concern about the proximity to existing residential uses.

Section 8: Use Table changes. Mr. Mello explained that the table changes the Districts in which some of the uses are permitted, either by right or by Special Permit, and adds the Substance Abuse Counselling Center use. In response to a question from the Board, Mr., Mello stated that the amendments would not affect existing legally conforming or legally nonconforming uses, which would be grandfathered.

Section 9: Parking: Mr. Mello explained that the current ordinance does not provide a standard for the number of parking spaces required for use in the Residential 3 District. The amendment would require one space per unit for uses in the R3 District for buildings with three or more units. The amendment would also reduce the off-street parking demand for residential units from the current 1.5 spaces per unit to 0.5 spaces per unit.

Section 10: Inclusionary Zoning. This section would require the development of affordable housing in all residential developments of ten or more unit. The requirement would be for at least 10 percent of the units to meet affordability definitions. Mr. Mello indicated that this ratio would be negotiable. The units would have to be the same quality as the market rate units and distributed proportionately throughout the development. The City would be required to undertake an analysis of need and housing costs every five years.

Section 11: Community Improvement Trust Fund: This would provide for payments to a separate fund for relief granted by the ZBA. Some members felt that it was selling the relief for a fee, while others suggested including parking relief in the list. There was also a concern that the funds be included in the annual City budgeting process.

Section 12: IPOD. It was explained that the zoning in the NHR and NHC is very weak. In the past, this was not as much an issue as the negotiated land disposition agreements (LDAs) restricted development; however, the LDAs

are expiring and there is the potential for haphazard development of the Hill. The amendment will allow for study of the zoning and the development of a new ordinance for the two Districts. The IPOD would expire in two years whether or not the study and zoning amendment process was concluded.

Section 13: Food trucks. The ordinance would allow food trucks in certain districts in the City. Some Board members expressed concern that the trucks pay no taxes to the City and would compete with store based restaurants. A member of the general public expressed support for including food trucks in the Naval Hospital Districts.

Section 14: Mr. Mello explained that the proposed amendment is to correct a typo.

Section 15 and 16: It was explained that the intent of the amendments is to create a neighborhood business district in Cary Square and part of Prattville Square. The proposal for the Cary Square area would be in accordance with the 2009 Addison-Orange Planning Study recommendations.

Adjournment

On a motion by Shuvam Bhaumik and seconded by Henry Wilson, it was voted 7-0-0 (7-Yes- Tuck Willis, Henry Wilson, Shuvam Bhaumik, Lad Dell, Todd Taylor, Sishir Rao, and Ashley Owens; 0-No; 0-Abstain) to adjourn at 9:32 PM.

MINUTES APPROVED ON AUGUST 23, 2016



TUCK WILLIS, CHAIR