

**Minutes of the Meeting
Medford Community Development Board
January 13, 2022**

1. Meeting to Order

The meeting was called to order through the remote platform Zoom by Chairman André Leroux. Also in attendance were Vice Chair Jacqueline Furtado and Board Members Deanna Peabody, Kristi Dowd and David Blumberg. Alicia Hunt, Director of Planning, Development, and Sustainability, attended as Technical Advisor, and Amanda Centrella, Planner, attended as Clerk. Also present was Viktor Schrader, Director of Economic Development.

Chairman Leroux stated that the meeting was being conducted via remote participation pursuant to Chapter 20 of the Acts of 2021. No in-person attendance by members of the public would be permitted, and public participation in any public hearing conducted during this meeting would be by remote means only. Chairman Leroux provided information on how to participate in the meeting remotely outside of the Zoom platform. He informed Board Members that all votes taken during the meeting would be roll call votes.

2. Discussion of the Proposed Changes to the Zoning Ordinance

Chairman Leroux discussed each section of the ordinance and reviewed proposed changes, allowing time for questions from the Community Development Board and the public.

6.4.5 Noise Standards

Dir. Hunt discussed referencing Ch. 38 Section 4 and the section regarding wholesale store hours, noting that this language does not negate those sections of the ordinance. Dir. Hunt recommended changing the hours in this section to reflect standard operating procedures in the City of Medford, as well as adding language that the board or SPGA can adjust as appropriate for each location. The Board concurred with these suggestions.

6.2.11 Video signs

Attorney Bobrowski to make recommendations and the Chamber of Commerce to submit proposed language directly to the City Council, after sending it to the Office of Planning, Development, Sustainability for review. Dir. Hunt clarified that the existing ordinance says that moving signs are not allowed. Stephen Pompeo clarified that this was a prohibition of mechanical signs and the intent was not to prohibit video signs, but to restrict the zones that they are permitted in.

6.4.7 Pedestrian and Vehicular Access: Traffic Management Standards

Chairman Leroux discussed adjusting the language throughout the ordinance to include pedestrians and bicyclists, not just vehicles. Chairman Leroux also discussed proposed changes to the Transportation Plan Approval section, including delivery vehicles coordination details in the site plan. Amanda Centrella discussed the ability of the Engineering Office and Office of Planning, Development, & Sustainability to administratively clarify language and requirements in the Transportation Plan Approval section.

Ms. Centrella read a comment submitted by Todd Blake, Director of Traffic and Transportation, clarifying terms and language in the Transportation Plan Approval subsection. Vice Chair Furtado recommended that City transportation staff manage modifications to this section, as transportation is out of the board's purview.

Chairman Leroux summarized additional recommendations submitted by City transportation staff. The board discussed language around the obligation and ability of developers to improve or modify intersections. The board recommended including "road modifications" rather than "intersection widening" as a possible improvement that the SPGA may require of developers as a condition of special permit approval.

Vice Chair Furtado and Member Peabody discussed the role of intersection widening as traffic mitigation. Vice Chair Furtado noted that widening lanes worsens traffic congestion.

Chairman Leroux recommended inclusion of an electric vehicle charging station performance standard.

William Navarre, 108 Medford Street Apt. #1B, recommended that large developments consider the future redevelopment of parking lots and garages, and include these details in the site plan.

Section 12 Definitions

Chairman Leroux summarized previous discussion regarding the definition of family and dwelling units, noting that the proposed modifications to these definitions were intended to remove limits placed on what constitutes a family. The modified definition uses the US Census "housing unit/household" definition, which includes all of the people residing in the same unit together. Chairman Leroux stated that enforcement should be applied to noise, parking, health and safety issues, not the definition of family.

Paul Mocchi, Building Commissioner, noted that from an enforcement point of view, it is difficult to define family. Commissioner Mocchi recognized that overcrowding of units can lead to issues including excessive cars on the street. Commissioner Mocchi approved of the proposed language, but recommended checking if the sanitation code has any relevant square foot limits.

Attorney Bobrowski stated that Lowell limited parking to address the overcrowding issue. Member Blumberg approved of the addition of the US Census definition, but recommended exploring limiting the number of lodgers in a dwelling unit.

Commissioner Mocchi noted that while multiple dwelling buildings may be allowed in certain districts, the specific proposed first floor commercial use in a mixed use building may not be allowed. He recommended the board make the requirement consistent for the commercial and multi-dwelling uses in a mixed-use building, whether those uses be allowed by right or special permit.

Commissioner Mocchi discussed the proposed amendment in the zoning code regarding permitting dormers for single and two family homes. The amendment clarifies how the attic/half floor is measured and allows dormer modifications by right. Commissioner Mocchi stated that the amendment allows more flexibility for homeowners adding a dormer while preserving neighborhood characteristics.

6.4.8 Aesthetic Standards

Chairman Leroux discussed changes to this section including new language around public art and balconies and preservation, and restoring green space.

6.4.10 Fiscal Analysis Standards

Chairman Leroux discussed changes to this section, which were made to simplify the process and requirements for applicants. The amendment makes it so a fiscal analysis is not necessarily required. Instead, the proponent shall provide a summary of city services, infrastructure, tax base, and employment.

Dir. Schrader discussed the rationale behind requiring this information from proponents. Chairman Leroux recommended adding language that requires the proponent to consult with the Office of Planning, Development, & Sustainability regarding the level of detail and specific information required.

7.7.6 Setbacks (Telecommunications)

Chairman Leroux discussed changes to this section, which established criteria for the SPGA to allow waivers.

8.2 Accessory Dwelling Units

Attorney Bobrowski provided a background for ADUs and their inclusion in the modified ordinance, as well as summarizing the provisions of the proposed section.

Chairman Leroux summarized changes to the proposed section, which included rules for renewal of the special permit, minimum length of occupancy, and design requirements. Commissioner Mocchi also discussed the permitting requirements for Accessory Dwelling Units (ADUs), which require a special permit from the Zoning Board of Appeals. He stated that the advantages of requiring a special permit rather than allowing ADUs by right is that the special permit process will allow input from neighbors who might have privacy concerns.

9.2.3 Procedures (Planned Development District)

Attorney Bobrowski discussed Planned Development Districts as a zoning and development tool. Attorney Bobrowski recommended keeping zoning and plan approval as separate processes.

Member Dowd requested clarification regarding the process for negotiating community benefits with the proponent. Attorney Bobrowski stated that an accompanying development agreement could include these conditions. Chairman Leroux recommended adding language requiring the proponent to submit a description of community benefits.

Member Dowd requested clarification regarding the square foot requirements for PDDs. Attorney Bobrowski asked that this be added to a list of needed clarifications.

Section 10.0 Linkage

Member Dowd raised questions regarding linkage for housing and jobs. Dir. Hunt stated that a deeper dive with legal assistance would be required, noting that linkage currently goes to parks, public infrastructure, and safety. Dir. Hunt stated that linkage is supposed to be reviewed and updated every 3 years, though this has never happened. She noted that the City is looking into how to update linkage requirements outside of the zoning recodification.

Chairman Leroux suggested that this be explored with the board following completion of the zoning recodification. He requested a presentation by city staff at a spring meeting regarding the topic.

11.5 Community Development Board

Chairman Leroux recommended allowing members to serve an additional term (after the two term limit) if the third term is served as Chair. Member Blumberg noted that the Acts of 1974 prohibit members from serving more than 2 consecutive terms.

11.5.2 Powers

Chairman Leroux summarized additions to this section. Member Andreasen felt that the item requiring the board “provide design review” was too vague. He recommended removing the “as needed” clause. Dir. Schrader noted a desire to require developers of larger projects to undergo design review. Chairman Leroux recommended language requiring coordination with the Office of Planning, Development, & Sustainability.

11.5.3 Associate Member

Chairman Leroux recommended changing from 1 year to 3 year term for associate members. The Board discussed the role of the associate member and who appoints the associate member, which was determined to be the Mayor.

11.6.2 Criteria (Special Permit)

Member Blumberg proposed to remove the fiscal impact criteria and add a criteria which refers to the Comprehensive Plan.

11.7.4 Review by Community Development Board

There was some discussion on the regulatory timelines proposed for this section, whether they should be 35 days or 45 days available to city departments for review of filed applications.

Chairman Leroux proposed that the Office of Planning, Development, & Sustainability review and make the needed changes to the timeline and otherwise the proposed language should be maintained.

11.7.11 Decision

Attorney Bobrowski corrected language that makes this portion of the ordinance consistent with other sections of the ordinance.

11.8 Site Plan Review for Dover Amendment Uses

There was some discussion of whether projects that fall under the Dover Amendment that are fully by right would still be subject to site plan review through the language of the ordinance. It was determined that they would still be subject.

It was clarified that if a Dover project requires zoning relief, the project will require site plan review but will not need to go before the Zoning Board of Appeals.

12 Definitions

Chairman Leroux recommended that a definition of 'Household' be added, and provided the Census Bureau's definition of household.

The treatment of uncovered storage of motor vehicles was handled in a previous section of the Ordinance. Chairman Leroux and Member Blumberg recommended removing mention of the storage of motor vehicles from the proposed definition of Open Storage.

The Board recommended allowing Open Storage in the noted districts in the Use Table by special permit.

Member Andreason requested that the Office of Planning, Development, & Sustainability look to how other cities and towns are using for a definition of half-story

Table A- Use Table

The Board recommends that the Adult Use Marijuana Establishments be added to the Use Table.

Economic Development Director Schrader described new square footage requirements for Convenience Retail and Neighborhood Retail uses. Convenience retail was proposed for projects 2,501 - 5,000 square feet in size and Neighborhood Retail was proposed for projects up to 2,500 square feet in size. Director Schrader raised to the Board for consideration what districts these uses should be allowed in as of right. Chair Leroux recommended changing the Neighborhood Retail use to be by special permit via the

Community Development Board in the SF-1 and SF-2 districts. The Board also recommended that the special permits for all districts be through the Community Development Board.

The Office of Planning, Development, & Sustainability recommended changing the allowed heights and stories for O-2 districts. The Board agreed with the recommendations.

William Navarre, 108 Medford Street Number 1B, provided written comment on parking minimum provisions and recommended lessening the minimums.

Sharon Wentworth, 694 Winthrop Street, provided written comments expressing concerns around permitting for daycares and felt larger daycares should require permitting.

Chairman Leroux felt that discussion of daycares and parking provisions were both discussed extensively in this and prior meetings.

Member Blumberg motioned to approve this set of recommendations subject to a delegation of authority to the Chairman to work with City staff to finalize language prior to submission to the City Council. Member Andreasen seconded the motion. The motion passed unanimously.

3. Adjournment

Member Peabody motioned to adjourn the meeting and Member Blumberg seconded the motion. The motion to adjourn the meeting unanimously passed.

Documents and Other Exhibits Used at the Meeting

- 10.01.21 Draft Zoning Ordinance
- 10.01.21 Draft Dimensional Table
- 10.01.21 Draft Use Table

Medford Community Development Board
