

PLANNING BOARD

DATE: November 22, 2022

TIME: 6:00 P.M.

PLACE: Hybrid In-Person/Zoom Virtual Meeting

FOR: Special Meeting

PRESENT: Brandee Nelson, Chair; Pedro Pachano; Jonathan Hankin; Malcolm Fick, via Zoom;
Jeremy Higa
Associate Member Jackie Kain
Chris Rembold, Assistant Town Manager/Director of Planning and Development

Ms. Nelson called the meeting to order at 6:02 P.M. She read the opening statement, revised by Governor Baker on July 16, 2022, from the agenda. She said the meeting was being recorded.

Ms. Nelson also read Section 241-1 of the Town Code.

Mr. Fick participated remotely. Ms. Nelson, Mr. Hankin, Mr. Pachano, Mr. Higa, Ms. Kain and Mr. Rembold met in person at the Town Hall.

Ms. Nelson called for roll call attendance:

Mr. Hankin, present; Mr. Pachano, present; Mr. Fick, present via Zoom; Ms. Kain, aye; Ms. Nelson, present

Mr. Higa had not yet arrived.

FORM A's:

There were no Form A's presented.

MINUTES: NOVEMBER 10, 2022

Mr. Hankin made a motion to approve the minutes of November 10, 2022 as amended, Mr. Pachano seconded.

Roll call vote: Mr. Fick aye; Mr. Hankin, aye; Mr. Pachano, aye; Ms. Nelson, aye

ZONING AMENDMENTS INCLUDING STRATEGIES TO INCREASE HOUSING:

Mr. Rembold said the intent of the Mixed Use Housing Overlay District (MXHO) is to take Mr. Pachano's ideas about incentive zoning and combine it with Smart Growth zoning. The proposed zone would go from Belcher Square to the Holiday Inn and Jenifer House Commons at the north end of Stockbridge Road. He said this area will be able to accommodate robust growth because it has existing utilities, transit and walkable area. He said it makes sense for this area to have additional development as it can support business and encourage housing.

Mr. Rembold said inclusionary zoning will require any housing development in the MXHO to include some affordable housing. He said this draft could increase possible residential density on Stockbridge Road. He said the base density development would be allowed by-right with

more density allowed by-right when incentives are provided. He said developers want by-right zoning.

Mr. Higa arrived at 6:10 PM.

Mr. Pachano said he likes the 1 for 1 idea. He said he likes the 20% affordable housing incentive but it can be a hindrance. He said the 20% works well for big projects. He said it could work here in projects of a certain scale. He said smaller scale projects could be 1 for 1. He said 20% could be more amenable if applied to a higher percentage of the AMI such as 150% AMI.

Ms. Nelson asked if the Board has the liberty to set the AMI at that level or is there a State level to meet.

Mr. Rembold said the level can be set that high. He said there is no State level to meet.

Mr. Hankin said he would like to go through the proposed draft from the beginning. He said for an overlay zone the underlying zoning will remain. He said if the underlying zoning the opening remains for big box developers.

Mr. Fick asked what Mr. Hankin would suggest.

Mr. Hankin said he would suggest to just make it a zoning bylaw not an overlay district.

Mr. Fick said it needs an affordability component.

Mr. Pachano said he likes it as an overlay. He said that was his intent.

Ms. Nelson said we will need to educate the public about overlay districts.

Mr. Rembold said some inclusionary requirements can back fire. He said sometimes they don't pay off because the incentives cost too much money then nothing gets built.

Ms. Nelson said she would like to have the zoning set up to apply to mixed use.

Mr. Pachano said the benefit of the overlay is we don't have to rewrite the whole section.

Ms. Nelson said we might need to amend the underlying zone. She asked if everyone was ok with the location of the proposed zone running from Belcher Square north to the Holiday Inn property and Jenifer House Commons.

Mr. Fick said B-2 is the base zone.

Ms. Nelson said yes. She said it runs from Belcher Square to Jenifer House Commons and Holiday Inn. She said there is no change in the location. She added that the proposed overlay would be subject to Site Plan Review but not a special permit process.

Mr. Fick said he disagrees with giving incentives. He said he doesn't think we can give up the Town oversight especially with the size of the potential buildings.

Ms. Nelson said special permits can be appealed.

Mr. Fick said SPR can also be appealed.

Mr. Hankin said SPR is not discretionary like a special permit.

Mr. Rembold said by-right issuance is not subject to the whims of a board. He said by-right is under less of a burden than special permit review.

Ms. Nelson said maybe design guidelines can be applied. She said we should think on that a little bit.

Mr. Fick said we can think about that but he isn't sure about the by-right. He said we haven't done this before. He said we haven't allowed a five story building with 10 foot setbacks with no oversight. He said once it is up it can't come down.

Mr. Hankin and Mr. Higa voiced opposition to requiring a special permit.

Mr. Rembold suggested not starting with a four story building. He suggested allowing four stories with incentives.

Mr. Fick said maybe there can be other incentives for large buildings.

Mr. Rembold suggested maybe density instead of absolute numbers.

Ms. Nelson said it might be good to explain how this location was selected because due to it being a Main Road; it is a walkable area; there is public transportation and public utilities.

Mr. Hankin asked to go through the text.

Mr. Fick asked to have "residential" changed to "dwelling".

Ms. Nelson asked if light industrial use should be allowed. She said if it is perhaps there should be review of odors, light and noise.

Mr. Rembold said the Board previously discussed the implications of light industrial uses.

Ms. Nelson said we did discuss previously. She said we talked about artesian as part of light industrial uses.

Mr. Pachano asked if light industrial is the same as light manufacturing.

Mr. Fick said light industrial is defined in the SGOD zone. He said the definitions are different for light industrial and light manufacturing. He suggested definitions outside of the SGOD zone.

Mr. Pachano asked what attracts 20,000 square foot uses. He said big box development would want large space. He asked if that is what we want to see in that area.

Ms. Nelson said if the Goodwill store were larger and had residential above it that wouldn't be bad.

Mr. Pachano said we could swap the language from the underlying zone to allow in the overlay.

Ms. Nelson said it is something to think about. She asked if to take advantage of the incentives does the developer have to do mixed use or just residential.

Mr. Pachano said if child care is an incentive shouldn't it be permitted.

Mr. Rembold said he will make sure child care is in the uses.

Mr. Rembold said in 9.15.6 he started by allowing an increase in base density.

Mr. Hankin asked how a small lot, 5,000 square feet, would apply. He said as soon as you limit the number of units it will preclude a developer that might want to do micro-units. He said lot coverage is part of zoning why limit density.

Mr. Rembold said that is a fair question. He said it is true that all requirements will limit what will fit.

Mr. Fick said the underlying B-2 zone has the same setback requirements. He asked why it has to be restated. He said he is concerned about the 10 foot setback when everything else on Stockbridge Road has 25 foot setbacks.

Mr. Pachano said we are trying to create a corridor. He said the further you go into a lot the less of a corridor you get.

Mr. Fick said he sees the goal. He said the dimensional requirements are not needed.

Mr. Hankin said the goal is to create a street wall.

Mr. Fick said the parking will be in the rear.

Ms. Nelson said the right of way provides some open area in the front.

Mr. Pachano said maybe even with a zero setback requirement the building will not be so close because of the right of way.

Ms. Nelson said we need to think about front yard setbacks.

The Board discussed building heights.

Ms. Nelson said a four story building would be 50 feet in height.

Mr. Fick asked what is required.

Ms. Nelson said the language utilizes incentives in 9.15.

Mr. Rembold said this is where we heard from developers who said more affordable housing could be provided with another story.

Mr. Pachano said the 20% is problematic unless there is an increase in the AMI to at least 120%. He suggested that everything beyond the base be one for one instead of 20%.

Mr. Higa said the maximum number of units has a lot to do with parking requirements.

Mr. Pachano said BRPC had way more parking in their study.

Ms. Nelson suggested seeking information from Construct about AMI.

Mr. Hankin said Stockbridge Road is perfect for work force housing. He said we won't get high end units there.

Mr. Higa asked what the hourly rate would be for work force housing. He said if people have to make \$40 per hour is it work force housing.

Mr. Pachano said you start with a family of four and break it down from there.

Ms. Kain asked how much of the development would be rental units or owned.

Ms. Nelson said ownership options would be determined by the developer.

Mr. Pachano said there could be incentives for rental units.

Ms. Hankin said he thinks Stockbridge Road would be a venue for rentals.

Mr. Pachano said there could be an incentive. If all the units are rentals they could be 2 for 1 instead of 1 for 1.

Mr. Hankin said it would be important for incentivized units to be the same as the market rate units.

Mr. Fick said he generally agrees. He said he is looking at the base of 20%.

Ms. Nelson said she thinks the group is more agreeable to increasing the AMI.

Mr. Fick said he would like to see the numbers for what 120% AMI would be for a 1 for 1.

Ms. Nelson said the increase would be 120% or 150%.

Mr. Rembold said housing is affordable when not more than 30% is spent on housing.

Mr. Fick said he needs answers to questions to determine if the overlay would be effective.

Ms. Nelson said in general the group is agreeable to adjusting the AMI upward to accommodate wage earners.

Mr. Rembold said the work force is 80% to 120% AMI. He said that is the general working guideline.

Ms. Nelson asked if we want to go with 120% then get feedback on it.

Mr. Hankin said we have non-profits who build affordable housing. He said a developer won't compete with that.

Mr. Rembold said a private developer can build market rate units faster.

Mr. Hankin said he agrees but the developer doesn't monetary assistance.

Ms. Nelson said the AMI will be increased. She said we are not decided on the 20% affordable housing or 1 for 1. She said the parking will be in the rear of the building with one space per unit.

Mr. Fick said most people have to drive. He said another concept for parking could be 1.5 parking spaces per unit. He said parking for a commercial space could be 50% less by sharing parking with the residential units.

Mr. Rembold said it would depend on the commercial use being a day time use or day and night time use.

Mr. Pachano said a builder could build more parking anyway. He said the minimums should be set low.

Mr. Hankin said if the parking is in the rear and the side setback is 10 feet how do people get to the back to park.

Ms. Nelson said the 10 foot setback would be a minimum.

Mr. Hankin said if the building is built to the setback requirements cars will not be able to get to the parking.

The Board discussed permeable surface and landscaping specifically for the east side of the road.

Ms. Nelson said she would like the Planning Board to have a partnership with the Tree Committee. She asked if the Board wanted to reduce the tree requirement for Stockbridge Road from 1 tree every 25 feet or 1 tree for every 50 feet.

Mr. Hankin said he thinks because the area is a driving strip 1 tree for every 50 feet works.

Ms. Nelson said we will change the requirement in 6.2 to allow a lesser number of trees if the trees planted are large.

There was a suggestion for a donation to the Tree Committee in lieu of planting trees.

Mr. Rembold said there needs to be thought about applying design standards and performance standards in the overlay.

Mr. Fick said he wants to maintain the special permit process. He said by-right uses would require design guidelines. He suggested to look at the requirements in the Smart Growth zoning.

Mr. Rembold said the Board will have a public hearing for 148 Maple Avenue at the first meeting in December, December 8. He said zoning discussion could be included on the agenda or not.

Mr. Pachano suggested discussing design guidelines specific to the overlay.

Mr. Hankin had a question about section 7.2 that deals with aviation fields. He said the way it is written an airport can never be put in. The language was suggested by Town Counsel. He suggested the language should be amended.

Ms. Nelson asked that Mr. Hankin share the language so it can be discussed at the next meeting.

CITIZEN'S SPEAK TIME:

James from North Plain Road said the calendar on the Town website shows a Planning Board meeting on Thursday, November 24.

There were no other citizen comments.

Having concluded its business, Ms. Nelson adjourned without objection at 7:48 PM.

Respectfully submitted,

Kimberly L. Shaw

Kimberly L. Shaw
Planning Board Secretary