

24-033
PLANNING AND PERMITTING COMMITTEE
MEETING REPORT
WEDNESDAY, APRIL 10, 2024 @ 6:00 P.M.

Attendees: Council Vice President Kit Collins, Committee Chair; Councillor Matt Leming, Committee Vice-Chair; Council President Isaac “Zac” Bears; Councillor Anna Callahan; City Clerk Adam Hurtubise; Paula Ramos Martinez, Innes Associates; Jimmy Rocha, Innes Associates; Building Commissioner Scott Vandewalle; PDS Director Alicia Hunt; Brenda Pike, Planning, Development and Sustainability; other participants as noted in the body of this report.

President Bears called the meeting to order at 6:00 p.m. on April 10, 2024 in the Medford City Council Chambers on the second floor of Medford City Hall and via Zoom. The purpose of the meeting was to discuss zoning ordinance updates with the Innes Associates team (Paper **24-033**).

President Bears thanked participants for attending. He said he was chairing the meeting because the Committee Chair and Vice-Chair are on Zoom. He said we received a memo from Innes Associates on the proposed work to align the zoning code with various other public plans; those plans can be found on the City’s website. He said that this is also an update to the recodification effort of 2020-2022. He detailed the work done to date and previewed the likely work ahead.

Ms. Martinez went through the memo prepared by Innes Associates.

Councillor Callahan asked about site plan review topics. President Bears explained items such as Dover exemptions and municipal exemptions. Director Hunt explained what site plan review is. She said it is for major projects. She said that the Community Development Board looks at large projects and reviews them. She said that typically the CD Board can’t deny a petition for site plan review unless the petitioner refuses to work with the Board. She said department heads typically weigh in with recommendations as well. She said that departments that typically weigh in are Police, Fire, and Public Health, plus other departments.

Director Hunt said Dover uses are established by state law from a case originating in Medford. There are protected uses that are not subject to the City’s zoning, but they can be subject to site plan review. She said most municipal buildings in Massachusetts are exempt from zoning. She said that is not true in Medford.

Councillor Leming asked for some examples of what might require extra study. Director Hunt said that short-term items will not need studies. She said some of the bigger questions might need studies. She said that Medford’s linkage is what many places would call impact fees. Those fees are not legal in most places but are legal because of

special legislation in Medford. She said that the City can also go to MassDevelopment for assistance.

Councillor Leming asked about the TDM study and whether that needs to be done before the ordinance is put in place. Director Hunt said that the Transportation Demand Management study could be better answered by someone at Innes Associates. She said she is not clear why we need an ordinance. Councillor Leming said that the ordinance is needed to specifically allow zoning variances without going through the Zoning Board of Appeals. Ms. Martinez said she would get additional information from Ms. Innes and would get back to the Council.

Councillor Callahan asked who would be the right person to speak to regarding adding co-working as a zoning use. Director Hunt said she would ask Ms. Innes. She said when she has seen co-working places, they look like retail storefronts. She said that this might be something for the Building Commissioner. She said we can add any uses we want, but at some point, we risk over-saturating.

President Bears said any other recommended changes can be submitted for consideration.

Vice President Collins said that one motion from the last meeting was to submit these types of recommendations for further consideration. She said she sent some of her own policy priorities to Director Hunt and Innes Associates.

President Bears said that some of these ideas will be big and will come up as we work through them. He said it looks like we're booked up through September of 2025.

Councillor Callahan asked if there are any limits or plans to limit certain permeable areas. Director Hunt said that this falls under open space requirements. She said that this is one of the things that we need to clean up. She said that when we edit zoning, we're editing for the next forty years.

Commissioner Vandewalle detailed some of the changes he would like to see. He said they fall into the topic of "little daily bugs" and are mostly little things, not big things. Commissioner Vandewalle said he would like to be involved in the process going forward.

Gaston Fiore, 61 Stickney Road, asked about permeable surfaces, particularly on sidewalks. He asked if this would have to be part of zoning. President Bears said that zoning doesn't apply to public ways. He said that this is mostly about private property. Director Hunt said we can control private development with this. She said we can't say to an existing building that we want the building to change. She said that there are other incentives that can be used to remove asphalt and impermeable surfaces. She said that would be outside of zoning. She said we should confirm that our zoning does not prohibit permeable materials from being used. Mr. Fiore asked for links to the

current zoning ordinance in notices about meetings regarding zoning. President Bears said he would see what our new software can do.

Vice President Collins said that this stage of the process encapsulates what we want to do here, which is encapsulating what's been done in the last five years and putting it into a zoning code that can actually be implemented.

Director Hunt said that her understanding is that the Innes Associates memo is a live document and that we should add these various studies to the memo to track it. She suggested adding everything into that memo, which should move things more quickly.

Councillor Leming moved to have the committee chair send around the request for input from members of the Council for any policy items; and further moved to add to the Innes Associates memo the appropriate studies, including studies on the status of funding and procurement we discussed today (Councillor Callahan second)—approved on a roll call vote of four in favor, zero opposed, and Councillor Scarpelli absent.

Councillor Leming moved to adjourn at 7:12 p.m. (Councillor Callahan second)--approved on a roll call vote of four in favor, zero opposed, and Councillor Scarpelli absent.

President Bears adjourned the meeting at 7:12 p.m.