



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
Sishar Rao, M.D.
Todd Taylor
Henry Wilson*

MEETING MINUTES TUESDAY, FEBRUARY 23, 2016

A meeting of the Chelsea Planning Board was called to order by Tuck Willis at 6:07 p.m. on Tuesday, February 23, 2016 in Room 102 of Chelsea City Hall, 500 Broadway, Chelsea, MA, with the following members in attendance: Tuck Willis, Henry Wilson, Shuvam Bhaumik, Lad Dell, and Todd Taylor. John Matosky was not present.

John DePriest and Alexander Mello, Department of Planning & Development, were also present.

Minutes

Reading of the minutes of October 27, 2015 and January 19, 2016 meetings were waived and approved as written on a motion by Todd Taylor, second by Lad Dell, it was voted 5-0-0 (5-Yes- Tuck Willis, Henry Wilson, Shuvam Bhaumik, Lad Dell, and Todd Taylor; 0-No; 0-Abstain) to approve the minutes of the October 27, 2015 and January 19, 2016 meetings.

2015-14 284, 300, 312 Everett Avenue, 199, 200, 219, 224, 250, 329 and 339 Vale Street, Parcels (54-30), (55-2), (55-3), (55-4), Vale Street, 250, 260, 261 Fifth Street, Parcel (55-8) Fifth Street, 305 and 307 Fourth Street, Parcels (54-22), (54-23), (54-26) Fourth Street and 138 Carter Street – Thibeault Development, LLC
For request for Modification of previously approved Site Plan to reconfigure the footprint of garage structure to eliminate 2,850 s.f. of the parcel.

Richard Bennett and Anthony Rossi, representatives for Thibeault Development were present.

Richard Bennett presented to the Board. Thibeault Development is proposing to remove a small section, roughly 2,800 square feet, of their property from their proposal due to there being an Activity and Use Limitation (AUL) on that particular area of their parcel. There will be no other changes to the number of overall parking spaces, unit count, or amount of landscaping. The purpose of this request is to remove this section from the proposed development to make it easier to receive financing for the development.

Tuck Willis asked if there will be the same number of parking spaces? Yes, Mr. Bennett replied. Mr. Willis also asked if anything was going to be proposed on the area that would be removed. Mr. Bennett replied that the AUL prevents any landscaping or playground.

On a motion by Todd Taylor and seconded by Lad Dell, it was voted 5-0-0 (5-Yes- Tuck Willis, Henry Wilson, Shuvam Bhaumik, Lad Dell, and Todd Taylor; 0-No; 0-Abstain) to consider the request a minor modification and to carry forward all of the conditions of the original permit.

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Proposed Zoning Amendment – Section 34-184 Floodplain Overlay District

PUBLIC HEARING

Proposed amendment is to Chapter 34-184, Floodplain Overlay District to update the Ordinance to refer to the new FEMA study and maps set to become effective on March 16, 2016.

John DePriest gave a presentation to the Board regarding the new FEMA floodplain study and maps as well as minor amendments to the Zoning Ordinance to reference the new maps. The maps will be effective as of March 16, 2016 whether or not the City amends its zoning; however, if the City fails to amend the zoning, the City and its residents will be ineligible for federal flood insurance.

Todd Taylor made a statement that more of the city is in the floodplain compared to the previous maps and asked if the City's appeal of the maps is final. Mr. DePriest responded that the City's appeal is final but individual property owners have a chance to appeal on an individual basis to FEMA.

Being a public hearing, Tuck Willis asked if there was public comment.

A member of the public asked how much into the coast the new maps intrude. Mr. Willis responded that it varies throughout the City.

Tuck Willis mentioned that some of the new floodplain areas are those that have been filled over the past century and those particular areas used to be passible waterways.

On a motion by Ladd Dell and seconded by Henry Wilson, it was voted 5-0-0 (5-Yes- Tuck Willis, Henry Wilson, Shuvam Bhaumik, Lad Dell, and Todd Taylor; 0-No; 0-Abstain) to recommend that the City Council approve the proposed amendments to Section 34-184: Floodplain Overlay District of the Zoning Ordinance.

2016-02 20 High Street – David Therrien

PUBLIC MEETING – SPECIAL PERMIT RECOMMENDATION

For a recommendation on a Special Permit to install a driveway which does not meet minimum zoning dimensional and setback requirements

Petitioner, David Therrien, provided the Board with an overview of his proposal. He is proposing a driveway just under eight feet wide to the right of his house. High Street is considered a fire lane and is not wide enough for parking on the street.

John DePriest informed the Board that the Petitioner has already taken down the fence and had a vehicle use the driveway prior to obtaining approval from the ZBA and a DPW.

Mr. Therrien stated that he is in the process of replacing that fence and removed this particular section first and the vehicle that used the proposed driveway was related to the replacement of the fence.

Tuck Willis asked if Mr. Therrien has spoken with his neighbors and if they have any concerns. Mr. Therrien replied that he spoke to one neighbor who was not opposed to the driveway and mentioned that the driveway would be a gravel material.

Henry Wilson, mentioned that the proposed driveway seems to be wider than some of the existing driveways on the street and asked if the tree was going to remain. Mr. Therrien replied that in the short term he planned on keeping the

tree but is considering installing solar panels, which would require him to remove the tree to get adequate sunlight to the panels.

Lad Dell, asked how many cars could fit in the driveway. Mr. Therrien replied that it could accommodate two cars in a tandem configuration.

Todd Taylor, asked the length of the driveway. Mr. Therrien replied that the driveway is proposed to be an estimated 32 feet long.

Henry Wilson, asked Mr. Therrien if he has tried pulling his car into the driveway. Mr. Therrien replied that he has not because his car wouldn't be able to go over the curb. Mr. Wilson also asked how far away the driveway has to be from the side property line. Mr. Willis responded that he had to be five feet from the property line but that is why he needs relief from the Zoning Board of Appeals. Mr. Wilson also asked if the adjacent neighbor has any concerns with the proposed driveway. Mr. Therrien replied that the adjacent neighbor was not opposed to it.

On a motion by Henry Wilson and seconded by Lad Dell, it was voted 5-0-0 (5-Yes- Tuck Willis, Henry Wilson, Shuvam Bhaumik, Lad Dell, and Todd Taylor; 0-No; 0-Abstain) to recommend approval of the Special Permit to the Zoning Board of Appeals with the standard conditions.

2016-03 103 Broadway – John F. Milan/John M. Corporation
PUBLIC MEETING – SPECIAL PERMIT RECOMMENDATION

For a recommendation on a Special Permit to re-establish an existing three (3) story masonry and wood frame structure into five (5) residential units and one commercial space and for parking relief

Eric Hagstrom, representative for the Petitioner, John F. Milan/John M. Corporation, gave an overview of the project to the Board. The building has five vacant residential units and a catering business in the basement.

Lad Dell asked if the five units were currently occupied. Mr. Hagstrom replied that there were not. Mr. Dell asked where the storage for the catering business would occur. The Petitioner replied that he will live in one of the units and will store supplies in his own unit. Mr. Dell also asked how long it has been since there have been tenants in the units. Mr. Milan responded that it have been about two or three years.

Henry Wilson asked if the property had any parking spaces. Mr. Milan mentioned that he leases nine parking spaces on a month-to-month basis from the adjacent 7-Eleven. John DePriest mentioned that ten parking spaces are required.

On a motion by Todd Taylor and seconded by Henry Wilson, it was voted 5-0-0 (5-Yes- Tuck Willis, Henry Wilson, Shuvam Bhaumik, Lad Dell, and Todd Taylor; 0-No; 0-Abstain) to recommend approval of the Special Permit to the Zoning Board of Appeals with the standard conditions.

2016-04 128-130 Shurtleff Street – Haiying Ji & Xinsheng Zhu
PUBLIC MEETING – SPECIAL PERMIT RECOMMENDATION

For a recommendation on a Special Permit for relief to allow the division of a single lot containing two (2) conjoined three (3) family dwelling units into two (2) separate lots

Petitioner, Haiying Ji, gave an overview of the proposal to the Board. There is no construction planned as part of this proposal. Ms. Ji mentioned that the buildings do not share a wall, in fact, each building has its own wall.

Tuck Willis asked for clarification that the property contains one dwelling and it is not two structures on one lot.

Lad Dell asked for confirmation that there are two-walls, one for each building. Ms. Ji replied yes.

On a motion by Todd Taylor and seconded by Lad Dell, it was voted 5-0-0 (5-Yes- Tuck Willis, Henry Wilson, Shuvam Bhaumik, Lad Dell, and Todd Taylor; 0-No; 0-Abstain) to recommend approval of the Special Permit to the Zoning Board of Appeals with the standard conditions.

2016-05 180 Everett Avenue – Fusion Foods
PUBLIC MEETING – SPECIAL PERMIT RECOMMENDATION

For a recommendation on a Special Permit to change one non-conforming use, a flower shop, to another non-conforming use, a restaurant

Petitioner, Melissa Vo. gave an overview of the proposal to convert a flower shop into a restaurant.

Tuck Willis asked if Fusion Foods would be occupying the whole building. Ms. Vo replied that as of right now she is just thinking of occupying the first floor.

Lad Dell asked if the new location would contain the same number of seats. Ms. Vo replied that she is developing a mobile phone application to provide customers with quick ordering for dine in and take out and plans on keeping the same number of seats.

Tuck Willis asked for confirmation that with the reconfiguring of seating the same number of seats would remain.

Ms. Vo mentioned that the property currently leases some parking spaces to 190 Everett Avenue and will expire in 2019; however, the parking spaces are not used by tenants of 190 Everett Ave. Ms. Vo plans to lease additional parking spaces form 190 Everett Ave. when the current lease expires.

Tuck Willis asked if Ms. Vo intends to purchase the building, she replied yes. He also asked what the amount of seating will be. Ms. Vo replied about 45-60. Ms. Vo noted that its location in proximity to hotels and the FBI Building will generate a lot of foot traffic to her business.

John DePriest asked how many employees there would be on the largest shift. Ms. Vo replied that there will be three employees on their largest shift.

One member of the public mentioned that the current location for Fusion Foods currently has no parking spaces and the new one does while maintaining the same number of seats. John DePriest mentioned that the location in the BR Zoning District does not require off-street parking spaces as it is under 5,000 square feet.

Tuck Willis asked how many parking spaces would be at the new location. Ms. Vo informed the Board that there will be 16 per a recent appraisal she had conducted on the property. John DePriest mentioned if the spaces are not 9 feet wide by 18 feet long than they cannot legally count for zoning purposes. Ms. Vo is not sure if they are 9 feet by 18 feet.

Todd Taylor asked how far the proposed location is from the BR Zoning District, it is four blocks away.

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Henry Wilson asked what the current uses are at 180 Everett Ave. There is a small pharmacy, a florist, a taxi company, and offices on the second floor. Mr. Wilson also asked if Ms. Vo would open the store on Sundays, she will for brunch. Ms. Vo plans to open the business in early April or mid-May pending approval from the City. Mr. Wilson mentioned that the number of current business on the property might generate more parking than Fusion Foods.

On a motion by Todd Taylor and seconded by Henry Wilson, it was voted 5-0-0 (5-Yes- Tuck Willis, Henry Wilson, Shuvam Bhaumik, Lad Dell, and Todd Taylor; 0-No; 0-Abstain) to recommend approval of the Special Permit to the Zoning Board of Appeals with the standard conditions.

2016-06 84 Washington Avenue – Alma Villanueva

PUBLIC MEETING – SPECIAL PERMIT RECOMMENDATION

For a recommendation on a Special Permit to change one non-conforming use, an electronic repair shop, to another non-conforming use, meat market and miscellaneous grocery items

Petitioner not present.

On a motion by Lad Dell and seconded by Todd Taylor, it was voted 5-0-0 (5-Yes- Tuck Willis, Henry Wilson, Shuvam Bhaumik, Lad Dell, and Todd Taylor; 0-No; 0-Abstain) to continue Case 2016-06 to the March 22, 2015 meeting of the Planning Board.

2016-07 13-15 Blossom Street – Richard C. Lynds, Esq.

PUBLIC MEETING – SPECIAL PERMIT RECOMMENDATION

For a recommendation on a Special Permit for relief to allow the division of a 5,000 square foot lot containing two (2) structures into two (2) separate lots

Petitioner, Richard C. Lynds, Esq., provided the Board with an overview. He stated that the purpose of this petition is to create a legal distinction between the two structures and no construction work is proposed.

Tuck Willis, asked if there would be access to the house in the rear. Attorney Lynds, replied yes via a nine foot driveway and added that both structures are currently nonconforming and giving the two their own lot might create more nonconformities particularly with regards to front setbacks. Mr. Willis asked about adjacent land uses and Attorney Lynds informed him that surrounding properties are multi-family.

Todd Taylor asked what new nonconformities would be created. One lot would have nine feet of frontage and both lots would be nonconforming with respect to front, side, and rear yard setbacks. John DePriest added that both parcels would also lack the required amount of landscaped open space and that the Chelsea Fire Department wouldn't be able to access the rear structure in the event that there was an emergency and two cars were parked in the front yard. Mr. Taylor mentioned that that situation currently exists today. Mr. DePriest noted that in the future if there were two different owners the issue would become more severe. Attorney Lynds mentioned that a passageway easement could allow parking behind the front structure and leave the drive open for an emergency vehicle to access the rear structure.

The property owner, Margaret Gregoire, mentioned that she is trying to get financing to perform renovations but is having a difficult time due to the fact that there are two structures on one lot.

Shuvam Bhaumik asked if there will be two separate owners. Attorney Lynds informed him that they will be the same owner and when the lots are conveyed he will add language to the deed preventing future obstruction of the nine foot wide driveway.

Tuck Willis asked how old the house was. It is estimated to be built in the mid-1800s. Mr. Willis reminded the Board that this particular petition is to make a recommendation to the Zoning Board of Appeals.

On a motion by Henry Wilson and seconded by Todd Taylor, it was voted 5-0-0 (5-Yes- Tuck Willis, Henry Wilson, Shuvam Bhaumik, Lad Dell, and Todd Taylor; 0-No; 0-Abstain) to recommend approval of the Special Permit to the Zoning Board of Appeals.

Recently appointed Planning Board Members, Ashley Owens and Christopher Falbo, were in attendance and introduced themselves to staff and current Board members.

On a motion by Henry Wilson and seconded by Shuvam Bhaumik, it was voted 5-0-0 (5-Yes- Tuck Willis, Henry Wilson, Shuvam Bhaumik, Lad Dell, and Todd Taylor; 0-No; 0-Abstain) to adjourn at 7:04 PM

MINUTES APPROVED ON MARCH 22, 2016



TUCK WILLIS, CHAIR

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MAYOR'S OFFICE