



CITY OF CHELSEA, MA
Planning Board

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Alejandra Rodriguez
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Todd Taylor
Member

**CHELSEA PLANNING BOARD
MEETING MINUTES
TUESDAY, MARCH 26, 2019**

A meeting of the Chelsea Planning Board was called to order by Chair, William “Tuck” Willis, at 6:06pm on Tuesday, March 26, 2019 at the Chelsea Senior Center, 10 Riley Way, Chelsea, MA with the following members in attendance Shuvam Bhaumik, Joan Cromwell, Sylvia Ramirez, Mimi Rancatore, Alejandra Rodriguez, Todd Taylor and Tuck Willis. Indira Alfaro was not present.

Also present: John DePriest, AICP, Director of Planning & Development
Lad Dell, Planner and Land Use Administrator, Planning & Development

Approval of Minutes from February 26, 2019:

On a motion by Todd Taylor and seconded by Shuvam Bhaumik, it was voted unanimously (7-0-0) to approve the minutes from the February 26, 2019 meeting.

CASE #2018-39-A

1001 & 1005 Broadway – 1005 Broadway MM LLC

For Special Permit and Major Site Plan approval to construct a four story structure with proposed thirty-eight residential units which do not meet current minimum zoning requirements for rear yard setbacks, number of off-street parking spaces and which also exceeds side yard setbacks and maximum lot coverage

Tuck Willis recused himself from the hearing because he is on the board of directors for TND, one of the petitioners. Shuvam Bhaumik assumed the role of chair.

Strephon Treadway from the Law Department gave a brief overview of the history of the petition: it was denied a Special Permit from the ZBA, the Petitioner appealed to Land Court, the ZBA met in executive session, the case was remanded by Land Court back to the ZBA.

Steve Laferriere (TND)/ Tanya Hahnel (Traggorth Companies) described the changes to the project: height on Broadway is lowered from 5 floors to 4 floors, dropped from 42 units to 38 units, all 38 units would be affordable units, retail space is gone and now will be a community room, \$15,000 contribution to the City to improve the intersection.

John DePriest: the bike racks are in the public way. You will need to pull them back inside the development. The City is reconstructing upper Broadway; the driveway and traffic configurations need to be worked out with the Department of Planning & Development.

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Tanya Hahnel: the proposed project is at the former Midas site and now a vacant lot. We hope to create affordable homes, a welcoming project/ gateway project entry to Chelsea. There will be 42 parking spaces (31 spaces available to the public 7am-7pm) and 5000 sf of open space.

Steve Laferriere: relief requested: rear yard setback 3'6" in one corner, parking relief and % lot coverage. Storm water management—any runoff towards Mill Creek will be treated. There will be two EV charging stations, all bike parking is now on the premises. Affordability breakdown: 8 units at 30%AMI and 30 units at 60%AMI, maximum allowable preference for Chelsea residents (70%).

Tanya Hahnel: there will be a planted courtyard, fifth floor is eliminated, more in line with buildings in the area on Broadway and on Clinton, mural or artwork to enliven the streetscape and welcome people to Chelsea, hoping to make it a pedestrian scape, view from Clinton is three floors to reflect the houses across the street, corner of bldg was pulled back from Clinton, community room windows are glazed.

Public Hearing:

Sandy Maynard, 52 Chester Avenue: supports the project, huge need for affordable housing, TND has great properties and provides great services to support residents.

Joe Perlatonda, City Councilor District Three: parking is still a concern, entry from Broadway is unrealistic, overflow of cars from Forbes, the roads are full, how do we get in and out of these streets? Who is the affordable housing for? What is the parking plan?

Leo Robinson, City Councilor At-Large: What is the affordability breakdown? How long is the deed restriction? The Planning Department should conduct the lottery. How is parking addressed?

Tanya Hahnel: 8 units at 30%AMI, 30 units at 60% AMI, intent that the Planning Department oversees the lottery. Local preference: we are prohibited by law to separate current TND residents out from the lottery, typically current TND residents apply because they have changes in household size and TND residents do not have any additional preference in the lottery. Deed restriction is typically for 50 years.

Todd Taylor: How many applications did you get for your project on Spencer Ave? Tanya Hahnel- 3000+ applications for Acadia – 1273 applications from Chelsea residents.

Steve Laferriere: residents will not get towed if parked at 7am, we will reconfigure traffic flow to make it safer if necessary.

Alejandra Rodriguez: What are the unit configurations? Steve Laferriere: four- 3BR, twenty-three- 2BR and eleven- 1BR.

Amin Louali, 181 Highland St: currently lives in a TND project and his family has benefited greatly from TND programs, has taken the civil exam and wants to become a police officer in Chelsea.

Oli Rivera, 68 Shawmut St: TND has provided my family with many opportunities that others deserve too.

Damali Vidot, City Councilor At-Large: I have never advocated for a TND project in the past, I was concerned for this project being so close to the French Club/Acadia project, there seems to be a dichotomy formed pitting market-rate vs affordable, gentrification is real, we need both market rate and affordable units, parking is still an issue and I ask that developers require residents not to participate in the on-street parking, if they enter this agreement, I would support this development.

Gladys Vega, Chelsea Collaborative: in full support of this project, affordability is such a big issue in Chelsea.

Mike Sandoval, City employee and Chelsea resident: supports the project, area is a current blight.

Brayton Ducharme, 950 Broadway: needs parking clarification, chapter 91 calls for a public use and you are offering parking spaces, I don't see how public access to the Creek is increased, I have attended many of the community meetings—why was the retail space taken out? Why were the market rate units taken out? \$15,000 for the intersection is not enough.

Tanya Hahnel: Market rate vs affordable is a challenging balance, having to eliminate the fifth floor and lowering the units made the market rate units unfeasible, we were concerned about increasing traffic to the area and the retail space would have done that as opposed to a community room, we are threading a needle here and there are other chapter 91 cases where parking is part of the proposal, we will activate access to the waterfront and work with GreenRoots.

Steve Laferriere: we are providing access to the Creek by providing parking for the public, we are willing to comply with the parking prohibition that Councilor Vidot has proposed.

Yessenia Claro: keeping and sustaining our community here in Chelsea is important, the need for affordability is greater than the issues of parking and retail space, many homeless students in the Chelsea schools.

Matt Frank, 45 Jones Ave: I am at 80% AMI and many projects like this are removing middle income affordability; many of the local residents are not coming to the public hearings because they are being labeled as classist and racist, you removed all the requests from the community meetings (retail, market rate units).

Enio Lopez, City Councilor District Four: supports this affordable project because it addresses a very important need in the City.

Strephon Treadway: elimination of the retail component was due to concerns about increased traffic and congestion.

Roy Avellaneda, City Councilor At-Large: I stand opposed because of what this will cost the City...an opportunity for ownership, we are losing Chelsea residents because they cannot afford to buy in Chelsea, TND has not talked to me about their plan for home ownership. I question the tax assessments on the properties in their portfolio.

John DePriest: affordability vs ownership is not a factor to be considered for the Special Permit.

Strephon Treadway: case law CHR General, Inc. vs City of Newton refers to this.

Anthony Bongiovanni, 46 Gillooly Road: I am sick of the traffic situation, Chelsea has not had a traffic study, I believe in affordable housing but with the right to own, we are growing too fast and my property taxes have only gone up, please redo the plan, parking is still an issue.

Steve Laferriere: as much as we would like to, we can't serve every need, Councilor Robinson said there wasn't enough affordability and Councilor Avellaneda said there aren't enough ownership; our deed restrictions limit how much rent we can charge.

Tanya Hahnel: this has all been a difficult negotiation and as much as we want more ownership, the affordable piece for 38 units was the most important aspect.

Board Questions:

Sylvia Ramirez: who is the community space open to? Who is the management company? Tanya Hahnel: the community space is open to all. Winn Residential will manage the property.

Mimi Rancatore: concerned about restricting parking for residents. Concerned that City would lose excise taxes?

Joan Cromwell: very much for the project, affordable housing outweighs parking issues, community room open to all is great, current TND residents should not be part of the first round of the lottery.

Alejandra Rodriguez: what are the parking ratios for your projects? Steve Laferriere - we have 300 apartments and for every 3 units there are 2 cars.

Tanya: we feel that we have more than enough parking based on our other units in the City.

Sylvia Ramirez: 38 units/42 parking spaces – how is parking allocated? Steve Laferriere - we will have a lottery for the 11 dedicated spots and the others will be first come first serve.

Todd: same problems and same arguments, wants the City to bring issues into line, the existing neighborhood has a lot of cars, I am not against affordable housing but there are not enough ownership opportunities, balance is so important, Chelsea is out of balance, you can't please everyone. I didn't support this project before and I won't support it now.

Shuvam: we aren't against affordable housing, I voted for this project the first time, I think this version of the project is far worse because the market rate units are taken out. The working traffic signal now has backed traffic up even worse and it is chaotic. Pulling in and out of the project is a nightmare on Clinton and Broadway. I don't think a condo project could go there given the traffic location. Construction from Acadia has created a lot of disruption. I don't know what will go here if this project doesn't get approved. I don't know what will happen if this project gets approved.

Todd: you need to lobby the statehouse for more money for affordable housing ownership.

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John DePriest: conditions for the bike racks to be relocated, working with the Planning Department on traffic patterns and complying with down lighting of the site.

Site Plan: On a motion by Sylvia Ramirez and seconded by Joan Cromwell, it was voted 6-0-0 to approve the Major Site Plan with standard conditions and department conditions.

Special Permit: Todd Taylor motions to recommend denial of the Special Permit, there is no second.

On a motion by Mimi Rancatore and seconded by Joan Cromwell, it was voted 4-2-0 to recommend approval of the Special Permit with standard conditions, a signage plan, a parking plan and CITF payment.

#2018-60

176-178 Washington Avenue – Anthony Quiles

For Special Permit and Major Site Plan approval to construct a thirty-three residential dwelling structure with roof deck which does not meet current minimum zoning requirements for side, rear and front yard setbacks, usable open space, lot size, density, number of stories, maximum building height and number of off-street parking spaces

On a motion by Todd Taylor and seconded by Joan Cromwell, it was voted 7-0-0 to continue the case to the April 23, 2019 Planning Board Meeting.

#2019-01

121 Webster Avenue – The Western Front, LLC

For Special Permit and Major Site Plan approval to establish use as a retail marijuana facility which does not meet current minimum zoning requirements for number of off-street parking spaces

Timothy Flaherty, attorney for the Petitioner, explained that he presented to the ZBA on March 12. He acknowledged the trepidation and concern on behalf of communities regarding marijuana, understanding that certain communities have been disproportionately affected, in particular black and Hispanic communities. The Western Front is focused on social and economic justice. They have been certified by the Cannabis Control Commission as an Economic Empowerment Applicant.

Leadership: Marvin Gilmore is the chairman, WWII decorated, businessman who provided opportunities for communities of color. Dennis Benzan, attorney and former City Councilor/ Vice Mayor in Cambridge. Sheriece Perry, attorney and president of the Massachusetts Black Lawyers Association. Omowale Moses, co-founder of youth-based nonprofits and community activist.

Location: 121 Webster, leasing 10,000 sf (5000sf for the dispensary, 1500sf for the workbar/ waiting area, 3500sf for workforce training center), parking MOU with Federal Realty for 50 additional parking spaces in addition to parking already provided. There will be no obtrusive signage.

There will be a secure vestibule at the entry that requires a government issued ID. The customer then proceeds to an intake area (education center) and meets with a registered marijuana agent. Each customer must sign a "customer pledge", there will be audible and visual reminders that public consumption is not tolerated, violation of pledge will be reported to law enforcement.

Security: protocols of layered security, six point of sales units (prepared for up to 16), staggered roll out and appointments only system, pan-tilt-zoom cameras inside and outside for 90-days and viewable by Chelsea Police Department. Motion alarms, panic buttons, key-card access with timestamps. The Petitioner has met with the Chelsea Police Department and is satisfied with the security plan.

Products: flower, vaporizer, topical (creams and ointments), edibles, oils, lozenges, (NO CBD)

Transportation Analysis: traffic report expects 192 end trips, analysis is based on a pharmacy, John DePriest believes that a liquor store would be a better comparison.

Staff: 25 total employees, 8 employees at any given time/shift, will need to be certified by the CCC to be a registered cannabis agent, 75% of employees must be from "areas of disproportionate impact". Looking to create a workforce development program to focus on Chelsea residents. All employees will be paid at least the Living Wage.

Financial benefits: local tax of 3% of gross revenue, two installments each of \$35,000 to Chelsea nonprofits

Board Questions:

Joan Cromwell: where is the product produced? Tim Flaherty- wholesale providers likely in Fitchburg, "seed-to-sale" is highly regulated.

Todd Taylor: tracking of sales? Tim Flaherty- internal record kept as part of the "seed-to-sale" program.

Mimi Rancatore: what about trash? Tim Flaherty- nothing gets thrown away on the premises that is marijuana related. It is packaged and returned to the growth facility.

Joan Cromwell: concerned about chemical contamination and cleaning agents. Tim Flaherty- there is a list from the CCC of banned chemicals.

Shuvam Bhaumik: does anyone on the team have experience in the marijuana industry? Tim Flaherty- not specifically, but extensive small-business experience.

Mimi Rancatore: what is your goal for locations/sites? Tim Flaherty- each applicant can have up to 3 locations/sites.

Public Hearing:

Damali Vidot, City Councilor At-Large: social equity by CCC, impressed by this group and their commitment to social justice, appreciates the workforce development and supporting local NPO's, full support of project.

Joe Perlatonda, City Councilor District Three: supports the petition, satisfied with security and operations, only concerned about the drop-off of customers and traffic flow.

Anthony Bongiovanni, 46 Gallooly: what type of government ID do you require? (RMV issued license or US passport), where is parking located? (Tim- shared parking) why did you choose this location? (Tim- it is permitted by the City) would you consider a different location?

Matt Frank, 45 Jones Ave: did you have a community meeting with the neighbors? Plans to secure the area behind the building? (Tim- we've spoken with the Merritt Club and Planning & Development and we are willing to clean it up and install lighting).

Leo Robinson, City Councilor At-Large: this is a respectable group, I have also met with the Merritt Club.

John DePriest: Site Plan Review- standard conditions and landscape plan
Special Permit conditions: hours of operation 9am-9pm, periodic review of security plan with CPD, signage plan, CFD and DPW.

Special Permit: On a motion by Todd Taylor and seconded by Shuvam Bhaumik, **it was voted (5-1-0) to recommend approval of the Special Permit with standard conditions and Planning Department conditions.**

Site Plan Review: On a motion by Todd Taylor and seconded by Shuvam Bhaumik, **it was voted (6-0-0) to approve the Major Site Plan with standard conditions and Planning Department conditions.**

#2019-02

192 Cherry Street – Broadway Capital, LLC / 192 Cherry LLC

For Special Permit seeking approval for the construction of a two-family wood frame dwelling which does not meet the current minimum zoning requirements for lot size, front, side and rear yard setbacks, lot coverage, driveway setback and which also exceeds maximum height

On a motion by Todd Taylor and seconded by Joan Cromwell, **it was voted (7-0-0) to move the case to the ZBA without a recommendation.**

#2019-03

16 Fifth Street – 16 Fifth Street Investment, LLC

For Special Permit seeking approval to establish five residential units on the first floor which do not meet current minimum zoning requirements for open space and number of off-street parking spaces

John McDermott, attorney for the petitioner, explained that there are 23 existing rooming house units above and that they are taking out the bar and putting in 5 residential units. No parking is available and the 23 rooming house units have not had an issue with parking not being available.

Mimi Rancatore: there are too many units for this small space and you are putting too much here. I'm not as much concerned about the parking as I am by the small size of each unit and how many of them there are.

John DePriest will check with the Law Department to see if inclusionary zoning will apply.

On a motion by Todd Taylor and seconded by Joan Cromwell, **it was voted (5-1-0) to recommend approval of the Special Permit with standard conditions and Planning Department conditions.**

#2019-04

811 Broadway - 811 Broadway Associates, LLC

For Special Permit seeking approval for the construction of two conjoining townhouses which do not meet current minimum zoning requirements for lot size, open space, rear and side yard setbacks, and also exceeds maximum number of stories, lot coverage, density and floor area ratio, also pursuant to Section 34-106 (e) (1) of the Chelsea Zoning Ordinance, no entrance or exit from any off-street parking area with four or more parking spaces shall be located within 50 feet of the intersection of any two street lines

On a motion by Todd Taylor and seconded by Joan Cromwell, **it was voted 6-0-0 to continue the case to the April 23, 2019 Planning Board meeting.**

Adjournment:

On a motion by Todd Taylor and seconded by Shuvam Bhaumik, it was voted (6-0-0) to adjourn the meeting at 9:45 pm.

Minutes Approved

