

City of Everett

PLANNING BOARD
484 BROADWAY
EVERETT, MA 02149

Frederick Cafasso-*Chairman*
George D'Angelo
Michael O'Connor
Leo Pizzano, Jr.
Shayane Rangel
James Tarr (Alternate)
Philip Mastrocola (Alternate)



Speaker George Keverian Room
3rd Floor - City Hall
2nd & 4th Mondays
7:00 pm

Jeannie Vitukevich - Clerk

MINUTES Planning Board Meeting February 24, 2020

- I. **Roll Call of Members:** Frederick Cafasso, Leo Pizzano, Jr., Michael O'Connor, George D'Angelo, Shayane Rangel, Philip Mastrocola (alternate), and James Tarr (alternate) were present. The meeting was called to order at 7:10 pm.

Representing the Planning Department: Jeannie Vitukevich, Shane O'Brien and Robin Stein, legal counsel from Kopelman and Paige were present.

II, Public Hearing:

New Business:

1. Proposed Amendment that the Zoning Ordinance be amended by adding a new section: Section 34: Short Term Rentals

S. O'Brien gave the board a quick synopsis. He explained that the Board recommended this to the Council and now there is a new council so it is void. Now it came back to the Planning Board with a little bit different language, license and occupancy fees were added.

The Board opened the Hearing to Public Comment –

Victoria and Paul Spring from 193 Nichols Street gave Shane a letter today and Victoria read it to the Board. She explained there is an Airbnb next to them and they share the driveway with them.

They went over various issues they have had with them and that their elderly mother is afraid. They are hoping the Board will support the amendments.

Paul and Kerry Smith from 11&13 Christina Circle told the Board that they lived in Everett 34 years then moved to Plymouth. When we first moved we rented the home to mostly section 8 people and you don't want to live next to those people. We were approached by a company about short term rentals his name is Lewis. We put \$10,000 into renovating the home and evicted people. He's a property manager that will make sure these things don't happen and if they do they will be fined and put into their contract that they will be thrown out if they don't follow certain rules.

Lewis from 191 Broadway and wants to make this property a single family short term rental. He met with the neighbors and explained to them what they wanted to do but the neighbors are priority. I have been working with Kerry and Paul and we are creating space and making rules.

- Loud noise – tv, music
- No smoking
- Depending on the pet – no pet
- No parties

We came to the idea if any of these rules are broken, we will charge \$1,000 and kick them out if too many incidences because we don't want them bothering the neighbors. We met with all the neighbors and discovered this by sharing it with others it is doable and it works as long as you work with the neighbors.

M. O'Connor asked Lewis if he was living in the property and he replied yes, but we bought it and want to make it Short Term Rentals.

G. D'Angelo asked how do you control it and Lewis replied in the contract they sign in writing and if they don't go by the contract I will charge them like \$500 if they smoke and \$1,000 if too loud and throw a party and can throw them out if they keep it up.

P. Mastrocola asked him how do you get them out, do you call the cops and Lewis responded yes, if they don't listen.

Charles Cameron owns 10 Luke Road expressed that Short Term Rentals are not especially bad. Times are changing with the Casino and people visiting from everywhere like London and China etc. This brings money to Everett. It is an educational thing. You can put camera systems and lock systems in. Once they get educated on how to manage it, I think it is a win for Everett. Also not all experiences are bad experiences. I found as a new home owner in Everett home ownership is expensive and this will help.

Kerry Spring expressed to the Board that we have had long term renters and without a property manager they have parties and noise all the time and we aren't allowed to go in, at least with Short Term Rentals you have a property manager. We have worked with Lewis for a while and my property has never looked better since Lewis has managed it.

Victoria said I feel they should have consideration for the long term renters and owners and make it comfortable for people that are living next door to them.

Robinson Tran, from 35 Winthrop St said he is an owner whom occupies and rents out one floor. I agree it should be property specific and limit permits if issues. It is unfortunate that our neighbor on Nichols Street has dealt with this and that host we understand that he is trying to fix it.

Sergio from 191 Nichols Street explained to the Board that they started last March doing Airbnb and unfortunately you don't know who these people bring into the house. We have had many nice hosts, one was from Canada. If your sharing a driveway then you have to let people go in and out. I don't like to have problems from my neighbors. I stopped short term for a little while and rented long term and then they had parties. It will happen either way.

Paul Spring replied there was a party a week ago with someone on top of a car and I had to call 911 because my mother in law is 97 and she was afraid. There was no one there to control it and I did tell Sergio. Sergio responded yes that happened and it was with a long-term renter.

Shane O'Brien expressed that we are trying to limit this to the language of the Zoning Ordinance provided to the Board and refer it to the Council and Leo Pizzano, Jr. told Shane we want to hear from the Public.

Lewis explained if we get a license and neighbors complain then the license will make a difference and if the problems exist then the city can remove the license.

Shayane Rangel asked Lewis are you managing every property that is Short Term in the City, because not everyone will want to pay for it and Lewis replied no, but you should hire someone as part of it. We can make a share contract with the Jim Soper and the inspectors.

Shane expressed to the Board that the goal of this ordinance is we are looking to recommend the 3 districts and Leo asked why was the owner living there taken out and Shane didn't know why. Leo said I own a two family and I live in it with long term then why does short term get a tax break – a tax exemption. Another example Paul & Kerry at Christina Circle, you're in favor of this and you're in a dwelling district and now you would have to owner occupy. It doesn't fit into our city unless it is heavily controlled.

Jim Tarr asked is there any control with Short Term rentals now and Shane replied, no. So this will make it legal and controlled and Leo said but the owner is going to get a break in taxes.

Shane explained to the Board that we are providing a recommendation to the council and maybe if the Board wants to make a recommendation on the districts.

Leo said Parking wasn't mentioned. This is why it is good we listen to the audience.

George said didn't we have a separate meeting just on this and Leo replied, yes, we did and nothing got answered.

Lewis expressed to the Board here in the United States renting a room doesn't work. People don't want to share a bathroom. The market the way we do it, is the whole apartment not rooms.

) the incident on Nichols Street is an unfortunate, isolated incident and by putting this amendment in place then it should make it better.

Leo explained that ISD would go in and find locks on all the doors and they worked hard to shut them all down. Tran (35 Winthrop St) said those are illegal apartments not Short-Term Rentals and Leo stated the Building Department has been on that and now trying to make them Legal Short-Term Rentals. Kerry said this will get rid of those people that are doing it illegally.

Lewis said it will be tracked legally through Jim Soper's office. This will make the properties safe. We need the opportunity to start with it and see if it works and if it doesn't then the city can shut it down.

Leo said I would recommend 5 days for a short term rental. I am not against Short Term Rentals, but a month to month rental is Short Term. Jim said could we possibly conceive who would move in and out every month. Like Leo said I would like to see language regarding large buildings that only so many cabs be Airbnb and Short-Term rentals. Shane recommended to close out the Public Hearing and provide some recommendations on the language.

Fred closed the Public Hearing and asked Shane do we vote on this tonight. Shane said yes and recommend to the council.

Leo asked if we can reject it tonight and put something together. Shane said if favorable or not we can provide conditions. I will provide a memo to the Council and it is up to the Council if they take the recommendation.

Robin Stein explained to the Board that there will be another meeting within 21 days, so if you want you can finalize it then or do it tonight.

Leo said I think it's rushing if we vote tonight.

L. Pizzano, Jr. made a motion to continue the Proposed Amendment that the Zoning Ordinance be amended by adding a new section: Section 34: Short Term rentals until the next meeting on Monday, March 9, 2020. M. O'Connor seconded the motion and the vote was unanimous as all members voted to continue.

Shane told the Board any recommendations they have to send to him and he will put them together and the Board can vote on march 9, 2020.

Old Business:

2. Site Plan Review – 34 -45 Garvey St.

Shane read a letter from the applicant requesting a continuance until the next meeting.

M. O'Connor made a motion to except the continuance for Site Plan Review at 34 – 45 Garvey St. until the next meeting on Monday, March 9, 2020. S. Rangel seconded the motion and all members were in favor.

3. Inclusionary Zoning – 35-45 Garvey St.

M. O'Connor made a motion to except the continuance for Inclusionary Zoning at 34-45 Garvey St. until the next meeting on Monday, March 9, 2020. S.Rangel seconded the motion and all members were in favor.

Shane asked the Board to take #5 next because they asked for a continuance also.

4. Site Plan Review - 166-172 School St / 4-6 Norwood St

Shane read a letter from the applicant to the Board requesting a continuance until the March 23, 2020 meeting.

L. Pizzano, Jr. made a motion for continuance for Site Plan Review for 166-172 School St / 4-6 Norwood St until the meeting on Monday, March 23, 2020. M. O'Connor seconded the motion and all members were in favor.

5. Site Plan Review – 65 Norman St.

L. Pizzano, Jr. made a motion to reopen the Public Hearing for the Site Plan Review for 65 Norman St. M. O'Connor seconded the motion and all members were in favor.

David O'Neil thanked the Board for having them back, he is representing for the applicant and hoping the Board will act favorably tonight on this project at Airforce Road and Norman St. Dan Lee, the President from Family Communities will go over some of the questions the board had, then Kerry Pipe, from Howard/Stein-Hudson will review the answers to the Traffic Peer Review and Tom Schultz from the Architect team will show the material that will be used for the vents.

Kerry Pipe from Howard/Stein-Hudson expressed to the Board that she feels comfortable with their answers to questions she had and reviewed them with the Board.

Fred asked if anyone had questions for Kerry and Leo asked why the percentage of the Electric Cars was changed from 5% to 15% and you reduced it to 2% to 4%. Leo thinks 5% is good.

Kerry said that it is an expensive commitment, so I thought 2% 2% to 4% was ok and Dan Lee explained that they consulted with a company called ChargePoint and their recommendation was 2 per 100 units with the ability to go up if needed.

George asked if they have the ability to go up and Dan said yes we do.

Leo asked where the bike racks are going and Dan replied in the open areas/corners of the garage. Leo said it seems like there is a lot and Kerry responded that the demand for bikes are growing and they can put wall mounts. Shane said they should have bike space as well as car space.

Tom Schultz presented a variety of Vents to the Board. He explained that the project is not engineered yet, but these are some samples we used on other buildings and they can be painted.

Leo asked him about concealing the elevator overrides on the roof, the exhaust ducts. Also, we don't want antennas and Cell Towers up there and Dan agreed to all of this.

Leo asked if the gas and electric meters are separate and Tom replied, yes they are within the building in a closet. Tom also said they spoke to a consultant regarding the concern of the acoustics from Duncan Galvanizing. We will have on site mitigation/insulation that will mitigate on the Duncan Galvanizing property itself. We are working with Duncan Galvanizing and they are working with us and we are respectfully requesting favorable consideration from the Board.

Leo asked what the height of the wall is around the screening of the parking area and Tom said 42 inches, which gives more than 50% open air. Leo responded as long as it's above the headlight's height, which it is.

Leo asked if we are taking Stormwater out and Shane replied that we are starting the process to have DPW take 28 & 29 and review it.

Fred asked if any more questions and Robin Stein recommended that the Board might want to keep the Public Hearing open, get recommendations from the Planning Staff and take a vote next meeting. Shane told the Board it is up to them; they can close the Public Hearing and take a vote or have KP Law draw up conditions with your recommendations first and then vote next meeting.

L. Pizzano, Jr. made a motion for continuance for 65 Norman St. – Site Plan Review until the next meeting on Monday, March 9, 2020 @ 7:00PM in the George Keverian room. M. O'Connor seconded the motion and all members were in favor.

III. Other Business:

Shane handed out a flyer to the Board regarding a conference/class through the CPTC on Advanced Tools and Techniques for Planning and Zoning at Holy Cross.

IV. Meeting Minutes

J. Tarr made a motion to except the Meeting Minutes from February 20, 2020.
L. Pizzano, Jr. seconded the motion and all members were in favor.

V. Staff Communication

Shane handed out Inclusionary Zoning Packets for Norman St.

VI. Next Meeting: March 9, 2020

VII. Adjourn

L. Pizzano made a motion to adjourn the Planning Board meeting. M. O'Connor seconded the motion and all members were in favor.

The Board adjourned at 8:48 pm.

Approved by Planning Board: March 9, 2020

Signatures:



Frederick Cafasso
Chairman
Everett Planning Board



Shane O'Brien
Land Use Planner
Department of Planning and Development

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EVERETT WA
CITY CLERK'S OFFICE