

**TOWN COUNCIL MINUTES**  
**Ordinance Committee**  
**Council Chambers**  
**May 5, 2022**

Present: Kenneth DiFazio, Chair  
Gary MacDougall, Vice Chair  
John Abbott, Councilor  
Lisa Belmarsh, Councilor  
Arthur Mathews, Councilor

Also Present: Richard McLeod, Town Solicitor  
Robert Luongo, Director of Planning and Community  
Development  
Eric Schneider, Principal Planner

Recording Secretary: Mary Barker

Chair DiFazio called the meeting to order at 6:30 PM.

**22 035-Proposed Zoning Change in the Jackson Square Village Center**

The public hearing was held and closed. A copy of the redline version with the latest changes was provided with the map, and the recommendation from the Planning Board:

“That the Town of Weymouth, through Town Council with the approval of the Mayor, hereby amends the Town of Weymouth Ordinances in the following manner:

SECTION 1 Amend the Town of Weymouth Zoning Map by removing the following three (3) parcels from the B-2 District and adding the same to the Neighborhood Center District.

1. Map 19, Block 253, Lot 35 (1540 Commercial Street)
2. Map 23, Block 253, Lot 24 (1530 Commercial Street)
  
3. Map 23, Block 253, Lot 23 (1516 Commercial Street)

SECTION 2. Add a new Article VII D entitled Jackson Square Overlay District to the Town of Weymouth Zoning Ordinance as follows:

§ 120-25.37. Purpose.

The Jackson Square Zoning Overlay District is an overlay zoning district. Parcels within the overlay district are first subject to the additional regulations of the overlay. In cases where there is a conflict, the regulations of the overlay zoning supersede the underlying zoning district.

The purpose of the Jackson Square Overlay District is to support a vibrant, mixed-use village center that protects and enhances the significant natural resource of Herring Run Brook and connects the village and the brook to existing open space and recreational resources, including Lovell Field, Stephen J. Rennie Park, Iron Hill Park, and the Back River Trail. Existing public transit (bus and commuter rail), proposed improvements to encourage walking and biking, and municipal parking (on-street and off-street) provide multi-modal transit options connecting the surrounding neighborhoods to Jackson Square. These goals are consistent with the Town's commitment to Complete Streets, the Weymouth Master Plan and the Jackson Square Land Use Plan.

It is hereby declared to be the intent of the Jackson Square Overlay District to establish reasonable standards that permit and control mixed-use residential, commercial, governmental, institutional, and office uses in the Town of Weymouth. New development or substantial additions to or rehabilitation of existing buildings should accomplish the following goals:

- A. Be sympathetic to the massing and form of existing built structures and the architectural detailing of historic structures.
- B. Enhance the public realm by creating outdoor open spaces linked to existing open spaces, providing, over time, a continuous network of publicly accessible space along the Herring Run Brook.
- C. Support amenities for pedestrians and bicyclists, including public seating in areas of shade and sun, bicycle storage, and active, welcoming ground-floor façades.
- D. When feasible, adapt existing historic structures for new commercial uses that support the adjacent neighborhoods.
- E. Increase the variety of housing including ownership/rental models, different levels of affordability, and different sizes and layout to accommodate housing needs for a wide range of ages, incomes, and levels of mobility.
- F. Reduce the amount of impervious surface by reducing parking requirements by use, encouraging shared parking spaces and parking access, and using low-impact development techniques to capture stormwater on site, preventing surface water run-off into the Herring Run Brook or the Town's stormwater sewer system.

This article is intended to be used in conjunction with other regulations as adopted by the Town, including historic district guidelines, design guidelines, site plan review, and other local ordinances designed to encourage appropriate and consistent patterns of village development.

§ 120-25.38. Establishment of Subdistricts.

The Jackson Square Overlay District is further divided into the following three (3) subdistricts as formally delineated on the Town of Weymouth Zoning Map.

1. Lower Jackson Square (LJSD)
2. Upper Jackson Square (UJSD)
3. Upper Commercial Street (UCSD)

§ 120-25.39. Applicability

A. Within the Lower Jackson Square District (LJSD) three story projects of ~~50~~ 40 feet or less adhering to the criteria contained within this Article, are permitted as of right with Site Plan Review per Article XXIVA and the additional guidelines of this Article. A Special Permit may also be granted by the Board of Zoning Appeals for mixed-use buildings of up to 4 stories and ~~60~~ 50 feet comprised of commercial use(s) occupying 51% or more of the ground floor and office and/or residential on the upper floors. The fourth floor shall be setback and not to exceed 75% of the area of the floor below.

B. Within the Upper Jackson Square District (UJSD) on a lot(s) of 10,000 square feet or more, mixed-use or commercial projects of three stories and ~~50~~ 40 feet or less in compliance with the stated goals and criteria of this Article, are permitted as of right with Site Plan Review per Article XXIVA. Page 4 of 10

C. Within the Upper Commercial Street District (UCSD) low density residential development including detached and attached townhomes with a maximum of 2.5 stories and 35 feet are permitted as of right provided that the lot(s) consist of 15,000 square feet or more. All such proposals require Site Plan Review per Article XXIVA. Any proposals on lots containing less than 15,000 square feet require a Special Permit from the Board of Zoning Appeals.

§ 120-25.40. Affordable Housing Density Allowance

In specific areas defined below, the Board of Zoning Appeals may consider an additional partial floor in exchange for a commitment from the applicant to make a minimum of 10% of all units affordable to households at or below 80% of the Boston-Cambridge-Quincy Metropolitan Statistical Area Median Income Level. The rental rate for these households will be determined by using the monthly rental rates for studio/efficiency and one-bedroom and two-bedroom units in Boston-Cambridge-Quincy, MA-NH HUD Metro FMR Area for the applicable Fiscal Year as published by the U.S. Department of HUD, as the FY Fair Market Rent Documentation System – Final FY Boston City FMR’s By Unit Bedrooms. Affordability

restriction will be in perpetuity. With a Special Permit granted under this section, the following allowances may be given:

A. Within the Lower Jackson Square District, the Board of Zoning Appeals may consider a partial fifth floor not to exceed 60 feet which is additionally stepped back a minimum of five (5) feet on all sides from the floor below. (Allowable height supersedes limits designated in Section 120-25.41(c))

B. Within the triangular portion of the Upper Jackson Square District bordered by Cottage Street on the west, Broad Street on the south, and Commercial Street on the North, the Board of Zoning Appeals may consider a partial fourth floor not to exceed 75% of the area of the floor below and not to exceed 50 feet. (Allowable height supersedes limits designated in Section 120-25.41(c))

C. In considering this request the Board will consider the purpose and intent of this Article and must specifically consider:

1. The extent to which topography minimizes the visual impact from the streetscape and other view corridors.

2. The comparative scale of the proposal to abutting properties.

3. The extent to which architectural techniques and materials work to soften and project as a whole. The use of landscaping to soften the transition is also encouraged.

4. The extent to which the design and location of the additional floor is sympathetic to the visual impact on all sides.

§ 120-25.~~40~~41. Intensity of use.

No structure shall be erected, altered or moved, except in conformity with the following overlay district requirements:

A. Front yard setback:

1. The principal façade shall be set back no further than the setback of one of the adjacent buildings or the average of both unless the front yard setback includes publicly accessible open space, such as a small plaza, as an integrated component of the overall development. If no building is adjacent to the parcel, then the measure is the closest building on the same side of the principal street.

2. Parking and loading shall not be allowed in the front yard setback.

3. Porches, porticoes, stoops, bay windows, and other architectural protrusions integrated into the principal façade are allowed within the front yard setback but may not extend into or over the public right-of-way.

4. The area between the principal façade and the public right-of-way shall be appropriately landscaped.

B. Rear or side yard setback:

1. Minimum of 20 feet from an abutting single-family residential use.

2. Minimum of 20 feet from Herring Run Brook whether the brook is visible or below the surface of the lot. To accomplish the purposes of this article, the Board of Zoning Appeals is authorized to grant a special permit reducing the required setback upon a showing that the proposed development has made a significant effort to address the goals of the Jackson Square Land Use Plan (2021) with respect one or more of the following:

(1) expansion of the Herring Run Pool Park;

(2) removal of invasive species from the banks of the brook;

(3) daylighting the brook with appropriate channeling and plantings; and

(4) elimination of the surface water run-off from the site into the brook. The 20-foot minimum setback is for zoning purposes only and does not supersede the requirements of the requirements of the Massachusetts Wetlands Protection Act and the Weymouth Wetlands Regulations as enforced by the Weymouth Conservation Commission. Where applicable, a separate application to that Commission will be required.

3. Where appropriate, rear and side yard setbacks shall connect to public open space and be used for active and passive public uses such as outdoor dining and retail, seating areas (shaded and open), bike racks, and other amenities designed to support local businesses and reinforce community pride and connections.

C. Maximum height:

1. Within the Upper Commercial Street district, a maximum of 2.5 stories and 35 feet is permitted by right with Site Plan Review.

2. Within the Upper Jackson Square district, a maximum of three stories and ~~50~~ 40 feet ~~is are~~ permitted by right with Site Plan Review.

3. To accomplish the purposes of this article, the Board of Zoning Appeals may issue a special permit to proposals within the Lower Jackson Square District (LJSD) to allow an increase in the height of structures either in existence, as reconstructed, or as new construction to four (4) stories and ~~60~~ 50 feet. The relaxation of this requirement shall be allowed subject to a finding that the additional height is required to meet the development criteria for this zoning district. Three (3) stories with a maximum of 40 feet are permitted by right with Site Plan Review.

4. The floor-to-floor height of the ground floor shall be between 12 feet and 15 feet, suitable for retail and restaurant uses, consistent with current practice for such uses.

D. Maximum lot coverage: 80% (buildings and parking).

1. To accomplish the purposes of this article, the Board of Zoning Appeals is authorized to grant a special permit to allow a higher lot coverage for structures either in existence, as reconstructed, or as new construction. The relaxation of this requirement shall be allowed subject to a finding that the additional lot coverage is required to meet the site and design criteria for this zoning district.

§ 120-25.~~41~~42. Required parking spaces.

Off-street parking spaces within the Jackson Square Overlay District shall be provided in accordance with the following minimum requirements. All other requirements related to parking shall be as defined in Article XVII Off-Street Parking.

A. Residential: A minimum of 1 parking space shall be provided for each studio housing unit. A minimum of 1.5 spaces are required for all other unit types. All parking for residential uses must be provided for onsite or on a lot under the same ownership and within reasonable walking distance as determined by the Board.

1. The use of offsite parking and/or shared parking to meet the minimum required spaces of the proposed commercial use of this Ordinance can be considered in the following circumstances:

a. A written agreement, with a minimum of a 5-year duration, between the Applicant and a property owner, including the Town and/or the MBTA, to lease overnight parking spaces to meet the required minimum. Space must be located within 1,000 feet of the lot line. If the conditions for shared parking become null and void and the agreement is discontinued, this will constitute a zoning

violation for any use approved expressly with shared parking. The property owner must then provide written notification of the change to the Zoning Enforcement Official and, within 60 days of that notice, provide a remedy satisfactory to the Board of Zoning Appeals or other relevant regulatory body.

b. Demonstrated that the mix of uses on site allows for the sharing of parking spaces based on the anticipated peak demand for each use.

B. Eating and drinking establishments: 1 space for each four (4) seats

C. Retail, office and other commercial: 1 space per 400 square feet of gross floor area.

D. Charging stations for electric, hybrid, or similar type vehicles shall be installed with the below frequency based on parking spaces:

1. One to 10 spaces: none

2. 11 to 25 spaces: one

2. 26 to 50 spaces: two 4. 51 to 100 spaces three

§ 120-25.4243. Special permit standards and criteria.

In addition to the specific criteria regarding the granting of a special permit in Article XXV, the Board of Zoning Appeals shall issue a special permit only after consideration of all the following:

A. Impact on the neighborhood visual character, including architectural design, views and vistas.

B. Degree to which the proposed use will share an access driveway and/or parking with an adjacent use and avoids new curb cuts.

C. Compliance with the site and design standards in this zoning article.

D. Degree to which the proposed project complies with the goals of the Jackson Square Land Use Plan (2021), the Weymouth Master Plan, and the provisions of this article.

§ 120-25.4344. Site and design standards.

The following development standards shall be used for all applications requiring site plan approval from the Zoning Board of Appeals and/or the Director of Planning and Community Development.

## A. Criteria for the Entire Overlay District

1. The principal façade shall be oriented toward the principal street. The main building entrance shall face the street and clearly connect to the public sidewalk.
2. Ground floor retail, restaurant, and other commercial uses shall be oriented with their primary entrance and window(s) facing the principal street. The relationship of these uses to the principal façade shall maximize pedestrian activity and the visibility of the businesses along the length of the principal façade.
3. A minimum of 60% of the street-facing building façade between two feet and eight feet in height must be comprised of clear windows that allow views of indoor nonresidential space or product display areas. The bottom edge of such windows shall be no lower than three feet above the adjacent sidewalk and the window shall be no less than four feet in height.
4. In both the Upper and Lower Jackson Square Districts, the commercial use, including restaurant, retail or other active use that serves the public, must be a minimum of 51% of the gross floor area of the floor at street level.
5. The principal façade shall be articulated every 60-80 feet. All façades shall be treated with equal care in terms of design. Blank walls are prohibited.
6. Building and site lighting shall be designed to prevent light overspill or glare onto adjacent properties and shall be shielded at a 75-to-90-degree cut-off.
7. Underground utilities for new and redeveloped buildings are required unless physically restricted or blocked by existing underground obstructions.
8. Parking and loading/unloading shall be prohibited from the front yard setback between the principal façade and the street. The location of loading areas will be reviewed by the Town of Weymouth Traffic Engineer to ensure that it does not conflict with pedestrian or automobile movement.
9. Access to rear parking shall have clearly marked and lit pedestrian access to the public sidewalk.



10. Bicycle storage shall be required at a ratio of one bicycle storage space for every twenty parking spaces.

11. The number of curb cuts onto the street shall be minimized and shared parking across multiple parcels shall be strongly encouraged.

12. New construction or significant rehabilitation shall retain all stormwater on-site, using rain gardens, bioswales, or other methods to allow stormwater to infiltrate rather than washing into Herring Run Brook. Applicants shall discuss the proposed maintenance of these low-impact development installations with the Board to ensure continual effectiveness of the operations.

#### B. Criteria for Lower Jackson Square District

1. Curb cuts shall not be allowed on the south side of Broad Street, between Pleasant Street and Water Street.

2. New construction or additions on the north side of Broad Street between the two intersections with Commercial Street shall provide one or more view corridors into Lovell Field.

3. New construction or additions on parcels adjacent to Herring Run Brook shall require new publicly accessible open space which connects existing publicly accessible space next to the brook (including Herring Run Pool Park, Stephen Rennie Park, and any future daylighted areas) and provide direct pedestrian connections from this open space to the public sidewalk and to parking, if appropriate. Such open space shall have a combination of landscape, hardscape, and amenities including, but not limited to benches and bicycle racks.

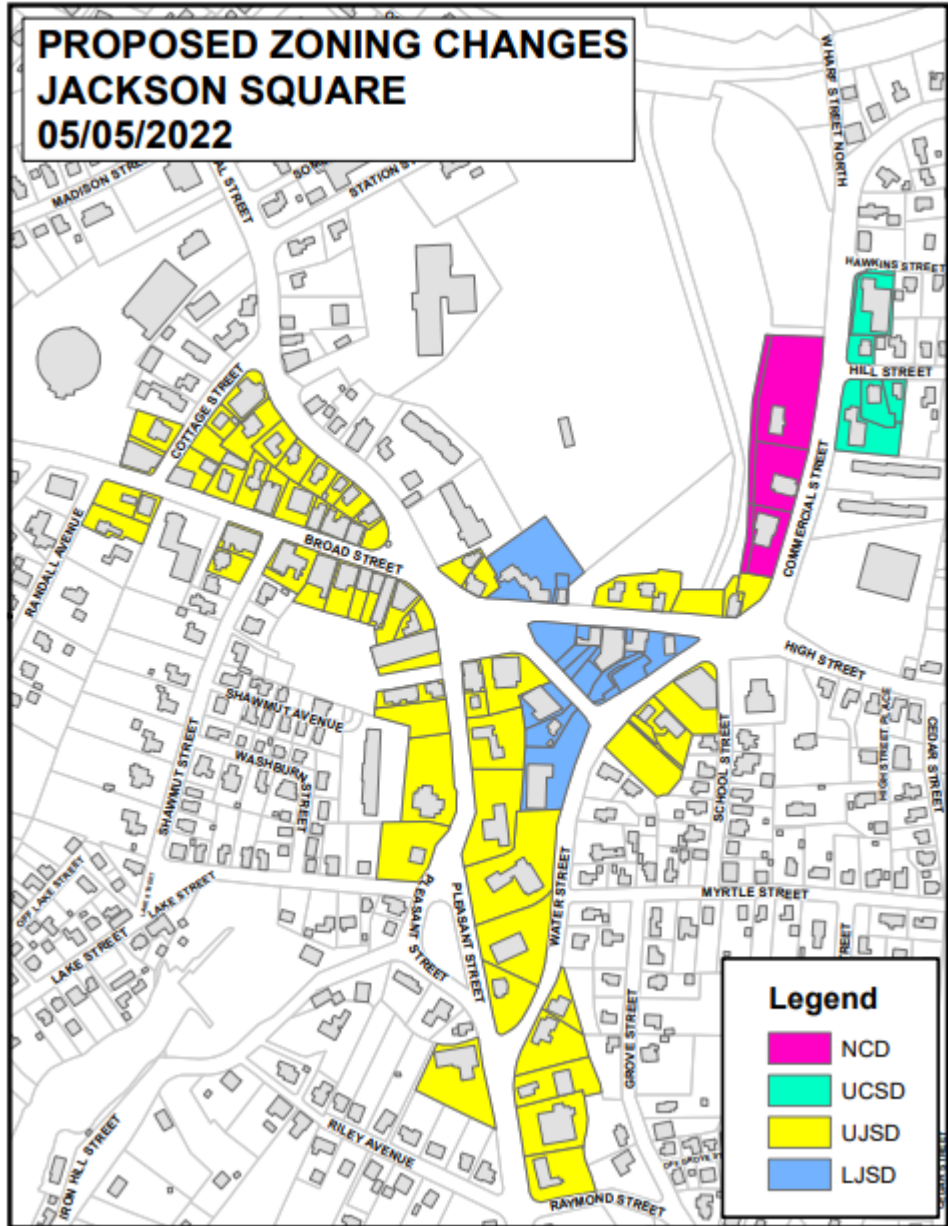
4. New construction or additions on parcels adjacent Lovell Field shall require new publicly accessible open space to the Field and provide a direct pedestrian connection from the public sidewalk on Broad Street to Lovell Field.

5. It is encouraged that the top floor of the building be stepped back to minimize massing and a cavern effect.

#### C. Criteria for Upper Jackson Square District

1. New development in the Upper Jackson Square District shall match one of the existing setbacks on either side of the property or the average of both unless a deeper setback is required for outdoor dining or retail display.

2. In this area, buildings over two stories generally have a narrower principal façade with a pitched roof. New development shall respect this pattern in the building form and massing.
3. It is encouraged that the top floor of the building be stepped back to minimize massing and a cavern effect.



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MEMORANDUM

**TO:** Town Council  
**FROM:** Eric Schneider, Principal Planner   
**DATE:** May 5, 2022  
**SUBJECT:** Planning Board Recommendation - Measure 22-035 - Jackson Square

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On May 4, 2022 the Planning Board met to deliberate on measure 22 035 following Joint Public Hearings with the Weymouth Town Council on April 4, 2022 and April 19, 2022. As the public hearing had been closed following the joint hearing, no additional testimony was accepted.

The Board considered the presentation by Planning Department staff as well as the input received from, the public, Ordinance Committee, and Town Council. The main discussion points are hereby summarized:

- The Planning Board supported the addition of density allowances in exchange for the commitment that a project includes a minimum of 10% affordable units.
- The Planning Board urged that any project proposing more than three stories be held to the highest site planning and architectural standards. The Board further stressed the importance of reviewing the visual impact of any proposal from all sides.
- The Board supported the idea of having the upper floors of any proposal stepped back from the lower facades and further recommended that architectural and landscape features be utilized to soften the visual appearance.
- The Board stressed that all newly created commercial space provide safe and adequate loading areas that do not conflict with pedestrian and automobile traffic.

On the motion to recommend favorable action:

Sandra Williams: Yes  
Paul Rotondo: Yes  
Greg Agnew: Yes  
Ben Faust: Yes  
Robert Christian: Yes

The committee reviewed the changes with Director Luongo and Principal Planner Schneider.

- P3- Applicability- Proposed the option of fourth floor through special permit, not exceeding 75% of the area of the floor below. Next, upper Jackson Square area- a prior discussion with Town Council brought up the possibility of smaller spots being overdeveloped. 10,000 sq. ft. was determined as a minimum lot size. In most cases, it means accumulating 2-3 small parcels to create a workable lot.

The chair noted this was part of a long discussion; there are many lots less than 10,000. Mr. Schneider responded most are and they can't use this ordinance to do anything with a less than 10,000 sq. ft. lot. Lots would have to be combined to do it. So, for example, the owner of Justice Hardware wanted to go up 4 stories, he would have to acquire additional parcels. The building that houses the Retirement Board offices is likely less than 10,000 square feet and might be two lots. The chair noted there are buildings attached to each

other that are on 2 lots. Mr. Schneider responded that buildings there may not be attached, but are abutting. Mr. Schneider and Luongo went through upper Jackson Square to come up with the right number. Chair DiFazio added that less than 10,000 square feet is a nonstarter. Mr. Luongo reminded the committee that's how the Aeronaut project got built- the owner acquired several lots.

- P. 4- memorializing a 10% affordable housing component. The concept came out of conversation. Over 2 stories triggers commercial guidelines. In exchange for a commitment of 10% affordable units, they would consider additional density in height. In lower Jackson Square they could do a 4<sup>th</sup> floor, set back. With an affordable allowance, a developer would be able to consider by special permit an addition of partial fifth floor.

The chair noted that adding a 5<sup>th</sup> floor does nothing to add to commercial requirements. The only reason to allow it is to thank them for 10% affordable housing. More units aren't helping the town. They will never be able to meet the number for safe harbor except by land mass. This would benefit the developer, but the only benefit is showing good faith. The number of units was 750 when the housing plan was done, but has gone up since. Mr. Luongo responded they maintain that the town complies with land area of 1.5%. They would never get to the 750 with 10%. Personally, it's good public policy. There is a need in this community to provide some affordability. Many can't afford the current rents. The median is quite high for affordable guidelines- it's somewhere near \$70,000. It's good policy.

The chair responded- there is unit A at market rate, unit B affordable. Is the developer required to rent at a specific rate for the affordable? Mr. Luongo responded that it is not subsidized. If they allow a bonus in density, the developer makes it up in other areas. It does not prohibit him from making up the loss on a Section 8 certificate. The chair asked if affordability kicks in at the 4<sup>th</sup> floor? Mr. Luongo responded no, in lower Jackson Square, it's the 5<sup>th</sup> floor. In upper Jackson Square they are considering 4<sup>th</sup>. A 4<sup>th</sup> without affordability or 5 with. Councilor Belmarsh responded even if it helps 5 families, it's good. Vice Chair MacDougall noted that the number does count to safe harbor. It would be more attractive to have the top floor at the higher rent. Councilor Belmarsh noted the middle section of lower Jackson Square is more confined. Mr. Schneider added that it's good planning in this situation; revitalize an area, and create a scenario where a restaurant worker could work and live in the same area and live and walk to work.

The chair reviewed the map- the areas colored yellow can only go to 4 stories; blue can go to 5. Mr. Luongo responded that, first, they emphasize this is a zoning plan, but it's also an ecological restoration. They don't want the Herring Run area redeveloped the same as the two potentials across the street, which back onto the residential neighborhood. The zoning on its whole is downzoning- (currently, B-2 goes to 6 stories) Mr. Schneider added that it's reasonable to take some additional height rather than across the street. It would have been 3 stories by right; trigger special permit for 4<sup>th</sup> floor, stepped back and 75% of the floor below and with the affordability component.

Councilor Abbot asked why restrict just that section and not all of the yellow? Mr. Luongo responded that they heard from neighbors who about the municipal parking lot that they are concerned with height over 3 stories. They want to avoid a potential canyon effect with both sides to 4 stories. At least 3 residential properties about the lot. Will it get developed at all remains to be seen. They are comfortable proposing 3 stories. It's not aggressive zoning.

Councilor Mathews added that it seems like spot zoning the entire area, a change from the original proposal. Mr. Schneider responded that they haven't changed the map or the legend of the map; just added an affordability component and added the 4<sup>th</sup> floor, but paid attention to where it is and what it impacts. The chair added that assuming it's legal, it's great protection for the residents. He reminded them that the Shawmut Street neighbors lost out a few years ago when the Jackson Square Paint store development went in. The topography from their standpoint is the worst.

- C- lays out items for the BZA to consider. Landscaping came out of the Planning Board meeting – the step back area will be to incorporate greenery to soften the façade. Plans will be looked at from 360 degrees given topography and site lines. It leaves options open from a design standpoint.

Chair DiFazio noted the new changes are developer friendly, but at the same time, part C is the opportunity to rein them in. If they qualify for an extra floor by special permit, they can use one of the four considerations to deny it. Mr. Luongo added that if the owner of all of the blue areas comes in and proposes 5 stories on all those parcels, based on the criteria, BZA will have the right to deny it. If they can ask for 5 they will, but they have to justify it meets the criteria. The protection requires a 10% financial commitment to build that extra floor, and this will prevent small time developers. The affordability component will be in perpetuity. There is a procedure that has to be followed. Councilor Belmarsh noted that the affordability criteria adds to the protection.

- 5 no changes.
- 6- Updates to height- recaps the extra available with a commitment to affordable housing. Required parking-there are no changes. There were some discussions around shared parking, but all agree a minimum that all residential parking must be onsite. There is a possibility for shared parking or mix and match. Shared will be allowed if the development has common ownership (minimum 5-year agreements). They are not open to providing residential parking anywhere else, but shared. On street parking may be considered only for the commercial uses, and putting on notice, that if shared parking arrangement goes away, the developer has 60 days to find an alternative solution, acceptable to the BZA.

Councilor Mathews stressed his biggest concern is the parking. Language regarding T agreement before increasing density. What if the 5-yr lease goes away? We don't want to use the T lot for parking and how can they resolve it. Go by on Saturday morning when the field was built, parking was reduced to minimize impact on the herring run. Overflow parking is up and down Jackson square. His solution would be to put a garage there, or

build parking on site, but what about the people working or visiting? It can't only be for residents, but also for workers. Think about the recent issue with SSH workers parking in Columbian Square even though there is shuttle service and the impact on the coffee shop Chella's. If they increase density, they have to also increase the parking requirements. They need to look at adding language. Mr. Schneider responded that conceptually, they would never look to provide all of the retail parking offsite. At least 60% of the parking for retail would be onsite, and shared parking agreements for the rest. Mr. Luongo responded they will have to provide parking for all residential, either within the building or on an adjacent owned parcel. The Chair commented that effectively knocks everyone out in upper Jackson Square. The developer will have to provide some of their spaces for the commercial uses. Councilor Abbott noted that the ultimate goal in Upper Jackson Square is combining lots to develop. Mr. Schneider added that the limited factor in all of this is the limited process. Councilor Belmarsh added that it doesn't all fall on the developer. Parking is a problem even without a developer coming in. The municipal lot needs to be made more accessible. She wants to see what the town suggests to increase usage of that lot. In the Iron Hill Park, Pope Towers residents currently park there. Mr. Luongo noted it will be enhanced, but it won't be the parking lot that it is currently. Pratt Library also has parking available that might be used. Mr. Luongo reported they were looking at a grant due in the Fall to study traffic (a lot generated by through traffic to other points), signalization and parking. Several of the developers (Messrs. Metri, Papachristos, Toma and Gratta), have conditionally agreed to contribute to fund the study, so the goal now is not to pursue the state grant and work with the donors. A consulting firm has been engaged to create the scope and cost. There are a lot of other moving parts with other properties. These opportunities will all be explored in tandem with this proposed zoning. No way do developers want to create a project with parking deficiencies. There will not be any parking relief in any of these developments, just as there weren't with the Weymouth Landing projects.

Chair DiFazio asked if the employees of first-floor restaurants will be considered commercial or residential in terms of parking. Mr. Schneider responded that no parking is provided for the workers or employees; however, the ratios are consistent with historical data and what is established in neighboring communities and based on number of seats. The chair continued that all parking for residential uses must be provided. The parking is tied so tight they can't develop. Mr. Schneider added that this wasn't done intentionally. The chair added that he would like to see retail with residential above, but that possibility is eliminated because they won't be able to satisfy the parking in Upper Jackson Square. Mr. Luongo added that the vision isn't to get every parcel developed into three stories, nor do they want this. The vision is to have a mixed-use development where appropriate and the market will determine that based on zoning, parking requirements and the return on the investment. Where it can't happen isn't bad. He hopes that where it can happen will spur other development in the one-story buildings. They don't want every parcel redeveloped. The area is currently zoned B-2 and it isn't being developed. It isn't for the town to solve the developer's problems. There are opportunities. The chair added that some relief will have to be accommodated. There is leftover parking in the municipal areas. Mr. Schneider summarized that what is needed then, is the study to determine where the parking needs are, how the traffic moves, etc. Vice Chair MacDougall asked if

it will be similar to what was done in Columbian Square. He asked if the town is interested in combining spot lots for municipal parking areas. Mr. Luongo responded that parking can be added, but it's expensive. It can be explored when the study is done. If they understand the needs, they could entice the private sector. Vice Chair MacDougall added that there isn't enough parking in his opinion. Municipal lots would benefit a lot of the public. Mr. Luongo added there is an agreement to use the MBTA lot on nights and weekends for the soccer fields, and will build a walkway from it to the fields over the Herring Run. It will take some of the pressure off the area parking. The bridge connection should be started this summer. The town has a lease agreement. Councilor Mathews pointed out that it will be used by the field users and developers of Jackson Square in the language (p7). He read the language from the proposed zoning. Mr. Schneider responded that it is one of the distinctions made in this review. Councilor Mathews added that it isn't convenient for business patrons in inclement weather. The Parks Dept. already has an agreement, that the Council hasn't seen, to use those spots for soccer, and now they are offering the same for developers. Mr. Schneider responded that it was put in as a suggestion; they can take it out. Councilor Mathews pointed out they do not want to come back in a year to have the zoning second guessed. He suggested language that the workers have onsite parking as well in the lower bowl of Jackson Square. Mr. Schneider also suggested that owners could also enter into their own parking agreements with the MBTA. They should look at a percentage of parking should have to be dedicated for commercial. Councilor Mathews suggested 1.5 parking for residential, but a parking section for the upper and lower square might have to be considered.

The chair noted there are several developers who are lobbying for more than 3 floors on upper Jackson Square, and his hands are tied because of parking. Mr. Luongo responded that he isn't precluded from purchasing other spots to be able to accommodate the parking. He used Columbian Square as an example and pointed out how they managed to work jointly with another property owner to work out a solution between them. Mr. Schneider responded that with the parking study they might be able to come up with recommendations for other opportunities, and revisit the ordinance. Mr. Luongo also added that a developer could also request a waiver from the BZA. He has never supported a variance, but if the study says this is how it could work, an applicant can't legally be denied the right to request a variance. They cannot allow variances for uses. The code allows the community to determine what uses it will allow. Councilor Mathews suggested the municipal lot in Jackson Square must be revitalized; the developers could be incentivized to contribute to mitigation. They should come back after the study is complete. Mr. Luongo reported he has established a business stakeholders' committee and he asked for two Councilors to join to go through the study. One was done for Columbian Square, and it has proven beneficial. Councilor Mathews brought up the language on p 9, regarding loading and unloading that has been added, based on comment at the Planning Board. The committee will digest the information and reconvene in a week. Vice Chair MacDougall asked about the trash removal/dumpster requirements. Is there anything in the language? Mr. Luongo responded that all plans that are approved will have specific regulations. It can be made conditional to approval of a design plan. Mr. Luongo responded with examples from the Landing projects and what

accommodations were made. Mr. Schneider will do research on newer trash collection technologies also.

#### ADJOURNMENT

At 8:14 PM, there being no further business, Councilor Mathews motioned to adjourn and was seconded by Councilor MacDougall.

Respectfully Submitted by Mary Barker as Recording Secretary

Approved by Ken DiFazio as Ordinance Committee Chairman  
Approved unanimously on 6 June 2022