

MINUTES OF THE MYSTIC VALLEY DEVELOPMENT COMMISSION

A meeting of the Mystic Valley Development Commission (MVDC) was held in the first floor conference room at 200 River's Edge Drive (office building), Medford, MA, at 11:00 A.M. on Monday, November 28, 2016.

Roll Call

The Secretary has called the rolls:

Present: Stephanie Burke, Medford Mayor, John Savino, Malden representative, Tony Sousa, Everett representative, Gary Christenson, Malden Mayor, Mark Rumley, Medford representative

The meeting was convened at 1:00 P.M.

New Business

Election of Chair Person

Gary Christenson, Mayor of Malden was elected Chair; 5-0-0.

Election of Secretary / Treasurer

Stephanie Burke, Mayor of Medford was elected Secretary / Treasurer; 5-0-0.

Public Hearing Site Plan Review – 333-339 Commercial Street

On September 27, 2016, New Wei Feng LLC submitted a complete Application for Site Plan Approval together with plans, drawings, and elevations pursuant to the River's Edge Land Use Regulations included as a part of the River's Edge Master Plan for the redevelopment of the property. The application was for site plan review to convert the existing vacant 9,000 sq. ft. structures, currently comprised of a free standing retail use, for use by New Wei Feng LLC as a retail/wholesale restaurant food and supply business. The application called renovation of the interior, new signage, and associated site improvements at the Property. The petitioner needed relief from zoning via special permit pursuant to Sec.5.2.3 of MVDC Land Use Regulations. The MVDC held this public hearing to review the project.

Meeting Not Recorded

Mr. Paul Giannelli from the public spoke in support of the project. Mr. Giannelli noted he had shown building for past three years to mostly industrial uses that did not fit the area, including fabricators, trucking companies, and landscapers. He considered this proposal another bright spot for Malden.

No one from the public spoke in opposition to the project.

Mayor DeMaria suggested favorable action on the proposal. Mayor DeMaria noted that many restaurants in the area needed to be serviced. He considered the proposal a great project for community, and noted the significant amount of time since the space had been leased. He also noted the difficulties in the market to lease this type of space.

Mayor Burke asked about potential delivery time impacts. In particular, she expressed concerns about a 4:00 A.M. to 5:00 AM delivery time, particularly with residences nearby.

Deborah Burke, Executive Director of the Malden Redevelopment Authority, noted that she did not believe that delivery time was in compliance with the City of Malden's laws.

Mayor Christenson stated that MVDC staff would check to see if the delivery time was in compliance. He noted if the delivery time was in compliance, he would consider adding a condition augmenting the delivery time on any approval.

Mayor Burke asked if the MVDC had requested a Certificate of Good Standing from the applicant.

Nick Pernice responded that MVDC staff looked into the applicant's other businesses and found that they were in good standing. He did not have a Certificate from the State. MVDC staff would request that certificate.

Mayor Burke asked if a traffic study was performed for this project.

Deborah Burke responded that MVDC staff was still receiving details on the project up to the last minute. Ms. Deborah Burke believed the MVDC staff still needs to consider the size of trucks and the potential for future redevelopment across the street. Ms. Deborah Burke noted increased trucking and traffic could have ramifications on the recently permitted 100-student Head Start facility adjacent to this property.

Mark Rumley stated he believed the purposes of business were meritorious, but expressed concerns about potential changes to the neighborhood, and believed this was a reasonable consideration.

The status the new business being very similar to the old use was questioned.

Deborah Burke responded the current zoning is light industrial, but the project falls under MVDC land use regulations.

Tony Sousa asked if there would be any cooking on the premises.

The Applicant responded there would be no cooking on the premises.

A question was asked; are 15 cars an hour employee or customers vehicles?

Applicant responded these numbers reflected customers vehicles, and noted the facility would have 12 employees at most.

Mayor DeMaria asked if the facility would be open to the public, how many new, non-existing, employees the facility would hire, and would there be any preference to those from the Malden area. He also stated that he believed deliveries in the morning between 3:00 and 5:00 AM, before traffic increase from people going to school, would be preferred, and would allow for deliveries before customers arrive.

The Applicant responded that the facility would be open to public and would plan to have trucks come in between 4:00 and 5:00 AM. All employees would be newly created jobs, and that many would be local residents.

Mayor Burke asked if the issue should be tabled pending answers to questions.

Beth Debski asked if the dumpster located on the abutting property, be moved onto this property. She also questioned whether the use was predominately wholesale or retail as she was under the assumption this was predominately a retail use. If it is predominately wholesale, she beleives the land use regulations would need to be reviewed again, as she was under the assumption that this project would be predominately retail.

The Applicant responded that the use was predominately wholesale and not retail.

After due discussion and upon motion by Carlo DeMaria and seconded by Mark Rumley it was

VOTED: By unanimous vote, to close the public hearing on 333-339 Commercial Street.

Mayor DeMaria asked the Commission what issues need further clarification and to what date the item would be tabled.

Mayor Christenson and Mayor Burke responded that the issues of use, dumpster enclosure, traffic impactions and a tax certificate of good standing, and a consultation with the Malden Ward Councilor needed to be addressed.

Mayor Burke stated the item would be tabled until January 10th, 2017.

Mayor DeMaria expressed concern that that date would make it difficult for the applicant to access financing in a timely manner. He believed that it was not fair to the property owners or those moving into the property.

Mr. Gianelii stated that the building has been vacant for approximately three years and is run down. If the owner cannot lease or sell the property he will likely reopen the sale or lease to more intensive user. He asked that the Commission consider Mayor DeMaria's concerns.

Property, owner DeMarco, asked that meeting be moved to sooner than January 10, 2017.

After due discussion and upon motion by Mayor Burke and seconded by Mark Rumley it was

VOTED: By unanimous vote, to table the item until the next stated meeting at on January 10, 2017, or an earlier date if so determined.

Medford / Everett Land Swap

Tony Sousa briefed the MVDC on a proposal to realign boundaries between Medford and Everett within the boundaries of the MVDC. However, the boundary change would not be under MVDC jurisdiction. He noted that the boundary change went through initial survey work, received MassDOT review, and would require the approval of both the Everett and Medford City Councils. The boundary change would facilitate the City of Everett's plan to complete a walking trail. He stated this would both improve access to the public and safety services to an area along Malden River waterfront. He noted that a 19th century straightening and dredging of the Malden River for barge traffic had left this portion of Medford on the Everett side of the Malden River.

Jonathan Silverstein, of KP Law P.C., noted that in Nov 2012 the Mayor of Everett and Wynn Resorts had discussed the issue. He stated that a home rule petition to each City Council would be required to change the boundary, as neither municipality can spend money or regulate land in another jurisdiction. He

also noted the boundary would move to the middle of the Malden River, transferring approximately one and one half acres, mostly of water, from Medford to Everett.

Mayor Burke stated the City of Medford would examine the proposal.

Development Updates in Everett

Mr. Sousa gave an update to the MVDC about development in Everett. Mr. Sousa stated the City of Everett had a positive meeting with Department of Environmental Protection with regard to the reopening of a Chapter 91 (the Massachusetts Public Waterfront Act) hearing concerning the National Grid and former General Eclectic sites on the eastern side of the Malden River. He noted these properties are located in both the City of Everett and the City of Malden. Mr. Sousa stated the City of Everett is primarily seeking consideration through the Chapter 91 process to create a new bike path to compliment the Northern Strand Community Trail and development in Malden and Medford. Mr. Sousa went on to state the former General Electric Parcel is now owned by Wynn Resorts. Wynn is seeking to create a park on this land. He noted Wynn could subdivide the parcels to include some potential development opportunities. A public meeting will be held in December 2016 to discuss the program layout for the site.

4:47 Jeff Nangle maybe asked that the City of Everett keep in mind that both the National Grid and Wynn Properties will need construction easements and either easements in perpetuity or fee-simple easements to address Army Corp of Engineers requirements for the on-going wetland restoration project. Mr. Nangle stated a plan with the Army Corp of Engineers should be in place by early next year.

The Commission briefly discussed the MBTA's Focus 40 Long Range Plan's preliminary suggestion for an infill Orange Line station between Malden Center and Wellington, and the potential for a footbridge to serve both this station and this proposed development on the eastern side of Malden River in Everett.

Jeff Nangle noted that Wynn's intent is to redevelop or sell lots along Lower Broadway. The lots where original intended for research and development or light industrial uses, but now expected to be office and retail uses. Mr. Nangle also noted that Wynn is engaging with the City of Everett to develop a master plan for the area.

Mayor DeMaria stated that Wynn decided to go through municipal Zoning Board, under the City of Everett's waterfront overlay controls, rather than through the MVDC approval process.

Malden River Planning

After due discussion and upon motion by Tony Sousa and seconded by Carlo DeMaria it was

VOTED: By unanimous vote, to suspend the rules and consider planning efforts for the Malden River.

Mayor Burke proposed a resolution that would create a funding match be made for a Malden River Risk Assessment (\$15,000) and a Malden River Vision Plan (\$30,000). She asked if MVDC's infrastructure trust fund could be used to fund this risk assessment and vision plan.

Deborah Burke stated that the infrastructure trust fund, arose out of an legal arrangement when the MVDC did not have financial wherewithal to settle an eminent domain case. The funds were to have preference for a capital improvement project within the City of Everett.

It was noted that the existing agreement stated that these funds were supposed to be for infrastructure project, and this risk assessment and vision plan would be planning study and not be infrastructure improvement. Therefore, these projects must get both MVDC approval and the approval of Massachusetts Secretary of Housing and Economic Development to use the proposed funding source.

Mayor Burke suggested that while not a direct infrastructure project, this effort would be planning for future infrastructure projects.

Mayor DeMaria stated he did not want to spend the MVDC infrastructure funds on this planning project, considering the strong preference in the agreement for an infrastructure project in the City of Everett. He stated that the City of Everett may wish use these infrastructure funds at a later time. However, he stated he would be open to using other funds.

Beth Debski noted that she believed the MVDC could be the lead on these projects, and that additional grant money would be provided by the Solomon Foundation to undertake the vision plan.

Deborah Burke suggested reconstituting a Citizens Advisory Board for the MVDC to advise the decision making process and have projects like those being considered.

Mayor Christenson stated he believed that MVDC staff should go back and see what budget options are at the moment to fund the study.

Beth Debski noted a lot of planning work has been done, including a recent Lower Mystic plan by the Metropolitan Area Planning Council.

After due discussion and upon motion by Mayor Burke and seconded by Tony Sousa it was

VOTED: By unanimous vote, to review potential funding options and report back the Commission.

Adjournment

After due discussion and upon motion by Tony Sousa and seconded by John Savino it was

VOTED: By unanimous vote, to adjourn the meeting at 12:00 P.M.



Secretary