

## Zoning and Planning Committee Report for February 11, 2002

Members present: Yates (chair), Baker, Fischman, Lennon, Gentile, Johnson,

Committee staff: Baseman (Law), Finucane (Clerk's), ISD Commissioner Gilroy

39-02

Committee Action: Approve 7-0

Mr. Adams is a five-year resident of the city who was previously a Professor of Economics at the University of Pennsylvania and is now a Professor at Northeastern University. He is eager to serve the city, and has attended the re-organizational meeting of the EDC. Former EDC member Fischman moved approval of his appointment. The motion passed unanimously, and the Committee thanked Professor Adams for his willingness to serve.

128-00

Committee Action: Hold 7-0

The item had been the subject of an informal discussion before the Committee meeting between Aldermen Yates and Baker, Assistant Solicitor Baseman, and Commissioner Gilroy as to how to proceed with drafting the item. If possible, a city-wide item enforcing the state building code requirement that work in implementation of a building permit should proceed continuously if possible with a reasonable deadline for completion (two years was suggested), the administrative ability to waive it for good reasons, and appropriate sanctions including ticketing available for those who leave work half done for no good reason and without seeking city approval. The Committee voted 7-0 to hold the item until such a text could be drafted.

398-01(2)

Committee Action: Approve definition for public hearing on February 25

Three sample definitions from various texts were distributed for the Committee's consideration. Alderman Gentile felt that the one from page 135 of the Dictionary of Development Definitions seemed most appropriate for the types of uses that he and the other Aldermen from Ward Three were concerned about. He did however suggest the following changes be made. The facility should have the primary purpose of providing the listed services. This change was intended to avoid having the definition apply to other facilities that were parts of other establishments with broader purposes (county clubs, colleges, YMCA, etc.) He also suggested striking the term "game court" since the clubs with which he is concerned do not have them. Finally, he asked that the following

sentence from the commentary be added to further clarify the definition “They are usually open only to members and guests on a membership basis and not to the public at large paying a daily admission fee. The Committee agreed by consensus that this best reflected the issues raised at the public hearing, and that a public hearing on this definition should be held on February 25.

398-01

Committee Action: Approve as amended 7-0

The Committee reviewed the memorandum prepared by Lou Mercuri based on his investigations of several large clubs. Although there appeared to be a possible relationship between the number of exercise stations and parking spaces, this was uncertain since all the facilities in question also had many game courts and the Committee was trying to avoid focusing on such facilities. The maximum occupancy load proposed in 399-01 also seemed inappropriate since it would be very hard to administer and the occupancy load appeared to have little to do with the maximum number of people using a facility. It was also noted that most health clubs only reach their maximum utilization early in the morning before work or late in the afternoon after work. Such factors could be taken into account in granting a parking waiver. The possibility of making health clubs special permit uses in the Business and Manufacturing Districts, which are closest to residences, and uses of right in Limited Manufacturing (Welles Avenue) and Mixed Use (Needham Street) Districts which have large lots and are isolated from residences, was considered and discarded because it had not been heard. The Committee attempted to gain a sense of what the appropriate numbers would be estimating the impact on the West Newton lot and determining how fair and reasonable the various conclusions would be. The proposed requirement of one parking space per one hundred square feet would require more than double the amount of parking required under the current ISD determinations. That seemed unreasonably severe to the Committee. One space per 200 square feet yielded about the same number of spaces as the current determinations. That seemed too few spaces to the Committee. A point midway between the two of one parking space for 150 square feet seemed reasonable. It would require approximately 150 spaces compared to 90 for the current standard, 100 for the 200 square foot standard, and 200 for the one square foot standard as proposed. It struck the Committee that this would bring in petitioners to seek parking waivers, particularly where a case could be made that fewer spaces were needed because of the time patterns of use, the existence of adequate public parking, etc. It was not the Committee’s intent to prohibit health clubs in any district, but merely to subject them to the scrutiny of the special permit use.

In another change from the original version, the committee voted to require only one parking space for every three employees rather than one for each employee. This change would match the parking requirements for other uses.

With the changes from 100 to 150 and from One to three, the Committee approved the item 7-0.

399-01

Committee Action: No Action Necessary.;

Since this approach had been found impractical and an alternative approach approved, this item was voted N.A.N. 7-0

317-01

Held for Public Hearing on February 25

433-01

Committee Action: Hold 7-0.

This item was originally generated by the troubles one gas station with an early opening has with a neighbor. . On closer review of the section, it was noted that individual gas stations can apply to the Board for an early opening, Rather than change the citywide policy, it seemed wise to determine first if the one case could be resolved through the existing process.

submitted

Respectfully

Brian Yates

Chair

Attachments: Adams resume., Planning memo on original items, Mercuri memo on sites,  
Definition page