

MarketStreet Advisory Committee (MSAC)

Meeting Minutes

March 8, 2018

7:00 p.m. – 8:30 p.m.

Merritt Room, 600 MarketStreet

**Attendance: J. Bayer, P. Parziale, J. Fleming, S. Yerardi, A. Ferullo,
W. McKenzie, A. Mitchell (via phone conference), T. McClory, G. Covino,
J. Gioioso, B. Charville, P. Doucette**

Absent: D. Breen, R. Dalton

NEXT MEETING: THURSDAY MARCH 22, MERRITT ROOM 7:00 P.M.

1. Chairperson, Ms. Bayer, calls meeting to order
2. Agenda review, meeting goals and expectations
3. Vote on minutes from 2-22-18 meeting
 - a. Vote to approve passed
4. Discussion on state of retail and theater concept presented by WS Development and National Development at 2-22-18 meeting
 - a. Chairperson Bayer will call upon each committee member to share their thoughts on each of the following relative to the theater concept.
 - i. Risks/concerns
 - ii. Benefits
 - iii. More info needed
 - b. Chairperson Bayer will whiteboard comments of committee.
 - c. Members feedback:

Gene Covino;

- MS is too important to Lynnfield financially for us not to listen to any concept brought forward
- WS holds their properties according to Lou Masiello. I have to believe they feel this is the best long term use for the remaining space.
- There are concerns w/ future of retail – I am not sure a theater solves those problems. Need more info...
- Traffic and parking. Need more info..
- Public Safety: We heard briefly from Chief Breen, we need similar input for Fire dept. Need more
- In my opinion, we are very hung up on a “prohibitive use”, if they chose a non-prohibited use for the remaining space, we have no say (or very little), this is opportunity for a dialogue and to potentially solve issues exist with or without a theater.

Lastly and most importantly – I believe in due process for better or worse. The developer has a right w/ the proper amount of signatures to bring a warrant forward at Town meeting and every voter in town can cast their vote as they see fit.

John Gioioso;

- We as a board need to be careful of changing the variance to accommodate the request for a theater. If theater fails and the variance is changed the Landlord would have rights to use the new allowance use.
- I support my board members comments regarding issues surrounding traffic, parking, design, and finical impact to the town.
- Would Landlord consider smaller theater if studies come back and cannot support a 40,000 square foot facility with 8 screens for a total of 800 people using the building.
- I wanted to introduce a new twist to the comments already expressed tonight. What is the Landlord's intent to change the original footprint of office built to retail? We should want to know how many percent leases are in the Market Street portfolio for the landlord. A percent lease offers an additional profit center for the landlord. An office lease profit to the Landlord is driven by occupancy revenue.
- Understand the financial upswing for the town with new theater.
- Business case should have been presented to provide the board of similar properties in their portfolio that would be for the theater ask.
- Need to understand when No means No. They have already presented the new theater several times in the past.
- Concern that Landlord wants to work with the board to provide a positive approach for support of the new theater.
- How as a group are we going to provide advise to the selectman, board and the citizens.
- At the end, the will of the people will decide the faith of the new theater.

Anthony Ferullo;

- I do not think the placement of the garage at CK is a good location. Several people from Life have expressed concerns because they are at a lower grade than the garage and will be looking into the ceiling lights and up to a larger building.
- Traffic is currently a problem and will probably get worse. Smart lights might help at the entrance but within Market Street (MS) there will not be any benefit.
- The cinema will probably be the largest venue with 800 seat capacity. The traffic will come in "cluster". As movies are ending

more patrons will be arriving. I am especially concerned about the late hours on the weekend. If the cinema does have 800 people present for the last showing, they would probably be leaving between 11:30 and 12:30.

- I think we will need more police presence, especially later in the evening.
- I was also concerned about the type of movies that can be shown but Wally stated that MS is not zoned for adult entertainment.
- Parking is another concern. The garage would help but with the addition of the cinema I am not sure it helps the situation. Also, I can't imagine the mess we would have if ground was broken for the cinema and the garage at the same time. It will be bad even if they decide to build the garage first. We would lose another parking area until it is completed.
- I did not speak about the benefits of the cinema but did agree with many who feel MS has been a success.

Brian Charville;

- Mr. Charville noted that he had not been present for National Development's initial presentation on the cinema but that he had read the MSAC minutes of that meeting and read ND's PowerPoint and the media coverage that followed. He said that he was not particularly concerned by a cinema per se - that he would have the same concerns about a cinema as he would if a fitness center, bowling alley or other large active use was proposed in the center. He said that traffic and parking were significant present concerns that would only be exacerbated by a cinema. In a sense, traffic and parking problems are signs of a successful shopping center, which is good for the developer and in some senses good for the town. He views traffic as a problem mainly off-site (meaning on adjacent roads and adjacent intersections) that could be helped by traffic controls like smart signals. He views parking as an on-site concern. The buildings' and roads' locations throughout the site are not likely to change, but traffic flow and parking availability could be improved significantly. The location of any new parking, including a garage, on the site could go a long way toward helping traffic problems on site. Putting a garage at a point in the shopping center furthest from entrances would not necessarily help much. In closing, Mr. Charville mentioned a few subsections of section 9.5 of the Zoning Bylaws that could be interpreted to speak to the shopping center evolving to include a use like a cinema. Section 9.5 is the Planned Village Development (MarketStreet) District. He specifically noted subsections 9.5.1, 9.5.7, and 9.5.10

Paula Parziale;

Traffic:

- Would like to see smart signals implemented before making any type of assessment. Hopefully ND is considering this option.
- Also would like to know ND thoughts on the option of adding a lane at entrance as Chief Breen has discussed.

Parking:

- Would like to see how building 1350 affects parking before assessing.
- Obviously less space for snow, what is the plan to manage this?

Other:

- Based on info provided by Chief Breen re: Dedham theater and Dedham Police Chief (as it relates to Legacy Place) I do not have concerns of youth loitering.
- I feel it is very important to “hear” the retail experts about what they have explained about the state of retail (brick and mortar) as well as what we all know about the state of retail and store sq. footage due to internet sales.

Phil Doucette;

- Abstain from comment due to absent from meeting where ND and WS presented

Jen Bayer;

Benefits:

- I believe a benefit of a theatre is that it would contribute financially to the town
- It would offer another activity or form of entertainment for residents to enjoy close to home
- Based on WS Dev.'s presentation, sounds like a theatre is a good way to bring consumers to MarketStreet and support patronage to existing retail stores and restaurants.

More info needed:

- I would like to learn more about zoning and accepted use. What is the language that would be used and what does it allow for in terms of use?
- What would be the impact on traffic?
- What would be the impact on parking?
- What is the fiscal health and projections for this new type of theatre concept? How are similar theaters performing financially and what are their projections?
- What are the financial benefits and drawbacks to Lynnfield?

Jocelyn Fleming

Risks/Concerns:

- Although they have the right, going back on decision not to have a theater at MarketStreet
- Traffic – surrounding roads and in MarketStreet – we do not know how Building 1350 is going to affect traffic
- Parking– we do not know how Building 1350 is going to affect parking
- Rezoning to theater/entertainment – if cinema fails, could have a night club establishment or large vacant space
- Future of movie theaters is uncertain
- New place for crowds to gather
- Public safety
- Potential additional costs to town – police, fire, etc.

Benefits:

- New entertainment option for residents to stay in town
- Increased revenue to the town
- Additional draw to support restaurants and stores
- Creation of new job opportunities

More Information:

- More specific details for the proposed theater
- Ticket prices
- Establishment type
- More resident feedback – newspapers, social media, etc.
- Statistical resources for theater and retail industries (like STR reports for Hotel Industry)
- Review annual reports/financial statements of Lowes, AMC, Showcase, etc...

Sal Yerardi;

PARKING STRUCTURE - RISKS/CONCERNS

PROPOSED CPK LOCATION

- Negative feedback from residents/abutter's
- Looms over resident homes with some homes within 150'
- Causes traffic and pedestrian safety issues
- Causes noise and light issues affecting abutters
- Large footprint and height issues
- Car entry/egress and signage location create issues with abutter's
- Safety issues by parking farther away from theatre on a busy night due to restaurant/theatre patrons excessive use of alcohol

- People will circle around until they get a parking space to minimize walking distance
- People want to park near theatre and quickly and safely return to their car
- Weather is an issue if not near theatre. Legacy Place Theatre is adjacent to parking structure and has connecting overhead pedestrian walkway

PARKING STRUCTURE - BENEFITS

- Provides needed parking for theatre or for a future building in the case of no-theatre. Possibly may be needed just due to construction of 1350
- Alternate Locations behind Wahlburger's or Whole Foods being near Audubon Road would be more accessible to/from Exit 42 and should promote its use by the public
- Alternate locations behind Wahlburger's or Whole Foods eliminate most of the risks/concerns and construction and design may be more cost effective
- Residents/Abutter's prefer the Alternate locations behind Wahlburger's or Whole Foods

MORE INFO REQUIRED

- Footprint and height
- Pros and Cons of locations at CPK, behind Wahlburger's and behind Whole Foods

Anne Mitchell; (see separate attachment) Special notation: A motion was presented in a handout prepared by Anne Mitchell included in the attachment. A roll-call vote was taken once motion was seconded. Motion carried 11-1 as follows; Gioioso-Y, McKenzie-Y, Yerardi-Y, Fleming-Y, McClory-Y, Parziale-Y, Bayer-Y, Ferullo-Y, Covino-Y, Doucette-Y, Charville-N, Mitchell-Y

Wally McKenzie; (memorandum excluded per motion carried in 3/22/18 meeting)

5. Public Comment

- a. David Basile 15 Fernway; My impression was the presentation was theater 101. Was hoping to have economics validated. Parking overlap. Attendance needed. Hours of operation. Cycles. Didn't get theater 101. Bring notice and info to evaluate if theater fits. Traffic: head on as we try to go to work. Tired of cars coming head on trying to enter MarketStreet. Public safety is an issue.

- b. Joe DeMaina, Alexandra Rd.: MarketStreet was within a hair of losing vote. Joe and Wally had a secret meeting with Ted Tye saying Market Street did not need a theater so the vote passed based on their handshakes. 510 days later they came back for a theater. Don't trust National Development. They promised a back bay style center and we got a strip mall. How does this apply to a theater? We won't get what they describe. Theaters are going down the drain. Ted says he has to define what they mean by theater, watch out. Used word "should" instead of "shall" and pulled wool over our eyes. Be careful, if zoning changes this project won't be what you think. Why is it rushing through now? Because traffic will be worse when Lahey opens and they're trying to get it in before. Delay it until you know what you have. Phil Crawford said National Development will not have a warrant at least until April 2019. Theater has a 16-25 year old demographic, a concern.
- c. Stephanie Hines 6 Fernway: Need to look at history. Was really p.o.'d at Joe and Wally for selling out. No means no. Enough of this. We all want MarketStreet to be successful but have to be careful of being too successful. People don't come anymore because no parking. What is negative impact?

6. Adjourn: 8:47 p.m.