

**MELROSE BOARD OF APPEALS
MEETING MINUTES
Public Hearing
Wednesday, August 16, 2023
7:30 p.m.
Remote Meeting**

Present:

Bryan Thorp
Megan Carriere
Benjamin Rosenberg
Rita Mercado
Katherine Moore

Absent:

Curtis B. Dooling, II
Daniel Gelormini

Staff Present: Denise Gaffey, City Planner, Lori Massa, Senior Planner & Maya Noviski, Assistant Planner

The meeting was called to order at 7:31 pm.

Pursuant to Chapter 2 of the Acts of 2023, this meeting will be conducted via remote participation. Specific information and the general guidelines for remote participation by members of the public and/or parties with a right and/or requirement to attend this meeting were found on the City of Melrose's website, at www.cityofmelrose.org/remote-meetings. No in-person attendance of members of the public was permitted, but every effort was made to ensure that the public could adequately access the proceedings in real time, or in the event that we are unable to do so, on the mmtv3.org website an audio or video recording, transcript, or other comprehensive record of proceedings was posted as soon as possible after the meeting. A link was also available on www.cityofmelrose.org.

Application materials were posted to the City's website: www.cityofmelrose.org/board-appeals.

CASES BEFORE THE BOARD

23 003 – 28 Greenwood Street (continued public hearing)

The application of Greenwood Development LLC for a Comprehensive Permit pursuant to M.G.L. c.40B, s. 21 to construct an approximately 11,923 sq. ft., 5-story building with 38 residential units and convert the existing 2.5 story building into two residential units with a 1,500 sq. ft. addition and additional half-story, and 40 parking spaces on three adjacent parcels of land at 0, 28, and 54 Greenwood Street, Melrose, MA with a lot area containing 39,780 sf and shown on Assessor's Maps B13 0 81, B13 0 82, and B13 0 83. Ten of the project's units will be affordable as is required and regulated under the law. See application for exemptions claimed.

Jesse Schomer, Attorney, appeared before the Board to present the case along with the development team including Laura & Sean Szekely, Owners & Developers; Rich Williams, Civil Engineer; Dan Dumais, Traffic Engineer; Michael Smith, Geotechnical Engineer; Marc Wallace, Acoustical Engineer; and David O'Sullivan, Architect. Attorney Schomer explained that a meeting was held between the Planning Staff and the development team to discuss details pertaining to site operations since the last hearing. Feedback from that meeting was incorporated into the updated materials that were submitted to the Board.

Attorney Schomer reviewed the new materials. He noted that the Applicant received responses to both the geotechnical and civil plans from the third-party peer review consultants and is in the process of responding. Additional test pits are being conducted and results will be provided to the Board prior to the next hearing. The acoustical study was updated to include three additional data points along the property line that indicate compliance with the City's noise ordinance.

The civil plans were revised based on the peer review letters and an updated stormwater report was submitted to the Board. A cut in on Greenwood Street was added in front of the property for loading, delivery, and ride share services. Attorney Schomer explained that the team discussed installing a loading zone in the northern driveway but felt it would not be utilized and a cut in the street in the front was preferable to the developer. The proposed street trees were changed to Red Maples and Eastern Redbud to comply with the City's approved street tree list and the Applicant will explore planting Evergreen trees above the ledge cut to provide screening for the abutters on Clifton Park.

Pervious pavers were also added along the walkway in the backyard and side yard, and in sections of the exterior parking spaces. Covered cargo bike spaces were added and wall mounted bike racks will be installed along the walls of the garage. The trash room will have two, four-yard dumpsters, one for trash and one for recycling that will be placed on casters. The Operations and Management Plan indicates that the dumpsters will be rolled to the proposed loading zone in the cut out about twice per week by the building's management company, with more pickups scheduled as needed. It also includes the development's snow storage areas and information about the two visitor parking spaces.

The Applicant submitted a Construction Management Plan (CMP) which includes trucking routes and a cut-fill analysis, which predicts about 30-40 trucking days associated with the blasting. Attorney Schomer noted that neighbors will be alerted prior to blasting. The CMP also indicates that construction workers will park in an offsite lot that is owned by the Developer and will carpool to the site.

Board Members asked for more information about the outstanding items identified in the peer review responses. Attorney Schomer responded that the geotechnical issues have been substantially resolved. He explained that the peer review recommended that a long-term maintenance plan be a condition of approval, but he posited that that will not be necessary since the plans already account for sufficient protection against erosion. Mr. Smith added that there will be a mesh drape installed over the rock face, designed to hold any dislodged rock fragments against the rockface. This will help stabilize the slope and address any freeze-thaw issues, which will protect residents long-term.

One Member asked what is considered long-term monitoring for blasted sites. Mr. Smith responded that long-term monitoring involves a full visual inspection with manlifts or inspectors rappelling down to the base to review the status of the rock. This usually occurs once every 5-10 years and is typically reserved for old sites that were blasted with primitive methods, rather than newer sites that use modern day technology to blast.

Board Members voiced concern about the inability to conduct borings prior to blasting, which limits the Applicant's understanding of the geological makeup of the rockface. Mr. Smith noted that an analysis was done using the exposed rocks onsite to create requirements for how the blasting had to be performed and how the rock will be stabilized. These regulations were submitted to the Board and the peer reviewers did not find issue with the specifications. He explained that additional borings will be conducted once the site is cleared because it is too difficult to do beforehand. Members asked how the Applicant can be sure that netting will provide sufficient safety prior to understanding the subsurface conditions. Mr. Smith explained that once the site is cleared, the exposed rock face will be examined, and recommendations will be made.

Board Members questioned what will happen if the borings reveal subsurface conditions that are different than expected. Mr. Smith responded that while the subsurface conditions cannot be definitively understood without doing the borings, there are significant rock outcrops with trends that have been analyzed and reviewed. He reiterated that once the rock face is exposed, recommendations will be provided during construction to ensure safety. It was clarified that providing coring samples can be included as a condition of approval. Board Members voiced concern that if the samples are provided once the site is cleared and the results render the development infeasible, the safety of the project may be impacted.

Board Members asked how the Applicant can ensure that the site will not be over-blasted. Mr. Smith responded that the blasting will occur on a steep hillside, which will control the blast design and will most likely include smaller blasts. One Member requested that a blasting contractor explain what the approach will be and emphasized that the amount of material necessary to remove from the site is substantial. Attorney Schomer explained that the Applicant has constructed developments using blasting technologies and there will be geotechnical engineers involved from the beginning of construction. He noted that the geotechnical engineering report proposes approaches designed to ensure safety.

Members asked why the Applicant is choosing to build such a large building on a site that requires significant land alteration. Attorney Schomer responded that both the professional engineers on the development team and the peer reviewers feel that the safety measures proposed are appropriate and adequate. One Member asked how much the blasting will cost. Mr. Smith responded that the sum will not be known until a blasting contractor is hired.

One Board Member asked if the anticipated number of trucking days includes bringing materials onsite. Mr. Szekely responded that some trucks will bring in material and leave with fill. Board Members questioned how the trucks will queue, emphasizing the narrowness and busyness of the street. Attorney Schomer responded that queuing will occur at an offsite location within 1-2

miles of the development and the trucks will be coordinated via radio. The trucking routes will depend on the blasting contractor and where the material will be deposited and sourced, however, the Construction Management Plan outlines suggested routes.

One Member asked how many workers are expected to be onsite at any given time. Mr. O'Sullivan responded that it will vary depending on the stage of the project but at the peak there will be about 30-35 people onsite. One Member asked about parking for construction workers. Attorney Schomer responded that the workers will primarily park at a satellite location but there is also parking at a nearby municipal lot that may be used for short periods of time. One Board Member asked if the crane used to construct the building will remain on the property and if it will swing out over the roadway. Mr. O'Sullivan responded that it will stay onsite periodically during several different stages of construction including steel assembly, framing, and placing the mechanical equipment on the roof. The crane will not swing into the roadway. Board Members requested a plan showing the staging area.

Board Members asked Mr. Williams to review the changes to the civil plans. He explained that the stormwater catchment system at the back of the site was altered to allow infiltration and the grading and catchment area was updated to ensure that the system covered enough space. The swale was redesigned to go around the base of the ledge and discharge to the front of the site. The chambers in the infiltration unit at the front of the site were expanded and the piping and collection system was updated so there is no outflow from the trench drains to the adjacent site entrances. The walkway and parts of the driveways include pervious pavers, and a pull off was included. Additional cross sections were also provided to show the limit of the ledge removal.

One Board Member asked is there are any maintenance issues with pervious pavers. Mr. Williams explained that weeds need to be pulled from between the pavers. One Member asked if the stormwater volume calculations for the detention basin at the back of the site includes the vault. Mr. Williams noted that the system is designed as cast in place but if an intermediate wall needs to be installed, the lost volume will be accounted for by widening the system without taking away buildable area.

Board Members asked why a water flow test has not been conducted and emphasized that understanding the water and sewer capacity is important for fire suppression and safety. Attorney Schomer responded that this can be a condition of approval, which is typical for a comprehensive permit application. Mr. Williams added that the City Engineers did not believe there would be any capacity issues and due to the site's position and the size of the line, none are anticipated.

One Member asked how much snow the storage areas are designed to hold and noted that the areas are proposed near the building, which could negatively impact the integrity of the structure. Mr. Williams responded that the storage capacity will depend on the type of snow and how much it compresses when plowed but he does not expect that it will be piled too close to the building. It can also be taken offsite. One Member asked how the snow storage areas will be accessed and if the parked cars that abut the areas will be required to move. Attorney Schomer responded that the Operations and Maintenance Plan outlines a procedure for parked vehicles, which will either move or be shoveled out by the management company.

Board Members asked if turning radii were modeled to demonstrate how cars will maneuver around the garage, and the exterior parking spaces, especially around the column near the visitor space. Mr. O'Sullivan responded that the proposed conditions are typical but turning radii can be submitted to the Board. Board Members also wondered how residents will access the wall mounted bike spaces if cars are parked in the spaces in front of the racks. Mr. O'Sullivan explained that access to the wall-mounted racks will be limited if cars are parked but they could be reserved for residents renting the parking spaces in front of the wall-mounts. He noted that the columns have been redesigned, more bike racks were added, including spaces for cargo bikes, and the bike racks have been relocated.

Board Members noted that the development must provide EV chargers to comply with the new building code and asked where they will be installed. Mr. O'Sullivan responded that they can be installed along the wall of the garage. The power usage requirements will be discussed once the Applicant consults with Eversource.

One Board Member asked about the solid waste management plan. Attorney Schomer responded that the management company will wheel the dumpsters to the proposed loading zone in the right of way and back using equipment, such as a pallet jack. Board Members commented that placing the dumpsters in the loading zone reduces its usability and wondered if there is a better place for trash pickup. Attorney Schomer commented that the dumpsters will be removed in a timely fashion and move-ins will be scheduled around trash collection. However, if there is a different area that the Board prefers for trash pick-up, the Applicant is amenable to revising the plan.

One Member asked how the noise ordinance is regulated. Mr. Wallace responded that the City's ordinance puts forth a threshold limit and the project's mechanical equipment will not be louder than 40 dba. The project will also not create tonal sounds. One Member asked about the work the Applicant is proposing to conduct on the abutting conservation land. Attorney Schomer responded that the Applicant is proposing to remove the existing encroachments as a benefit to the City but if the Board determines that this is not warranted, then the encroachments will not be removed. One Board Member asked if the proposal still includes removing trees to have adequate site lines for the driveways. Attorney Schomer responded that there are five trees that need to be removed that are within the right of way.

The Board received 17 written comments including a power-point presentation, a geotechnical peer review and a civil engineering peer review, and one phone call. Additionally, Attorney Dan Hill representing the Clifton Park abutters, Turner James of Stephens Associates, Kevin Hewitt of 2 Clifton Park, Jonathen Olsen of 46 Clifton Park, Anthony Pappalardo of 37 Greenwood, and Erin Kirby of 39 Clifton Park, appeared to speak. Attorney Dan Hill presented his clients main concerns which include the noise impacts, drainage issues, sewer and water capacity, on site circulation and parking, and trash management. Mr. James provided an overview of the geotechnical report conducted on behalf of the neighbors positing that the project presents significant risk to the abutters' properties and additional exploration and evaluation is needed prior to permitting. Other concerns and comments included:

- Removal of trees
- Lack of consideration for the neighborhood

- The size of the project
- Pedestrian safety
- Holding the meeting in person
- The design of the building

Attorney Schomer commented that the Applicant is focused on working with the peer reviewers the City selected, which do not share the same concerns as the reports produced by the abutters. Board Members noted that the infiltration modeling has not been discussed and with the presence of ledge below the soil, it is important to understand how stormwater will be managed. It was agreed that it would be helpful to have the peer reviewers attend the following meeting.

Attorney Schomer requested that the case be continued to October 18, 2023. By roll call vote, all voted in favor of a continuance. None were opposed.

OTHER BUSINESS

Meeting Minutes

Mr. Thorp made a motion to approve the meeting minutes from June 28, 2023. Ms. Moore seconded the motion. By roll call members voted, 5-0, to approve the minutes.

Next Meeting

The next meeting is scheduled for September 20, 2023.
The meeting adjourned at 10:45 pm.