

**MELROSE BOARD OF APPEALS
MEETING MINUTES
Public Hearing
Wednesday, October 18, 2023
7:30 p.m.
Remote Meeting**

Present:

Rita Mercado
Bryan Thorp
Katie Moore
Benjamin Rosenberg
Megan Carriere

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 7:32 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 Mills, Traffic Engineer; Michael Smith, Geotechnical Engineer; Marc Wallace, Acoustical Engineer; and David O'Sullivan, Architect. Attorney Schomer provided a summary of the new materials submitted to the Board since the previous hearing including:

- A response to the civil peer review;
- An updated set of civil plans incorporating recommendations from the peer review;
- An updated stormwater management report with new test pit results;
- A revised Operations and Maintenance Plan with an updated trash management arrangement;
- A revised Construction Management Plan with staging information
- A sewer impact analysis surveying sewage pipe water capacity;
- A hydrant location plan and water flow test;
- A Transportation Management Plan;
- A turning analysis analyzing two interior spaces and five exterior spaces;
- A memo from GZA addressing the recommendation for a long term maintenance plan;
- A memo from the Applicant responding to outlying concerns voiced by the Board and abutters.

Mr. Williams continued explaining that additional test pits were conducted to determine the soils present on the site. Changes are proposed for the curbing orientation in the front parking lots to provide more room for cars to pull in and out of parking spots. The hydrant at the corner of Franklin St. and Greenwood St. was monitored and a hydrant flow test was conducted on the hydrant closest to the site. Results show that the water system has enough flow and pressure to service the property, and there is also a booster pump nearby. A sewer impact analysis was conducted on the sewer that the project will tie into, and results showed that there is enough capacity within the sewage pipes. The stormwater design was revised to include a catch basin and swale in the back of the site, which will discharge to the infiltration system.

Dominic Rinaldi, Engineer with BSC, explained that the Applicant's civil plans adequately respond to most of the concerns raised in the peer review memo and notes were added onto the plans regarding infiltration testing in blasted areas to ensure design parameters are met. Mr. Rinaldi suggested that the Board condition the Applicant to perform a mounding analysis if groundwater is found after blasting to ensure that the stormwater design is functional. He recommended that the Board condition that test results be submitted to the City.

Mr. Rinaldi continued explaining that the stormwater system is designed to hold the predicted volume of stormwater from a 100-year storm event. However, if the volume is greater than expected, the water will back up and overflow through oil and grit separators and through the trench drains. This could lead to the resuspension of sediments and floatables in the City system. To prevent this, Mr. Rinaldi recommended that the Board condition the installation of a backflow preventor on the oil and grit separator to prevent this from happening. Mr. Williams responded that he would be amenable to that condition, and he could design an outflow through the top of the infiltration system in the front yard.

Mark Balfe, Engineer with Haley & Aldrich, requested clarification about the proposed fill between the limit of excavation and the bottom of the building. He explained that the geotechnical review assumed that the Applicant was going to remove all the blasted rock from the site and bring in structural fill. However, the proposed plans call for clean blasted rock which may retain more water than structural fill. Mr. Smith responded that the civil plans have been updated since the peer review, and he will work with Mr. Williams to finalize the type of fill which will meet the stormwater requirements. Mr. Balfe asked if the rock will be crushed and processed onsite and Mr. Williams responded that it will be processed offsite and brought back.

Mr. Balfe also noted that the stormwater system at the back of the site is above a foundation drain so if they are connected, the chambers in the front will overflow. Mr. Williams responded that materials will be chosen that allow water to flow around the site. Mr. Rinaldi added that documentation of the type of material with corresponding test results are important, especially if material is brought onsite. The Applicant will want to ensure that stormwater will be able to move laterally rather than building up and flowing into the foundation drain.

Board Members wondered if the Construction Management Plan included provisions regarding removing and processing material offsite, including coordinating and mitigating truck traffic. Mr. Szekely explained that the Construction Management Plan is a preliminary plan so it does not include finalized details but there will be no rock crushing or processing onsite. Trucks will remove the rock offsite to either be processed, washed, and returned or other material will be purchased. Mr. Szekely noted that he will try and implement a system that reduces the number of truck trips as much as possible.

He continued by explaining that there will be three phases of construction. The first phase will include installing erosion control measures prior to demolition, demolishing the existing building at 54 Greenwood St., and clearing the site to conduct the rock borings. The results from the borings will inform the blasting plan and once the plan is finalized, the second phase will include a cycle of blasting and hauling rock offsite. Once enough area is cleared onsite, a 30 ft. laydown area at the front of the site will be used for staging. After the blasting is complete, the third phase will include establishing the building's foundation. A crane will be used to assist with the construction. It will be taken offsite once the frame of the building is erected and brought back to install the rooftop units.

Board Members asked about truck routes. Mr. Szekely explained that trucks will be directed to and from Route 1 via Franklin Street and I-95 via Greenwood Street. He noted that there will be about 30-40 trucks servicing the site every other day. Members asked if trucks will queue on Greenwood St. Mr. Szekely responded that during demolition, trucks will be parked in the large driveway cut in front of the existing house but besides that, nothing will be staged outside of the property. He also confirmed that the retaining walls on 54 Greenwood Street will be removed.

Board Members asked if the construction entrance is on the edge of the curb line. Mr. Szekely explained that it is on the property line. Once the foundation is constructed, the entrance will move to the south of the site where the garage will be located. Board Members wondered about the maneuverability onsite since it will be difficult for trucks to enter and exit in the same location as is shown on the plan. Mr. Szekely responded that the staging area will be 40 ft. deep

during blasting and 30 ft. deep once the foundation is constructed so it will be enough space for vehicles to maneuver. Additionally, the final plan may include a separate entrance and exit.

Board Members wondered about the size of the crane and if it will be able to reach the entire site from its planned location. Mr. Szekely responded that it will be a boom crane with an approximately 120 ft. reach; however, the exact size has not yet been determined. He noted that he does not believe that it will extend into or over the right of way. Board Members asked if there is a plan to communicate with neighbors during construction. Mr. Szekely responded that in the past, his team created an email listserv for neighbors, and construction schedules were sent out at the beginning of the week or at the end of the previous week. He noted that a texting system may also be established so people can receive alerts 30 minutes before any blasts. Mr. Schomer emphasized that this is a draft plan, but a condition of approval can include submitting the final to the City for review. Additionally, the Board can condition that the Applicant must hire a police detail if the right of way must be temporarily occupied during construction.

Mr. Mills provided an explanation of the turning analysis which illustrates vehicle maneuvers in two interior spaces at the end of the drive aisle and five exterior spaces. He explained that for the two interior spaces, residents will either use an unoccupied space to back in or out or will do a multipoint turn if there is no available space. With the exterior spaces in the central and northern lots, cars can pull in and out with multipoint turns. In the southern lot, a car parked in the space closest to the garage will need to open the garage door and pull into the garage to exit their space. He clarified that this used to be a visitor space, but the visitor spaces were relocated to the first two spaces closest to the street.

Board Members asked Mr. Mills to give examples of composite cars, which is the size used to model the turning analysis in the southern and central lots. He explained that most cars are composite but larger vehicles like minivans or SUVs may not fit in those spaces. Members posited that it is less likely that there will be an available space and residents will need to conduct multipoint turns. It was clarified that the turning analysis predicts 4-5 turns will be required. Mr. Mills added that residents will be familiar with the environment and their parking space, and these conditions are customary in garage settings.

Members agreed that the site is very tight and noted that there are several public transportation options proximate to the project. Members asked if the Applicant has explored eliminating some of the onsite parking. Attorney Schomer responded that the Applicant wants to maintain the project's marketability and although the project is close to the commuter rail, there are destinations that the residents may want to visit that are not as accessible with public transportation. He noted that the parking demand will not be understood until after the building is occupied but if the demand is less than the supply, the Applicant can remove some of the parking spaces. Board Members noted that projects with similar parking ratios have been approved in the past that have unoccupied parking spaces. Members felt that if the units are marketed well, having less than a 1:1 parking ratio will not prevent the units from being rented.

Mr. O'Sullivan responded that removing the parking will not alter the building's design. He noted that even though the two spaces at the end of the drive aisle are tight, it is possible to pull in and out. Board Members noted that the outdoor parking spaces have several curb cuts and

eliminating some of the parking can reduce some of the safety concerns. Members also commented that if the number of units drives the number of parking spaces, then the Applicant should consider building less units. Members argued that the current design tries to fit too much on the site and if the Applicant is unwilling to offer less parking, then it is unclear how the safety concerns will be mitigated. Attorney Schomer commented that the density fits within the neighborhood without risk to the health and safety of the neighborhood. Board Members responded that the front yard parking is an area of consternation for the neighborhood, and it is important to discuss how the front of the site is utilized, especially since allowing multiple curb cuts is a public safety concern.

Attorney Schomer continued by reviewing the Operations and Management Plan. Revisions were made based on the comments from the peer review memo and a cut sheet for the dumpster mover was included. Attorney Schomer responded to the peer reviewer's comments about the size of the trash room and emphasized that the final details for the trash room will occur once the Construction Management Plan is finalized, but the room can be expanded if necessary or a small compactor can be provided. He also noted that time limits can be set for the dumpsters in the right of way and that the Board can condition that the final Operations and Management Plan be submitted to the City for review.

Board Members asked if the Applicant can block a public parking space with private trash receptacles. Denise Gaffey, City Planner, responded that the City does not support the use of the right of way as proposed. Attorney Schomer responded that these parking spaces will not be used strictly for this project, and they could also be used as temporary parking spaces for the public. He noted that if the spaces are not occupied, the dumpsters could be brought to the cut out but if cars are parked, the dumpsters could be stationed in another location. He clarified that the Applicant is proposing that trash be picked up three times per week but will explore methods to reduce the volume of solid waste and number of pickups.

Mr. Smith continued by reviewing GZA's memo to the Board. He explained that based on the conditions of the rock and the measures included in the design of the building that consider the long-term blasting effects, a long-term maintenance and erosion plan is unnecessary. He added that techniques and safety precautions will be used during construction that render an annual plan obsolete. Mr. Balfe responded that the exact rock cut is still unclear and having a monitoring program in place on a site close to single family homes will provide comfort to residents. He noted that things can change in the field when rock that has not been exposed is exposed and having a plan covers for any unsuspected circumstances.

Board Members asked what is included in a long-term plan. Mr. Smith responded that it can include an array of information such as photo surveys, observations and notes, and drone monitoring. Members asked about the project's next steps regarding the rock explorations and about the controls that will be provided. Mr. Smith explained that after the borings are conducted, the data are provided to the blasting contractor who will create the blast design plan and implement monitoring. As the blasting is performed, a trained engineer will be in the field to make suggestions to stabilize the rock face. Each time there is a blast there will be recommendations for stabilization. The charges of the blast will be small because of the

topography. The complete rock cut will occur in two lifts and will result in an upper and lower area.

Members asked about the pre-blast survey and if it is included in the monitoring scope. Mr. Smith responded that anyone can have a pre-blast survey, which will be conducted by the Blaster. A monitoring program has not yet been designed for the project, but it will most likely include additional seismographs around the site. Mr. Smith added that GZA has designed a robust program for the Blaster and although the Applicant has not chosen a contractor, he has spoken with Maine Drilling & Blasting, which is a reputable firm.

The Board received 10 written comments and Attorney Dan Hill representing the Clifton Park abutters, Debra Newman of 8 Clifton Park, Jonathan Olsen of 46 Clifton Park, Sasha Simone of 43 East Highland Ave, and Christopher Sullivan of 49 East Wyoming Ave., appeared to speak. Concerns and comments included:

- The size and scope of the project
- Damages to surrounding buildings and infrastructure from blasting & construction
- Traffic
- Noise impacts from the mechanical equipment
- Flooding
- Parking
- Trash and snow management
- Lack of landscaping
- Number of requested waivers

Attorney Schomer responded to a question about who would be responsible for paying for damages incurred to abutters during blasting. He explained that within a 250 ft. radius, the Developer is responsible for any damage as ascertained by the pre-blast survey. He also responded to concerns about noise impacts from the mechanical equipment stating that the Board could condition the Applicant to install noise attenuation around the equipment. Members asked if residents must request a pre-blast survey or if the team will approach abutters. Attorney Schomer responded that residents will be notified about the pre-blast survey and every effort will be made for those to be scheduled. Members also asked if the Applicant is proposing any work outside of the property lines. Attorney Schomer explained that the Applicant has offered to remove the shed from the Conservation Land if the Board desires.

By roll call vote, the Board voted to close the public hearing. None were opposed. The members will convene next to deliberate on the proposal and vote within the 40 days allowed by the 40B regulations.

OTHER BUSINESS

Meeting Minutes

Mr. Thorp made a motion to approve the meeting minutes from August 16, 2023. Ms. Carriere seconded the motion. By roll call members voted, 5-0, to approve the minutes.

Next Meeting

The next meeting is scheduled for November 1, 2023.

The meeting adjourned at 10:50 pm.