

MELROSE BOARD OF APPEALS
MEETING MINUTES
Public Hearing
Wednesday, June 26, 2024
7:30 p.m.
Remote Meeting

Present:

Benjamin Rosenberg
Megan Carriere
Chris Coughlin
David Roache
Bryan Thorp

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

24 009 – 164 Essex Street

The application of Cedar Park Development LLC for a Comprehensive Permit pursuant to M.G.L. c.40B, s. 21 to construct an approximately 23,309 sq. ft., 5-story building with 76 residential units and 54 parking spaces at 164 Essex Street in Melrose on a lot containing 32,148 sf and shown on Assessor's Map C8 0 4. Nineteen of the project's units will be affordable as is required and regulated under the law.

Jesse Schomer, Attorney, Sean and Laura Szekely, Applicants, Donnie Garrity, Architect, and Rich Williams, Engineer, appeared before the Board to present the case. Attorney Schomer provided an overview of the updated project materials. He explained that windows were added to

the southern portion of the building and a wider variety of materials were used to break up the massing. The garage layout was also modified; the two parking spaces at the southern end and the hammerhead spaces were removed. A fire access plan was provided that demonstrates an ability to access the rear of the building through the garage and around the perimeter of the structure from Essex St. rather than from abutting properties. This plan was reviewed by a code consultant and Captain Jamie Gibson, Fire Prevention Officer for the City, both of whom approved of the plan. Attorney Schomer also noted that a revised list of requested waivers was provided and most of the waivers for non-zoning bylaws were withdrawn in lieu of language being inserted in the decision that states the Board's authority to preside over the local permitting process.

Board Members appreciated the revised architectural and parking layout plans. Members supported the fire access plan but recommended adding a condition of approval that the Applicant review the plan with the MBTA to ensure that access to the rear of the building will not be restricted or obstructed. One Board Member asked if the base of the building at the southern corner was open. Mr. Garrity explained that it is open but the landscaping from the abutter's property and the proposed landscaping on the subject property will screen the garage. Mr. Szekely added that once they have secured the right to use the MBTA land, the parking will be pulled back and additional screening may be added. Board Members agreed that the Applicant was responsive to the Board's comments and provided all the information that was requested.

The Board received two letters and Janine Venuti at 39 Altamont Ave. appeared to speak during the hearing. Comments included:

- There will be too much traffic generated from the project
- The units will not be affordable
- The units will overburden the school system
- The size and scale of the building is too big

Mr. Roache made a motion to close the public hearing. Mr. Thorp seconded the motion. By roll call, the Board voted 5-0, to close the public hearing.

Board Members reviewed a set of draft conditions. Members had the following comments:

- Condition 3: Add Engineering, Fire, and Police to City Department list
- Conditions 10: Add that the mechanical units shall be screened from rear abutters
- Condition 27: Edit to "The Applicant/Owner shall provide a sample board of all exterior building materials no smaller than 4'x4' and large enough to view all the building materials to the ZBA for technical review"
- Condition 34: Clarify that the Operations and Management Plan will be adhered to in perpetuity
- Condition 40: Edit so that it is clear that the next available parking space is offered to the re-tenanted three-bedroom unit
- Condition 41: Clarify that the Applicant shall be responsible for removing snow from the public sidewalks

Board Members reviewed the waiver requests and agreed with Planning Staff's recommendations. Attorney Schomer requested to withdraw the waiver request for Street Opening restrictions.

By roll call vote, the Board voted 5-0 to approve the project with the conditions and waivers as amended, except for the request to waive the Melrose Comprehensive Permit Rules and Regulations, which was denied. Voting Members included David Roache, Bryan Thorp, Benjamin Rosenberg, Chris Coughlin, and Megan Carriere.

Documents:	Phase 1 & Geotechnical Report	June 23, 2023
	Landscape Planning	April 1, 2024
	Traffic Report	April 15, 2024
	Comprehensive Permit Application	April 16, 2024
	Operations & Management Plan	April 16, 2024
	Construction Management Plan	April 16, 2024
	Lighting Plan	April 30, 2024
	Landscape Plan L1.1	May 17, 2024
	Acoustical Memo	May 29, 2024
	Stormwater Report	May 30, 2024
	Response to DPW Memo	May 30, 2024
	Civil Plans & Watershed Maps	May 31, 2024
	Fire Access Map	June 10, 2024
	Architectural Plans	June 20, 2024

OTHER BUSINESS

Meeting Minutes

Mr. Thorp made a motion to approve the meeting minutes from June 5, 2024. Ms. Carriere seconded the motion. All voted in favor. None were opposed.

Next Meeting

The next regular meeting is scheduled for July 10, 2024.

The meeting adjourned at 9:00 pm.