MELROSE HISTORIC DISTRICT COMMISSION
MEETING MINUTES
Meeting and Public Hearing
Tuesday, January 14, 2020
7:00 PM
Council Chamber, City Hall, 562 Main Street

PRESENT: Brad Hutchinson, Justine Sterling, Michael Coleman, Kevin Erb, Judith Sullivan, and Charlene Marinelli

ABSENT: Robin Peevey

Denise Gaffey, Director & City Planner, and Emma Schnur, Senior Planner, were present.

The meeting was called to order at 7:05 PM by Mr. Hutchinson.

In accordance with the Open Meeting Law, Mr. Hutchinson inquired whether anyone would be making a video or audio recording of the meeting. No one in attendance indicated that they would be making such a recording.

I. MINUTES

Ms. Sullivan MADE a MOTION to approve the minutes from December 3, 2019. Ms. Marinelli SECONDED the MOTION. All members voted in favor. None were opposed.

II. APPLICATIONS FOR CERTIFICATE OF APPROPRIATENESS AND CERTIFICATE OF HARDSHIP

Mark Carroll, 12-16 Essex Street (public hearing)

The public hearing for 12-16 Essex Street was continued from September 10, 2019. Mark Carroll and representatives were present to describe the redevelopment proposal for the site. The Applicant is proposing to demolish the existing one-story structure and construct a four-story mixed use building with 14 apartments above retail space.

The Applicant explained that he wants to create a thoughtful building that is well-aligned with Melrose's Master Plan. He wants to extend the feel of Main Street down Essex Street and create an A-class location. As much as he wants to do what is best for Melrose, his building has to be solvent and financially viable.

Robert Bell, the Applicant's attorney, explained that the proposed building meet's the City's height limitations, which have been in effect since 1952. The YMCA, Greenwood Building, and the buildings containing Edward Jones and Pepperberry are all approximately 50 feet tall. The team will work as long as possible to come up with a mutually agreeable proposal, as long as it is financially viable for the Applicant. He noted that the Planning Board unanimously approved the project.

Mr. Bell described their concerns about the fact that the Historical Commission discussed efforts to prevent the project at a public meeting without notifying the Applicant and giving due process. He read a letter from George Proakis, a member of the Historical Commission, who supports the project and disagrees with the Historical Commission's correspondence in opposition to the project. Mr. Bell also discussed misrepresentations on the part of the Historical Commission about this building and its historical significance. Kevin Carroll, son of the Applicant, described his meeting with Michael

Devonshire, an architectural historian that the Historical Commission referenced in its correspondence to the Historic District Commission. According to Mr. Devonshire, this building is not architecturally significant and does not warrant preservation.

Instead of preserving the building, the Applicant proposes to honor the history of the site by installing a plaque on the outside of the building with more details in the residential lobby. Mr. Bell explained that this quadrant of downtown Melrose has always been the highest traffic area. Essex Street is going to change within the next five or ten years. He asked if preservation of this building should be elevated over all other community goals like tax revenue, accessibility, and affordable housing.

According to Mr. Bell, if you think the proposed building is too big, then you have an issue with the zoning for the area and the Master Plan. All the other significant buildings in the downtown have height and bulk similar to this proposal. The City is committed to housing production in the downtown and transit areas as a matter of policy, and this advances that policy. There are precedents for demolition in the Historic District, including 530 Main Street and on the Melrose Co-Op Bank site. He questioned if preventing the demolition would constitute a regulatory taking and, further, if it would hold up in court.

The structural engineer has concluded that the building cannot support additional stories. He also concluded that that the buildings were constructed at different points in times in time, making it even less feasible to upgrade the existing building to code. Forcing the Applicant to maintain the building as it is places a financial hardship on him that goes beyond the jurisdiction of a local Historic District Commission. Mr. Bell read a letter of support from City Councilor At-Large Christopher Cinella.

The HDC opened the public comment portion of the evening. Jim Bennett of 45 Wentworth Road and a member of the Historical Commission opposes the project because he is worried that it sets a bad precedent. This is the kind of building that the ordinance was set up to protect and the building is fit for occupancy as it is. Wendell Smith of 36 Cleveland Street thinks you can ramp into the building for accessibility purposes and that the existing businesses are viable. Sandra Nejar of 15 Harding Court and Carolyn Cronin 22 Greenwood Street both feel that this area was a historic district before the Applicant bought the property and he should have known what he was getting into. Jane Allen of 179 East Foster Street also spoke about wanting the existing building preserved. Both Joyce Zeiner of 180 Green Street and Alana Nelson of 14 Summit Avenue would love to see this project in Melrose but not in this location.

A number of residents spoke in support of the project because of the positive financial benefits it will bring to the city. Ward 3 City Councilor Rob Stewart feels that the opportunity for economic development and smart growth associated with this project outweighs the need for preservation. He explained that he was very transparent about his support for this project during his campaign for Ward Councilor and he received a majority of the vote. Paul Ahern of 88 Ellis Farm Lane explained that all antiques are old, but not all old things are antiques that should be preserved. This project would generate at least $70,000 in taxes annually, which would support a $2.25-2.5 million debt bond. There are real needs in Melrose, specifically the need to rehabilitate Memorial Hall and the Melrose Public Library. Greg Messina of 132 Country Club Road thinks that smart growth has made the downtown more vibrant and he is in favor of increasing the tax base without having to raise taxes. From a cost-benefit perspective, you either save an old building or you get a bond or a teacher or a police officer.

Greg Sampson of 30 Morgan Street and a member of the Planning Board spoke for himself in support of the project. He works in real estate development and has been a part of dozens of historic projects and does not see this building as one that warrants preservation. He discussed his appreciation for the Applicant's willingness to work collaboratively with the Planning Board to obtain Site Plan Approval.

The Planning Board saw many benefits to this project and approved it unanimously. Doug Pippy of 354 Upham Street is a resident of Greywood Estates who has lived in Melrose for over 40 years. He supports this project because improvements made in recent years to the downtown have brought new life and energy, not to mention tax revenue, to Melrose. Dan McCarthy of 39 Otis Street agreed that just because this is an old building, that does not mean it should be preserved. He felt it is un-American to tell the Applicant what to do with his land. The building will never be more than it is now and it is not the right building to fight over.

The HDC closed the public hearing and members gave their comments about the project. Mr. Coleman explained that he is not a huge fan of the architecture but thinks the scale is appropriate for the location. He felt as though there had been deception on both sides of this project. The Architectural Access Board is very cooperative so he does not think a hardship argument can be made about accessibility. He thinks the building was purchased to take it down and fears that approving this project would set a bad precedent for the future. He believes there has not been enough effort to think about rehabbing the building.

Mr. Coleman asked if Chapter 40B was at play here. Mr. Bell responded that it would be if the HDC votes to preserve. Chapter 40B usurps the authority of historic commissions and all other local bylaws. Not having to construct parking under the building would compensate for providing the additional affordable housing units. The Applicant said that he does not know what he will do but the building will become the next Caruso's if it has to be preserved. There is currently a vacancy in the middle unit and several tenants have gone under over the years. Attorney Bell quoted the memo from Planning Staff which explains that the downtown is one of the areas where the City has decided to increase its housing stock. You cannot build affordable housing without building housing.

Ms. Sullivan agreed with Mr. Coleman that approving the demolition would set a bad precedent. Vernacular buildings like these are the hottest buildings today. Essex Street was built as a narrow, 19th century commercial street with shorter building heights and less density than Main Street. She thinks this is exactly the right building in exactly the wrong place. She did not think the full-court press was appropriate from the current and former Mayors and City Councilor. They are the elected officials and their jobs are not to elevate preservation over all other needs. They are taking the input of their constituents. Ms. Marinelli also felt like it would be a shame to knock down the building and that the HDC has been careful about where they have allowed demolitions.

Ms. Sterling recognized how emotional this proposal is for everyone. She supports a new building going up on Essex Street. She does not see as much architectural significance in this building as other people do. Mr. Erb explained that he has struggled with this because he thinks the proposal is a beautiful building. Ultimately, he thinks that preserving and protecting is what the HDC is obligated to do.

Mr. Hutchinson said that the HDC always tries to compromise. He wondered if they should vote to continue to another meeting so a compromise could be reached. Mr. Bell responded that they will work on the design as long as it takes, but he does not know how to get to compromise if we are setting the standard at demolition. He respects the HDC's guidance and he is not asking them to give that up. Chapter 40B is a very viable option and it does not have to be hostile.

Ms. Marinelli MADE a MOTION to issue the Certificate of Appropriateness for the redevelopment of 12-16 Essex Street as described in the application. Mr. Erb SECONDED the MOTION. Ms. Sterling voted in favor. Mr. Coleman, Mr. Erb, Ms. Sullivan, and Ms. Marinelli voted in opposition. Mr. Hutchinson voted present.

Ms. Sullivan MADE a MOTION to issue the Certificate of Hardship for the redevelopment of 12-16 Essex Street as described in the application. Ms. Marinelli SECONDED the MOTION. Ms. Sterling, Mr. Coleman, Mr. Erb, Ms. Sullivan, and Ms. Marinelli voted in opposition. Mr. Hutchinson voted present.

The meeting adjourned at 9:45 PM.