MELROSE PLANNING BOARD
Regular Meeting and Public Hearing
Monday, February 28, 2011
7:45 p.m.
Mayor's Conference Room

PRESENT: Richard Connolly, Anne DeSouza-Ward, Mike Cassavoy, Carla Francazio, Ed Cassidy, John Sadowski, Jack Welch, and Paul King

ABSENT: Bob Mercado

Denise Gaffey, Planner, and Matt Hennigan, Assistant Planner, were present.

The meeting was called to order at 7:50 p.m. by Mr. Connolly.

MINUTES
Draft Regular Meeting and Public Hearing, January 24, 2011
Mr. Cassidy and Mr. Connolly offered minor revisions. Ms. DeSouza-Ward MADE a MOTION to accept the minutes as revised. Mr. Cassavoy SECONDED the MOTION. All voted in favor. None opposed.

BOARD OF APPEALS
Case 11-002, 79 Sargent Street, Defasio, Stella, Hurcomb
The Applicant's Representative, Patrick McAvoy, was present to describe the application to the members. After evaluating the Applicant's proposal which included an appeal of the Building Commissioner's decision regarding the status of the property at 79 Sargent Street as a pre-existing two family use, Mr. Cassidy MADE a MOTION to send a standard letter to the Board of Appeals that noted the presence of other two family dwellings in the surrounding area. Ms. DeSouza-Ward SECONDED the MOTION. All voted in favor. None opposed.

Document: ZBA application Case 11-002

Case 11-003, 354 & 360-362 Upham Street, Carroll
The Applicant's Representative, Robert Bell, was present to describe the application to the members. Mr. Bell reminded the Board that they recently conducted a thorough review of the Applicant's proposal as a result of the Site Plan Review process. Two members of the public were in attendance to express their support for the project. After the members evaluated the zoning relief requested by the Applicant, Mr. Cassidy MADE a MOTION to send a letter to the Board of Appeals that noted that the Applicant elected to seek Site Plan Review approval prior to requesting the necessary zoning relief. After an extensive evaluation of the Applicant's proposal which included three public hearings, the Applicant's Site Plan Review application was approved with conditions on January 24, 2011. The Applicant's proposal exhibits a combination of creative site planning and innovative design. Although the variances for lot area and four principal structures on a single lot are among the key zoning relief issues to be determined by the Board of Appeals, attention has been taken by the Applicant to submit a development proposal that is in accordance with the City's zoning requirements for open space and maximum coverage. The Planning Board noted that while the Applicant is required to obtain relief for the three story configuration of the former Periwinkles building, the structure is pre-existing and does not exceed the maximum 35' height limitation. In addition, the Planning Board acknowledged the potential maintenance and public safety issues typically associated with side/rear setback encroachments in connection with the former Periwinkles building and the proposed stand alone single family. However, the Board noted the presence of an easement along the western property line, which is a mitigating factor that would preclude a similar

side setback encroachment proposal by the neighbor to the west. The proposed Upham Street development site is a unique site that includes pre-existing non-conforming uses and structures. Up until now, zoning constraints and market conditions have served as insurmountable obstacles to redevelopment. This application represents a rare opportunity to facilitate a high quality transformation of a site in great need of investment. Given the numerous unsuccessful attempts to maintain the non-conforming commercial use, we support the Applicant's residential proposal. While the change in use to entirely residential is a loss to the City's commercial base, the Board acknowledged that the residential use is more feasible in this location and vastly more desirable to the neighbors. The members recognized the Applicant for the comprehensive project information included in his submission and his willingness to work with the Board and the neighborhood on a well designed and appropriately scaled residential development. With the above comments noted, we support the Applicant's proposal and recommend granting the necessary zoning relief. Ms. DeSouza-Ward SECONDED the MOTION. All voted in favor. None opposed.

Document: ZBA application Case 11-003

Case 11-001, 700 Broadway, Malden, F.W. Webb Company
The members acknowledged that the Applicant is also on the agenda for its Site Plan Review application. The Applicant proceeded to make a combined presentation to the Board.

SITE PLAN REVIEW
a) SP-11-001, 700 Broadway, Malden (700 Newburyport Turnpike, Melrose), F.W. Webb Company (public hearing)
Judy Clark, the representative for the Applicant for the ZBA application was in attendance with Chi Man, Engineer and Applicant's Representative for the Site Plan Review application, and Andy McBeth, the Applicant's Construction Manager. Ms. Clark explained that the application involves the demolition of the former Smily Buick automobile dealership building and the construction of a new building with a gross floor area of 59,220 square feet to allow for a new commercial use, plumbing supply warehouse and showroom. Ms. Clark stated that the Applicant also has an application that went before the Conservation Commission, which was approved on February 17th. Ms. Clark indicated that the Applicant is submitting to the Mass DOT for the proposed curb cut modification included in the Applicant's proposal. In terms of the Board of Appeals, the Applicant requests a variance to allow accessory outside storage of materials necessary for the operation of the plumbing warehouse establishment. Ms. Clark indicated that the Applicant will also be seeking relief for a lower fence and a wider gate with respect to screening for the storage area.

Ms. Clark introduced Andy McBeth to provide information related to the proposed building and additional site details. Mr. McBeth stated that F.W. Webb currently maintains an existing facility at 580 Broadway in Malden approximately ¼ mile from the project site and intends to relocate and expand its operations. Mr. McBeth indicated that the new proposed facility shall include a plumbing supply wholesale warehouse, a display showroom, office space, a "self service" area for industry contractors, and a gated outside storage area at the rear of property. Mr. McBeth stated that the Applicant's proposal includes 42 parking spaces and noted the locations for customer and employee parking. Mr. McBeth stated that the impervious surfaces on the site will be reduced by approximately 20% percent. Mr. McBeth noted that the site will be able to be accessed via Broadway and Penny Road. Mr. McBeth noted that the outside storage area shall be screened with 8' fencing with privacy slats.

Mr. McBeth turned the presentation over to Chi Man to present the engineering components of the project. Mr. Man reviewed with the members the direct abutters to the site. Mr. Man noted that the site includes an easement for a regional gas transmission line (the Tennessee Gas pipeline) that cuts through

the site. Mr. Man explained that the elevations over the easement cannot be changed and nothing permanent can be built over the easement. Mr. Man stated that subsurface investigations in the area show that the soil drains very poorly and the groundwater is high. Mr. Man described the landscape buffer to be located along the Broadway frontage and explained that the existing curb cut will be closed to 32' wide. Mr. Man stated that the proposal includes the replacement of the existing sidewalk with the installation of a new ADA accessible sidewalk and a new overlay (within the project limits) on Penny Road. The Applicant's monument sign will define the main entrance. Mr. Man indicated that they do not anticipate much use of the Penny Road access to the site as the Broadway entrance is intended to be used by all patrons and delivery vehicles entering the site. In terms of stormwater, Mr. Man indicated that the Applicant is trying to keep the same drainage pattern. Mr. Man stated that the proposed rain gardens are consistent with MA DEP low impact design and will also collect roof run-off. Mr. Man stated that a 36" drainage line cuts across the site which is full of debris and is not functioning. Mr. Man indicated that this drainage line will be replaced, in addition to installing a new headwall at the wetlands located at the back of the site. Mr. Man stated that curbing and fencing will be installed along the D & R Paving property line. Mr. Man explained that the water and sewer service to the site will tie into the Malden system. Mr. Man noted that the Applicant's site and the adjacent D & R Paving site were formerly one lot, which accounts for the pre-existing D& R Paving sewer line that pumps across the Applicant's site. Mr. Man stated that this issue will be worked out by the owners. With respect to the screening for the outside storage area, Mr. Man noted that the rear of the site is wooded and screened naturally by Mt. Hood. Mr. Man stated that the elevation of the rear of the site is 6' higher than the street grade and noted that the elevation of the neighboring dwelling on Penny Road is 30' above the site.

Mr. Welch inquired regarding the types of product that are anticipated to be stored in the outside storage area. Mr. McBeth stated that the outside storage will be used to store "anything that can live outside." The products will be on palettes, approximately 4'-5' high, and nothing will be stacked. Mr. Cassavoy expressed that the proposed curb cut modification will be an improvement and noted that the Penny Road overlay may require some road reconstruction. Mr. Sadowski confirmed that the structure will be pre-engineered metal building. Mr. McBeth informed the members that the structure will be a "Butler" building in the Applicant's signature red color that will include a masonry front and canopies as shown in the application. Mr. Connolly noted the measures that have been taken as a result of the Conservation Commission application process to protect the rain gardens in connection with snow management on the site. Mr. Cassidy asked Mr. Man for more information regarding how the rain gardens will function. Mr. Man stated that the rain gardens will be vegetated and designed to filter out sediments and hold 2' of runoff during a peak storm, but will remain dry most of the time. Mr. Man stated that an under drain pipe from the rain gardens will charge into the 36" drainage line. Mr. Man discussed in greater detail the storm capacity of the rain gardens and noted that they shall resemble a grassy meadow in appearance. Mr. Sadowski inquired about ledge on the site and the potential for blasting. Mr. Sadowski noted that the elevation of the adjacent residential dwelling will preclude it from being affected by the Applicant's proposed lighting. Mr. McBeth stated that an effort was made to limit the lighting on the Penny Road side of the building and confirmed that there will be no noise after business hours. Ms. Gaffey inquired regarding the possibility of reducing the parking and noted the areas designated for "future spaces" shown on the site plan. Mr. Man explained that the paved areas designated as "future spaces" are necessary for trucks to be able to turn around on the site.

Mr. Cassavoy MADE a MOTION to open the public hearing. Mr. Cassidy SECONDED the MOTION. All voted in favor. None opposed. No one from the public was present. Mr. Cassavoy MADE a MOTION to close the public hearing. Mr. Cassidy SECONDED the MOTION. All voted in favor. None opposed. Mr. Connolly noted no waivers were requested by the Applicant.

The members inquired if any changes to the plans are anticipated as result of the complex approval process. Mr. Man noted that the Applicant intends to modify the site plan to more clearly delineate the outside storage area by positioning fencing along the perimeter of the paved area in the rear. In addition, the height of the curbing running along the D & R property line shall be increased as a result of the Conservation Commission application process and the overhead door is being relocated to the rear of the building because of a peat issue that was discovered on the site.

Mr. Cassavoy MADE a MOTION to approve the Site Plan Review application for SP 11-001, 700 Broadway, Malden (700 Newburyport Turnpike, Melrose) with the following conditions:

1. All new construction and changes to the site shall be consistent with the information delineated on the final set of plans. Any deviation from the approved Site Plan and Engineering & Architectural Drawings must be approved by the Planning Board in advance of construction.
2. If blasting is required the Applicant shall submit a written blasting plan to the Melrose Fire Department including specific procedures and plans for drilling and blasting, safety, and protection, and documentation of pre-blasting conditions of bordering properties.

Mr. Welch SECONDED the MOTION. All voted in favor. None opposed.

Document: Site Plan Review Application SP 11-001

BOARD OF APPEALS – Continued

Case 11-001, 700 Broadway, Malden, F.W. Webb Company

The members revisited the details of the Applicant's proposal related to its Board of Appeals application. Ms. Clark explained that the 8' fencing is proposed instead of the 10' fencing referenced in the zoning due to the topography of the site and the surrounding area. Ms. Clark noted that the Applicant is also proposing a wider gate that will also require relief. After the members evaluated the zoning relief requested by the Applicant, Mr. Welch MADE a MOTION to send a letter to the Board of Appeals that noted that the Planning Board thoroughly reviewed the proposal for the F.W. Webb establishment and approved the site plan at its meeting on February 28, 2011. The Board acknowledged the need for "Accessory outside storage" in conjunction with the proposed plumbing warehouse. The members noted that the proposed outside storage area was previously utilized for storage of vehicle inventory in connection with the former car dealership, which is similar to the use proposed by the Applicant, and was not detrimental to the surrounding land uses. Likewise, the Board agreed that outside storage of materials necessary for the operation of the plumbing warehouse would not be detrimental in this location assuming the storage is properly screened and the limits of the storage area are clearly identified and properly managed. Due to the topography of the site combined with the existing natural screening provided by Mt. Hood in the rear, the Board found the Applicant's proposal to install 8' fencing with privacy slats more appropriate in this instance than the 10' fencing requirement established by the Zoning Ordinance. In addition, the Board did not take issue with the Applicant's proposal for a gate wider than the 20' maximum allowed by the Zoning Ordinance given the plumbing warehouse use and presence of trucks on the site. The Board was informed that the Applicant intends to modify the site plan to more clearly delineate the outside storage area by positioning fencing along the perimeter of the paved area in the rear. With the above comments noted, we support the Applicant's proposal and recommend granting the necessary zoning relief subject to the Applicant adequately addressing any issues raised at the public hearing. Ms. Francazio SECONDED the MOTION. All voted in favor. None opposed.

Document: ZBA application Case 11-001

OTHER

Zoning Subcommittee Update

Ms. DeSouza-Ward informed the members that the Zoning Subcommittee is making progress on the draft signage amendment.

Meeting adjourned at 9:40 PM