

**MELROSE PLANNING BOARD
MEETING MINUTES
Annual Meeting and Public Hearing
Monday, March 25, 2013
7:45 PM
Mayor's Conference Room, 2nd Floor, City Hall**

PRESENT: Carla Morelli, Anne DeSouza-Ward, Ed Cassidy, Paul King, Sharon Petrillo, John Sadowski, and Jack Welch

ABSENT: Michael Cassavoy and Robert Mercado

Denise Gaffey, Director and City Planner, and Adam Duchesneau, Assistant Planning Director, were present.

The meeting was called to order at 8:00 PM by Ms. Morelli.

MINUTES

Regular Meeting and Public Hearing February 25, 2013

Mr. Cassidy MADE a MOTION to accept the minutes of February 25, 2013. Ms. DeSouza-Ward SECONDED the MOTION. All members voted in favor. None were opposed.

BOARD OF APPEALS

Case # 13-006, 18 Sharon Road, Antenori and Joyce Tassinari

The Applicant, Joyce Tassinari, was in attendance with her Attorney, Charles Gill, and her contractor, Richard Dicks. Mr. Gill explained that the Applicant would like to upgrade the existing structure to make the accommodations better for her aging father. The proposal is to demolish the existing one-car garage and construct a two-car garage with a master bedroom suite above it on the second floor. The proposal also includes the razing of the existing study to create a one story addition at the rear of the dwelling to expand the kitchen. Each of these additions creates dimensional nonconformities for the zoning district and requires the need for two separate Variances. Mr. Gill indicated that the property has been left without attention for some time now and this proposal would be a great improvement. Mr. Gill went on to note that the closest piece of the proposed changes to the neighboring property line would contain no windows and therefore should not be intrusive to the abutters. He further added that the Applicant has good relationships with the neighbors on either side of their property.

Mr. Gill also felt that the zoning regulations that are triggering the need for multiple Variances for this project would seem to indicate that almost any other project similar to this one in the City would need a Variance as well. Mr. Sadowski indicated that this is usually the case and that the Planning Board does see a number of cases that are very similar to this one. Mr. Sadowski also added that the case law would indicate support for this particular proposal. Mr. Gill then stated that this proposal will not be creating an in-law apartment at the property. Mr. Dicks added that there is an existing bedroom over the existing one-car garage and this bedroom would simply be expanded as part of the proposal. Ms. DeSouza-Ward confirmed that the Variances were required for the side yard setbacks because the existing structure is conforming. Mr. Gill indicated that the structure is currently conforming on the right side, which triggers the need for one Variance, but simply maintaining the building line on the left side while expanding the structure deeper into the lot is being interpreted by the Building Commissioner as requiring a Variance also.

Mr. Cassidy asked if Ms. Tassinari's father would move back into the dwelling after the proposed changes had been completed. Ms. Tassinari indicated that this was the case and she also added that the

first floor bathroom will be converted into a handicap accessible bathroom. While Ms. Tassinari's elderly father would sleep upstairs where there is an existing handicap bathroom, Ms. Tassinari wants to help minimize the number of times he would have to traverse the stairs over the course of a day. Ms. DeSouza-Ward indicated that she thought a standard neutral letter to the Board of Appeals would be appropriate in this case as the drawings seem to indicate that the proposal is not outrageous. Mr. Cassidy agreed and felt that a determination on the proposal should be left up to the Board of Appeals. Mr. Sadowski added that a distance of 7 feet 9 inches is probably sufficient in this case regarding the right side yard setback as the Planning Board has seen requests for distances less than that amount.

Mr. Sadowski then asked if the stairs out of the basement through the bulkhead would be retained or recreated elsewhere at the property. Mr. Dicks indicated that the bulkhead would be entirely removed and therefore there would not be a second means of egress from the basement. There was then a discussion regarding some of the language that the Building Commissioner had put in the Applicant's denial letter regarding this second means of egress. Ms. Gaffey explained that it appears the Building Commissioner was indicating that if a habitable room were to ever be created in the basement after this proposal was constructed, there would need to be a second means of egress created via a window or stairwell.

Ms. Morelli noted that the Applicant is clearly not planning an in-law apartment for this project as there is no kitchen in the plans and she inquired to the Planning Board if this should be noted in their letter to the Board of Appeals. Ms. Gaffey pointed out that if the Applicant were proposing an in-law apartment that they would need Special Permit approval from the Board of Appeals as well. Mr. Sadowski indicated that he thought the in-law apartment situation could be reiterated in the letter to the Board of Appeals possibly. Mr. Cassidy suggested to the Applicant that they may want to make the stairway to the second floor capable of accommodating some type of handicap lift if needed in the future. The Applicant indicated their proposed plans would allow for this accommodation if necessary in the future. Mr. Dicks also noted for the Board that the proposed addition would still be slightly lower in height than the rest of the existing structure.

Ms. DeSouza-Ward then MADE a MOTION to send a standard letter to the Board of Appeals. Mr. Welch SECONDED the MOTION. All members voted in favor. None were opposed.

Document: ZBA Application Case # 13-006

SITE PLAN REVIEW & AFFORDABLE HOUSING SPECIAL PERMIT

Case # 12-004, 160 Green Street, Eric Kenworthy (continued Public Hearing)

The Applicant, Eric Kenworthy, submitted a written request to the Planning Board that he would like to continue the 160 Green Street hearing to the Planning Board's next meeting on Monday, April 22, 2013 as the project team is still working with the abutters to resolve some of their concerns. Ms. Gaffey also provided an update to the Planning Board regarding the project, indicating that the Applicant has been successful in obtaining a six month extension on the agreement that he has with the landowner.

Ms. DeSouza-Ward MADE a MOTION to continue the 160 Green Street (Case # 12-004) hearing to the Planning Board's next meeting on Monday, April 22, 2013. Mr. Welch SECONDED the MOTION. All members voted in favor. None were opposed.

Ms. DeSouza-Ward asked if this was the particular project where the Applicant was proposing to make a monetary contribution in lieu of providing one affordable housing unit in the development. Ms. Gaffey indicated that this was the case. Mr. King noted that the 160 Green Street property was a tough site and a tight area. Mr. Sadowski pointed out that the grade of the driveways that were being proposed were the same as those that were approved in the original proposal from several years ago. Mr. King noted that he

had concerns about vehicles that would be exiting the site and the visibility of their site lines. Ms. Gaffey pointed out that there could be some value in getting a monetary contribution from the Applicant for affordable housing instead of having the Applicant provide one affordable unit in the project. There is a formula to determine the amount of money that the contribution should be but the Applicant has not run these numbers to this point. Ms. Morelli asked what would happen if an Applicant could not provide a unit or a monetary contribution for a proposed project. Ms. Gaffey indicated that in that particular case there would be no project as the Applicant needs to provide one or the other.

OTHER

Ms. DeSouza-Ward inquired about the 165 Trenton Street project and asked how the case was progressing through the Board of Appeals process. Ms. Gaffey indicated that the case is currently in front of the Board of Appeals but the Applicant continued the case at the last hearing. She went on to note that the Applicant will likely be withdrawing the case and selling the property as a single-family dwelling. Mr. Cassidy asked what the status was regarding the proposed project at Messengers Court. Ms. Gaffey indicated that the Applicant is still meeting with the Conversation Commission at this time, but the preliminary proposal for this particular site is for 20 residential units. Ms. Gaffey also added that the Wakefield Engineering Department has gotten involved in the process and the Applicant is still trying to resolve drainage issues with their office.

ELECTION OF OFFICERS

Ms. Morelli indicated that she was happy to continue as the Chairwoman of the Planning Board. Mr. Sadowski indicated that he would like to nominate the same Planning Board members as officers that are in the existing positions. Mr. Cassidy indicated that he is happy to continue as the Design Review Subcommittee Chairman and Ms. DeSouza-Ward indicated the same for her current position as Chairwoman of the Zoning Subcommittee.

Mr. Sadowksi then MADE a MOTION to appoint the same Planning Board officers as those who are in the existing positions with Ms. Morelli as Planning Board Chairwoman, Mr. Cassidy as Design Review Subcommittee Chairman, and Ms. DeSouza-Ward as Zoning Subcommittee Chairwoman. Mr. Welch SECONDED the MOTION. All members voted in favor. None were opposed.

Meeting adjourned at 9:00 PM.