

**MELROSE PLANNING BOARD
MEETING MINUTES
Regular Meeting and Public Hearing
Monday, September 15, 2014**

7:45 PM

Mayor's Conference Room, Second Floor, City Hall, 562 Main Street

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

ABSENT: None Absent

Denise Gaffey, Director and City Planner, and Erin Zwirko, Assistant Planning Director, were present.

The meeting was called to order at 7:50 PM by Ms. Morelli.

BOARD OF APPEALS

Case # 14-010, 83 Hesseltine Avenue, Susan Foley

Susan Foley and Tom Price discussed the Board of Appeals case with the Planning Board. Ms. Foley indicated that they currently have a single detached garage. Ms. Foley and Mr. Price would like to add a two-car attached garage. Associated interior work is the creation of a second bathroom on the first floor.

Ms. Morelli noted that the project has received support from a few neighbors.

Mr. Welch asked for clarification if the second bathroom is contained entirely within the existing home. Ms. Foley noted that it is primarily located in the area of exterior steps to the existing home.

Mr. Sadowski noted that the materials to be used on the garage addition will match the existing home. Mr. Sadowski also noted that there are two other examples in the area. He noted that the auxiliary use of a one-car detached garage will become part of the principal use. He noted that corner lots are penalized.

Mr. Sadowski asked if the project exceeds the lot coverage requirements. Ms. Foley indicated that they are below the lot coverage threshold.

Mr. Cassavoy pointed out the 4.1-foot setback that currently exists with the detached garage and would be lengthened with the addition of the attached garage. Mr. Cassavoy noted that to maintain that side of the building, particularly for the proposed attached garage, Ms. Foley and Mr. Price will need to access their neighbor's property.

Mr. Cassavoy confirmed that there was no change to the roof line of the existing home.

Mr. Cassidy asked if the 36-inch oak will be saved. It will be.

Mr. Sadowski asked if the driveway will be widened. Mr. Price indicated that the driveway would be widened to accommodate the two-car garage, but the existing curb cut will remain as existing.

Ms. DeSouza-Ward confirmed that the porch will be open, but covered.

Mr. Mercado asked how runoff drains on the property. Mr. Price indicated that it generally runs toward the road where there is a catch basin. Mr. Mercado confirmed that no grading was required. Mr. Sadowski

noted that the proposed attached garage pitches to the neighbor's property, but it is the same condition as existing.

Ms. DeSouza-Ward thought that a modified standard letter would be appropriate. She thought it would be appropriate to point out that corner lots create unique circumstances. She also noted that the attached garage would generally be in the same footprint at the existing detached garage.

Mr. Cassavoy suggested that it would be beneficial to point out the maintenance issues in the Planning Board's letter.

Mr. Sadowski also suggested that the letter should point out that the detached garage is an auxiliary use, and constructing the attached garage would make it a principal use.

Mr. Sadowski MADE a MOTION to send a letter to the Board of Appeals which indicates that the Planning Board has no objection to the application. The letter should also note that the corner lot creates unique circumstances, that the attached garage would be in generally the same footprint as the existing detached garage, and that the attached garage becomes a principal use on the property rather than an accessory use. Mr. Welch SECONDED the MOTION. All members voted in favor. None were opposed.

Document: ZBA Application Case # 14-010

Case # 14-011, 492 Main Street, Santander Bank

Ms. Gaffey provided an overview of the proposed project at Santander Bank as the applicant was not present at the Planning Board meeting. Ms. Gaffey noted that Santander Bank received approval from the Historic District Commission for a sign that is consistent with the dimensional requirements of the Sign Ordinance; however, the sign that was installed was not consistent with the approval granted by the Historic District Commission. Santander Bank was encouraged to submit a sign proposal that would require a Variance due to it exceeding dimensional requirements, but would be a better sign for the location within the Historic District and considering the existing sign band. The carved sign was approved by the Historic District Commission, and that is what is presented to the Board of Appeals. Ms. Gaffey recommended that the Planning Board issue a favorable letter.

Mr. Sadowski confirmed that the sign will be constructed out of sign foam as many signs are today and that it would have a wood grain finish. Mr. Sadowski does not believe that allowing the oversized sign would set a precedent as the existing sign band presents unique circumstances. Ms. DeSouza-Ward agreed.

Mr. Sadowski suggested that the Planning Board's recommendation should point out that much effort went into revising the Sign Ordinance and that the Planning Board prefers to not digress from the requirements of the Ordinance. However, on a case by case basis, given the condition of the fascia, a larger sign is called for at this location.

Mr. Cassavoy noted that there would have to be a seam somewhere in the sign as it is unlikely to be just once piece. Mr. Cassavoy thought that two seams would be better than one, located on either side of the lettering. Ms. DeSouza-Ward agreed that there should be two symmetrical seams.

Mr. Mercado asked if the sign is illuminated. It is not.

Mr. Cassavoy MADE a MOTION to send a letter to the Board of Appeals which indicates that the Planning Board has no objection to the application. The letter should also note that that the Planning

Board worked hard in revising the Sign Ordinance, and based on the unique circumstances of this location, a larger sign should be allowed. Mr. Welch SECONDED the MOTION. All members voted in favor. None were opposed.

SITE PLAN REVIEW & AFFORDABLE HOUSING INCENTIVE PROGRAM SPECIAL PERMIT

Case 14-003, 124-138 Tremont Street, Tremont 130 Development, LLC (continued public hearing)

Jack Wise and Tom Bucknall, of Burkhard Corporation, Ben Nickerson, the project architect, and Attorney Bob Bell presented the proposed project to the Planning Board and members of the public in attendance. Attorney Bell provided an overview of the new materials provided to the Planning Board. For the site civil engineering, water service, storm drainage, and other related elements, the City Engineer and the Melrose Conservation Commission has issued approvals for their respective jurisdictions. The Applicant has provided an updated landscaping plan and color rendering of the proposed project. The exterior design has been modified. Finally, no further modifications to the proposed parking have been considered. Attorney Bell suggested that the Planning Board could make a decision at the continued public hearing, and if there are certain unresolved issues, the Applicant would be agreeable to a condition requiring the approval of the Design Review Subcommittee.

Mr. Wise noted that the project architect modified the façade treatment on the first floor by using brick. Mr. Wise also explained that the project requires 50 parking spaces, which allows each 2 bedroom unit to have 2 parking spaces. The engineering concerns brought up at the previous hearing have been resolved.

Mr. Nickerson, the project architect, explained that the design was to be reminiscent of traditional New England design. Mr. Nickerson noted that the lower level was changed to brick. There are two transitions which are delineated by banding. The materials on the front of the building go around the building. The window pattern was revised to be a 6 over 1 lite.

Ms. Morelli inquired what type of windows will be used. Mr. Nickerson explained the windows are Harvey Vicon Classic. The windows are double hung vinyl with the muntins between the glass.

Attorney Bell introduced Linda O’Koniewski, a local real estate agent, who indicated that the project must have one parking space per bedroom. A reduction of parking would affect resale value, and it also reduces the potential buyer pool. Ms. O’Koniewski agreed with Attorney Bell that the project has two market pools: young professionals and empty nesters. Attorney Bell stated that there is an upcoming market for less parking, but that is for projects that are immediately adjacent to rapid transit. The proposed project, while transit oriented development, requires a short walk to the commuter rail, so the market that does not require parking is unlikely to be interested in the project.

Mr. Bucknall stated that he has been working with Nursery Services of Lexington to revise the landscape plan. There is now more landscaping to break up the façade. Additional plantings are proposed for the front lawn. Ms. Morelli inquired about the caliper size about the birch trees proposed for the property edge. She stated the Planning Board typically likes to see a larger caliper but being that there are so many proposed it may not be necessary. Mr. Wise indicated that he prefers larger trees.

Mr. Cassidy thought the landscape plan lacked height and substance. He suggested incorporating street trees into the project at the back of sidewalk. Attorney Bell pointed out there are a number of utilities in the front lawn, so there may be a limited number of street trees that could be installed. Ms. Gaffey noted that street trees have been encouraged on other projects at the back of the sidewalk. It certainly is an opportunity worth exploring. Mr. Cassidy thought the addition of street trees would create a more

welcoming approach to the property. Ms. Morelli thought it would set a good precedent. The Applicant agreed to consider the addition of street trees.

Ms. Morelli thought the addition of brick at the base of the building and the plantings create a more pleasant experience.

Mr. Cassidy asked if the detailing provided by the Applicant was a departure from what was previously presented. It was not. Mr. Cassidy suggested that the Applicant consider a different roof vocabulary such as a hip roof. Mr. Wise was concerned with changing the roof. He thought the peaks at the ends make it more interesting and it assists with sound attenuation. He noted that a fence would be added to the fourth story to further attenuate any sound from the rooftop AC units. Mr. Nickerson stated a flat roof would be very long, and the gables break it into sections. Mr. Cassidy clarified that the hip roof would not have to be the whole roof, just at the ends, and that Mr. Nickerson might also consider an overhang.

Mr. Cassidy stated he is pleased with the project and is comfortable with 2 spaces per unit, but he would like to see a study on the roof lines.

Mr. Cassavoy asked Mr. Wise to provide some information on acoustics. Mr. Wise stated a 42-inch fence would be installed around the units themselves on the fourth story. Mr. Wise stated that sound will be an issue for the 3 units which have roof top decks. Mr. Wise stated that he is considering other products that could be added to the fence that would further attenuate the noise. Mr. Wise thought the impact on the neighborhood behind the project would be minimal, but greater for the 3 units with the roof top decks. Mr. Cassavoy suggested consulting with an acoustical engineer.

Mr. Welch asked about the make-up air fans. Mr. Wise indicated that a small roof top unit will pull fresh air down into the hallway than to secondary handlers for each unit. Mr. Welch asked if it would be visible on the roof. Mr. Wise stated the unit has a low profile.

Ms. Morelli asked about the materials for the bulk of the building. Mr. Wise noted that the materials provided to the Planning Board did not print correctly, and there would be clapboard around the building.

Ms. DeSouza-Ward inquired about the parking and what makes a project like Oak Grove Village different. Attorney Bell and Ms. Gaffey noted that a project like Oak Grove Village is immediately accessible to mass transit and makes a difference in the number of parking spaces. Attorney Bell also noted for that particular example there is a premium to park in the underground garages, which is why the surface parking is always full. Mr. Wise indicated that the economics and demographic of their target market is different from a project like Oak Grove Village. Ms. Petrillo asked if the Applicant has abandoned the plan to market the parking spaces differently from the units. Mr. Wise indicated the units would be sold with parking spaces.

Peter Lasaffre, 188 Vinton Street, expressed concern regarding the rear of the building. From his neighborhood, he will see the top floor and the roof. Mr. Lasaffre appreciated the fence that would be installed around the roof top units. He appreciated the suggested for an acoustical review.

Mr. Sadowski noted that if there is line of sight, there is likely a noise issue. Ms. Morelli stated it is difficult to access noise at the schematic level. It is a good issue for the Design Review Subcommittee to consider.

Mr. Sadowski stated it is difficult to assess both sides of the parking issue. Mr. Welch and Mr. Cassavoy agreed. Ms. Gaffey stated that the challenge is that the significant effort that went into rezoning the

corridor and the consideration that was given to parking ratios during the rezoning effort. Ms. Gaffey did express that the location is different from where Oak Grove Village and Stone Place are located. Ms. Gaffey stated that the Applicant's parking layout locating all of the parking to the rear of the site is preferred.

Ms. Petrillo is concerned about the assignment of spaces. Mr. Wise indicated that the Condo Association documents would indicate that the spaces could not be further rented out. Ms. Petrillo suggested that the unsold parking spaces should be converted into open space or that each unit is sold with 2 spaces. Mr. Wise indicated that much of the guest parking has been eliminated, and there is no location where guests can park overnight in the area. Ms. DeSouza-Ward agreed with Ms. Petrillo's suggestion that the approval may be conditioned that if parking spaces are unsold or unassigned, it converts to open space. Ms. Gaffey noted that snow would be stored onsite in 3 parking spaces which are also the guest parking spaces. Mr. Wise noted that of the 50 parking spaces, 3 are also designated as handicap spaces. The 50 parking spaces breaks down as 2 spaces for each 2-bedroom unit or 42 spaces, 1 space for the designated affordable 2-bedroom unit, 1 space for each 1-bedroom unit or 4 spaces, and 3 guest spaces.

Ms. Morelli asked about snow storage. Mr. Wise indicated snow would be removed if it cannot be accommodated onsite.

Mr. Mercado inquired about the sewer main, water service, and the infiltration system. Ms. Gaffey noted that the City Engineer has reviewed and approved the proposed project.

Mr. Mercado inquired about the retaining wall. Mr. Wise noted that the retaining wall is a versa-lock wall, and will be a short wall.

Mr. Morelli asked about site lighting. Mr. Wise directed her to the first submission. Ms. Morelli was comfortable with the site lighting.

Mr. Sadowski asked about the 10 percent grade shown on the exit driveway. Mr. Wise noted that the grading is required for the compensatory floodplain storage. Mr. Sadowski did not have a concern with the grading, but pointed out that it was steep.

Mr. Cassavoy MADE a MOTION to close the public hearing. Mr. Mercado SECONDED the MOTION. All members voted in favor. None were opposed.

The Planning Board considered the conditions for the project. Ms. Morelli indicated that the Design Review Subcommittee would be responsible for reviewing further noise attenuation, landscape design, roof design, façade materials and colors, and the windows. Ms. DeSouza-Ward indicated that the snow storage condition needs to be more specific. She suggested that snow storage should be within open space areas or hauled off premises. Ms. DeSouza-Ward suggested a condition related to the parking that spaces are only assigned to unit owners, transferrable between unit owners, or used for visitor parking. Ms. Petrillo agreed that the spaces can only be transferrable between unit owners.

Ms. DeSouza-Ward MADE a MOTION to grant the waiver requests. Mr. Cassavoy SECONDED the MOTION. All members voted in favor. None were opposed.

Mr. Cassavoy MADE a MOTION to allow a multifamily use within a nonresidentially zoned area with a design review special permit for a 26-unit condominium building with 50 parking spaces. Mr. Welch SECONDED the MOTION. All members voted in favor. None were opposed.

Ms. Morelli and Mr. Sadowski voiced concerns that providing only 1 space for the 2 bedroom affordable unit is unequitable and not in keeping with the spirit of the Affordable Housing Incentive Program Section of the Melrose Zoning Ordinance. Ms. Gaffey provided confirmation that affordable units must be comparable in size, number of bedrooms, materials and parking to the market rate dwelling units per Section 235-73.1 of the Melrose Zoning Ordinance. Mr. Wise agreed to provide 2 parking spaces for the 2 bedroom affordable unit and reduce the number of visitor spaces to 2.

Mr. Welch MADE a MOTION to approve the site plan review subject to the conditions that were discussed. Ms. DeSouza-Ward SECONDED the MOTION. All members voted in favor. None were opposed.

Ms. DeSouza-Ward MADE a MOTION to grant the special permit for the affordable housing incentive program. Mr. Mercado SECONDED the MOTION. All members voted in favor. None were opposed.

Documents: 130 Tremont Street, Additional Information, dated September 11, 2014
Sheet L-000, Landscape Plan, dated June 25, 2014 (OPCD Date Stamp of September 11, 2014)
Sheet C2, Site Plan, dated June 23, 2014, revised September 12, 2014
Letter to Denise Gaffey, City Planner, from Peter Odgren, Hayes Engineering, dated September 11, 2014
Letter to Denise Gaffey, City Planner, from Andrew Street, City Engineer, dated September 15, 2014

OTHER

Case 08-007, 37 Washington Street, WP East Acquisitions, LLC

Carolyn Zern, representing WP East Acquisitions, LLC, Rob Del Savio, project architect, and Attorney James Ward presented the request to the Planning Board. Ms. Zern explained that Building E was planned to be rehabilitated for residential use. Recently, the building has been assessed and it was found that the building cannot be reused primarily due to the window locations and dimensional considerations. Ms. Zern indicated that the Applicant is requesting a minor modification of the Decision to demolish the building. At a later date, the Applicant will return to modify the site plan approval. She explained that the Applicant prefers to demolish the building at this time due to risk management and financial considerations.

Mr. Sadowski stated that the end result is not a minor modification but it is significant. He asked if the process would be the same. Ms. Gaffey indicated that the modification process would be the same, although the scope would be limited in nature. There will be no change to unit counts or parking spaces. The primary changes are architectural and landscaping. Ms. Petrillo inquired if the Planning Board can modify the decision. Ms. Gaffey indicated the Planning Board could and that the City Solicitor agreed. Ms. DeSouza-Ward agreed that the review would be limited as the Planning Board has already made some findings.

Ms. Zern explained that the proposal would switch the bulk of Buildings E and F. Building F would be larger, mimicking Building A. Building E would be smaller. The unit counts remain the same and parking counts remain the same. Ms. Petrillo asked if bedroom counts remain the same. Mr. Del Savio explained that a few of the 3 bedroom units would be reduced to 2 bedroom units. Ms. Zern indicated that there would still be 8 affordable units. Mr. Del Savio indicated that Building E would be 3 stories.

Mr. Mercado asked if the building footprints would be the same as originally proposed. Mr. Del Savio noted that it is approximately the same. Building E would be shorter, and Building F would be larger.

Ms. Petrillo asked if the Applicant had proposed demolition initially would the project still be as of right. Ms. Gaffey indicated that it would have been. Ms. Gaffey also noted that Building E is not identified as historic in the Ordinance or by the Massachusetts Historical Commission.

Ms. Petrillo asked if the abutters would be notified. Ms. Gaffey indicated that prior to demolition, notifications would be sent out. Ms. Petrillo asked if there had been notification for that night's meeting. Ms. Gaffey stated no, which was agreed to by the City Solicitor.

Mr. Sadowski asked about the sequence of events. Ms. Zern noted that the Applicant needs to approach the Massachusetts Historical Commission to modify the existing Memorandum of Agreement.

Ms. Petrillo asked if there is any anticipated contamination. Ms. Gaffey noted that the building had been used for administrative offices so it is unlikely. Ms. Zern indicated that there is an environmental insurance policy for the project.

Ms. Merilli confirmed that the building is not designated as historic by the Massachusetts Historical Commission.

Ms. DeSouza-Ward asked for a timeline of the demolition process. Ms. Zern indicated that demolition would happen as soon as possible, and following demolition, the Applicant would begin the public review process. During demolition, materials for the public review process would be prepared. Ms. DeSouza-Ward asked what the property would look like post-demolition. Ms. Zern indicated that it would be fenced. There is no basement so there would be no pit. Mr. Cassavoy asked if any material would be put down to level out the ground. Mr. Del Savio indicated it would be either gravel or stone. Mr. Sadowski indicated that dust should be controlled.

Ms. Morelli suggested that the construction fence be installed with a decorative scrim.

Mr. King asked about the construction of Buildings E and F. Ms. Zern indicated that the buildings would be constructed simultaneously.

Mr. King stated the whole area should be fenced. Ms. Morelli indicated that only the front of the fence needs a decorative scrim.

Ms. DeSouza-Ward MADE a MOTION to approve the minor modification of the Decision for Case 08-007 to allow for the demolition of Building E subject to fencing the property, abutter notification, leveling the site with crushed stone, and returning to the Planning Board for review of the revised plans. Mr. Welch SECONDED the MOTION. All members voted in favor. None were opposed.

The meeting adjourned at 10:35 PM.