

**MELROSE PLANNING BOARD
MEETING MINUTES
Regular Meeting and Public Hearing
Monday, November 17, 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

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.

MINUTES

Planning Board Regular Meeting and Public Hearing, November 26, 2012

Mr. Mercado MADE a MOTION to accept the minutes of November 26, 2012. Mr. Welch SECONDED the MOTION. All members voted in favor. None were opposed.

Planning Board Regular Meeting and Public Hearing, October 27, 2014

Ms. DeSouza-Ward MADE a MOTION to accept the minutes of October 27, 2014. Mr. Mercado SECONDED the MOTION. All members voted in favor. None were opposed.

Design Review Subcommittee Meeting, October 3, 2012

Mr. Sadowski MADE a MOTION to accept the minutes of October 3, 2012. Mr. Welch SECONDED the MOTION. All members voted in favor. None were opposed.

Design Review Subcommittee Meeting, October 20, 2014

Mr. Sadowski MADE a MOTION to accept the minutes of October 20, 2014. Mr. Welch SECONDED the MOTION. All members voted in favor. None were opposed.

Zoning Subcommittee Meeting, October 27, 2014

Ms. DeSouza-Ward MADE a MOTION to accept the minutes of October 27, 2014. Mr. King SECONDED the MOTION. All members voted in favor. None were opposed.

Mr. Cassidy arrived at the meeting at this time.

BOARD OF APPEALS

Case # 14-016, 389-393 Franklin Street, Barlo Signs

Donald Reed, Barlo Signs, and David Jenks, owner of Domino's, discussed the proposed sign with the Planning Board. Mr. Reed indicated that the existing internally illuminated sign and awning will be replaced with an updated sign that is consistent with Domino's corporate standards. The logo will be slightly altered. Mr. Reed indicated that the sign would be externally illuminated with gooseneck lamps. All of the proposed lighting will be shielded. The proposed sign has a reduced profile. Mr. Reed believed it would be an improvement to the façade. The sign is before the Board of Appeals as the property is within a residential district, although the business district is immediately adjacent. Mr. Reed passed around a color rendering of the proposed sign.

Mr. Sadowski thought the proposed sign was an improvement. He advocated for a positive recommendation to the Board of Appeals. Mr. Cassidy agreed, and stated that the graphics were good. Mr. Cassidy asked if the lighting would be incandescent or LED. It will be incandescent.

Mr. Sadowski asked if the existing brackets would be reused. Mr. Jenks stated it was likely that the brackets would be reused.

Ms. DeSouza-Ward noted that the Zoning Subcommittee is considering moving the property at 389-393 Franklin Street into the adjacent business district. If the proposed sign complies with the sign requirements for a business in the downtown area, it is likely that the rezoning will render the sign conforming. Mr. Reed indicated that the sign does conform to the requirements for signs in a business district.

Mr. Mercado asked if the lettering is larger. Mr. Reed noted that a different typeface will be used, and it occupies more space. Mr. Mercado also asked if the lettering is reflective. It is not.

Mr. Sadowski thought the Planning Board should issue a positive recommendation to the Board of Appeals. The Applicant has represented that the sign is conforming for a business district, and due to the proposed rezoning, the sign will be rendered conforming for the location. Mr. Welch and Ms. DeSouza-Ward agreed.

Mr. Sadowski MADE a MOTION to send a positive recommendation to the Board of Appeals. Ms. DeSouza-Ward SECONDED the MOTION. All members voted in favor. None were opposed.

Document: ZBA Application Case # 14-016

Case # 14-017, 9 Nelson Road, Jonathan Akland

Jonathan and May Akland presented their proposed project to the Planning Board. Mr. Akland indicated that the proposed addition will accommodate a new kitchen plus an expanded bedroom and bathroom upstairs. The property is a corner lot, and the project encroaches on a rear setback, which appears to be a side. The lot is also undersized.

Mr. Cassavoy noted that undersized lots are a common occurrence in Melrose. Mr. King noted that the proposed addition will not encroach further into the setback than the existing house. Ms. Petrillo noted that the project is similar to the Albert Street project reviewed at the October meeting.

Mr. Mercado asked about the proposed bulkhead. Mr. Akland explained that the bulkhead is allowed within the setback as long as it remains under 4 feet, which it is.

Mr. Sadowski MADE a MOTION to send a standard letter to the Board of Appeals noting that the proposed project maintains the existing lines of the house and the property is undersized and a corner lot. Mr. Cassavoy SECONDED the MOTION. All members voted in favor. None were opposed.

Document: ZBA Application Case # 14-017

SITE PLAN REVIEW AND SLOPE PROTECTION SPECIAL PERMIT

Case 14-004, 40 Aaron Street, Francis L. Gordon (public hearing)

Attorney Bob Bell, Fran Gordon, Linda and Bill Murray, and Kevin Fleming were present at the meeting to discuss the proposed four-unit townhouse project with the Planning Board. Attorney Bell indicated that the property has 64,000 square feet. The property is level and is a large lot for Melrose. Attorney Bell noted that the property could support more density than what is proposed. The townhouse project has already been downscaled. Attorney Bell indicated that the property is zoned for single-family homes on 7,500-square foot lots, and could accommodate 5 or 6 lots with a new road. Attorney Bell noted that during meetings with the Planning Staff, the Applicant determined that the townhouse use and the layout would have less impact on the neighborhood.

Attorney Bell noted that Aaron Street is the last street in Melrose when heading south on the Fellsway, and the property abuts the Middlesex Fells Reservation. The current use is a single family residence with a number of outbuildings. The structures are in disrepair. The proposed project is a four-unit townhouse building. A Homeowner's Association would be established to take care of maintenance. Due to the usual layout of Aaron Street, the project may need a frontage variance from the Board of Appeals. The townhouse use requires a special permit from the Board of Appeals.

Attorney Bell noted that there will be some topography alteration which triggers the need for a Slope Protection Special Permit. The proposed project minimizes the disturbance to the protected sloped areas. The location of the townhouses is set back on the property where the visibility will be minimal. The existing tree canopy will also be preserved. The proposed project has been engineered to control stormwater. There will be a reduction of runoff resulting from the proposed project. With unsurfaced structures, the storage capacity will be higher, and the engineer continues to seek out ways to increase the storage and reduce runoff.

Attorney Bell indicated that there will be negligible traffic impacts during the peak hours. The Applicant has requested a waiver of the traffic impact study. Snow will be stored onsite. Due to the size of the project, it is eligible for pickup of trash and recycling by the City if the bins are brought to the curb at Aaron Street. The developer will have to make a decision whether to go with City pickup or contract for private pickup. Regardless, trash and recycling bins will be stored in the individual garages. There is no communal dumpster. External site lighting will be shielded.

Kevin Fleming, engineer at Cyprus Design, indicated that the proposed project will utilize the existing curb cut at Aaron Street. The proposed 18-foot wide driveway has been located to avoid sections of slope and ledge outcroppings. The townhouses are located on the most level portion of the lot. Currently, the driveway reaches a high point and then descends. There would be no change to that layout. There is an increase of impervious surfaces due to the project. Mr. Fleming indicated that there will be crushed stone infiltration areas located along the driveway and at the end of the driveway. Additionally, StormTech underground infiltrators are proposed around the townhouses. Roof leaders will direct runoff into the underground systems. Mr. Fleming indicated that test pits will be scheduled in the next two weeks. The design is based on the assumption of Class A soils, which will infiltrate well. A conservative approach has been taken, and the system is oversized. During a 10-year storm event, there will be no outflow from the project. Mr. Fleming noted there are no drainage controls on the property currently. Grading onsite will mimic existing grades and terraced retaining walls less than 4 feet in height will be incorporated to reduce grading needs. Attorney Bell noted that the amount of rock removal will be minimized.

Mr. Gordon indicated that his firm is a design-build firm. The proposed building will be wood-frame construction and will be sided with red cedar shingles. The building will be 29 feet tall. Each unit will

have three bedrooms and a two-car garage. The building will not have any basements. Underground utilities will be brought to the site.

Attorney Bell explained that rock removal will be required for the project. However, no blasting will be required. It appears that the rock could be removed by equipment. If not, the Applicant will use chipping. At Aaron Street, chipping will be required to excavate a trench to bring upgraded utilities onto the site.

Ms. Morelli indicated that the Applicant has submitted a complete application. She noted that the Department Heads meeting was held during the previous week, during which the Applicant received feedback. However, the City Engineer still must complete a thorough review. Ms. Gaffey indicated that the Applicant was aware that a second public hearing would likely be required due to the timeframe. Discussions at the Department Heads Meeting included: needing to verify the city utilities in Aaron Street; further details on the connections to sewer and water; and confirmation that the building needed to be sprinkled. The Health Department had no concerns.

Mr. King explained that he visited the site prior to the meeting. He was surprised at the size of the property. The sloped areas are not severe but they will need to be addressed. Mr. King directed the Applicant to be careful where the test pits are dug due to the rock. Mr. King stated concerns for the far east end of the property. Due to the topography of the property, the Applicant must be sure that the rock is retained properly. Mr. King asked if back up power is necessary for the sewer pump. It is. Attorney Bell clarified the need for a sewer pump; it is due to the topography of the property. At Aaron Street, gravity will take care of the waste. Mr. King pointed out that sewer and water will be in the same trench. He indicated that a 10-foot separation is required. Mr. Fleming noted that the copper water line will be encased in a PVC sleeve.

Mr. Mercado noted that there is a 7-foot grade change in the areas proposed for rock removal. Attorney Bell noted that the rock is already creviced, and the chipping will encourage the rock to break apart. Mr. Mercado asked if an environmental analysis has been completed for the property. He noted that the bank may require it. Attorney Bell indicated that the property has only ever been used for a single family home. There is nothing in the property's history that leads him to believe there is a risk of contamination.

Mr. Cassavoy asked if there was adequate water pressure for domestic use and for fire suppression. Mr. Fleming indicated that the City Engineer will be reviewing the city utilities for that information. Mr. Fleming indicated that there is a 2-inch water line coming up the hill from Washington Street. Mr. Welch asked if gas would be brought to the site. Mr. Gordon indicated that gas is available in Aaron Street.

Mr. Cassidy stated it is difficult to assess the impacts on abutters. There is significant tree cover in recent aerial photos. To assess the impacts, it would be helpful to have additional information on the abutting properties such as structure locations. Mr. Cassidy noted that the application materials are deficient in that there is no context for the project. Mr. Cassidy also noted that the building appears massive because the walls are entirely flat. He thought the project could be improved by offsetting the units. The floor plans are generally good, as is the provision for a two-car garage. The architecture is pleasant but it is heavy. Mr. Cassidy also thought the exterior lighting selections needed to be less ornate, and should not use LED bulbs due to the residential setting. Mr. Cassidy thought the building's placement on the site was successful.

Mr. Sadowski agreed with Mr. Cassidy. He suggested that cross sections of the property with the building rendered would be helpful to assess the impacts. Mr. Sadowski asked what percentage of the sloped areas on the site need to be used. Mr. Fleming estimated that it was about 10 percent. Mr. Sadowski

understood the need for sprinklers for the building. He also thought that the use of the versa-lock wall was more appropriate for a highway setting. Other options may be better for the residential setting.

The public hearing was then opened for public comments.

Alderman Gail Infurna, 198 Boston Rock Road, indicated that Attorney Bell had answered many of the concerns that she heard prior to the public hearing. Alderman Infurna asked where the snow would be stored onsite. She is concerned about melting and the impact on drainage. She is satisfied that each unit would have individual trash and recycling bins rather than a dumpster. A two-car garage is satisfactory and will accommodate parking. Alderman Infurna noted that Aaron Street is used as a cut through, so she thought the waiver of the traffic study should be reconsidered and perhaps the City has some informal data. She stated that blasting versus chipping is a tough decision; however, she would like to see the impact on the neighbors minimized. Alderman Infurna's major concern is drainage. More impactful storms are happening on a more regular basis. In the past, there has been flooding on Aaron Street which has been addressed. Her concern is the eastern portion of the property.

Dick Keane, 16 Baldwin Avenue, stated the project is sited very close to his backyard. He stated that even a single story building would look down on his backyard. He is surprised that four townhouses could be built on the property even with the need for variances. His main concern is drainage.

Tricia Keane, 16 Baldwin Avenue, understands the property is large and has concerns about visibility. She and her family use their backyard and it is visible from the property due to the topography. She also did not think that it would just be empty nesters moving in.

Ed Allen, 39 Aaron Street, noted that his home has a fieldstone foundation and has always had a dry basement. His concern is that any blasting or vibration would impact his foundation. He would like to see a survey completed prior to blasting. Mr. Allen stated that the driveway access to the property is tough due to it being at the right angle in Aaron Street. He has concerns about the flow of water from the subject property.

Joe Greene, 18 Aaron Street, asked if the townhouse proposal is the definitive plan. Ms. Morelli indicated that the application in front of the Planning Board is for townhouses.

Ken Brown, 290 Washington Street, indicated that there is a brook that flows from 40 Aaron Street. However, it's been covered with soil. The brook overflows and water comes from the southeast corner of the property.

Wade Collins, 304 Washington Street, has concerns with drainage. Mr. Collins also stated that he is home during the day and any blasting or chipping will be an issue for him. He stated that the townhouse proposal is not consistent with the neighborhood.

Chris Rowbottom, 300 Washington Street, explained that the brook is culverted under Washington Street. Mr. Rowbottom has a similar opinion as his neighbors who have spoken. His basement is also dry and would like to remain dry. He has concerns that the snow will be plowed toward the southeast corner of the property and will melt down the hill. He is concerned with the visibility of the project. Mr. Rowbottom noted that based on the square footage of the property the single family home proposal may work, but the amount of rock to be removed would be cost prohibitive. Mr. Rowbottom asked that the test pits be marked as there may be soil in some areas but it could be all rock in others. Ms. Morelli noted that the location of the test pits will be strategic to avoid rock.

Elizabeth Dill, 300 Washington Street, completed some research on the deed for 40 Aaron Street. She indicated that some portion of the property appears to be owned by the DCR. Ms. Dill provided the documents to the Planning Board.

Laurie Woychick, 294 Washington Street, is pleased that the Planning Board requested renderings. Her concern is that snow melt will drain onto her property. She wondered if the proposed chipping does not work, will the developer have to come back to the Planning Board. She also asked about the subdivision process.

Adele Dean, 17 Aaron Street, stated that it appears the townhouses are sited in the appropriate location. She stated that a drainage study completed by a professional must be submitted. She has seen flooding on Aaron Street so she is concerned about drainage. Ms. Dean is concerned about the abutting DCR property. She also asked about the relationship between Willowdale, LLC and Willowdale Development, LLC. Ms. Morelli explained that the drainage study was completed by a professional and that the City Engineer will review it.

Janet Runge, 11 Aaron Street, is concerned about drainage because she does get water in her basement. Ms. Runge noted that there are many underground springs in Aaron Street and there is flooding during storms. She is concerned about disruptions to these springs during construction. She asked if there will be a new road. Ms. Morelli indicated that is a shared driveway and the address would likely be 40 Aaron Street and each unit would have a unit number.

Peter Sartwell, 10 Aaron Street, is concerned about the traffic flow as there are turning restrictions on the Fellsway. New residents will have to travel a circuitous route to get to Aaron Street. It is also difficult to drive up Aaron Street during the winter. Mr. Sartwell suggested that the project needs another access driveway.

Chris Rowbottom, 300 Washington Street, expressed concern that having to haul trash bins to Aaron Street would not be preferable for the residents and a dumpster would be used instead. Mr. Rowbottom asked if a study on property values would be completed. Ms. Morelli indicated that a fiscal impact study is not required for a project of this size.

Seeing no other members of the public who wished to speak, Ms. Morelli asked Attorney Bell to address some of the straight forward comments.

Attorney Bell reiterated that a dumpster would not be used. The City is obligated to pick up trash and recycling due to the size of the project or the Homeowner's Association will have to pay for private pick up. A decision has not yet been made. City pickup would result in lower condo fees. There will be no outside storage.

Regarding the question that some of the property may be owned by DCR, Attorney Bell indicated that the title search was clear.

Ms. Morelli asked about the process for removing rock. Ms. Gaffey noted that the Planning Board could include a condition regarding returning to the Planning Board. Attorney Bell indicated that blasting is regulated by the Fire Department. Prior to blasting, a survey of the adjacent properties is completed and a bond is posted that could be drawn upon if there are any issues. Blasting is expensive and is not totally

controllable. It is anticipated that only rock at the crest of the driveway will be removed with chipping. Should a subdivision do forward, significantly more rock will need to be removed.

Attorney Bell indicated that the soil testing would help the engineer assess how much more retention on the property could occur. The project team is looking for additional storage and retention. Soil testing will occur before Thanksgiving.

Mr. Mercado asked where the test pit locations would be. Mr. Fleming indicated that test pits will occur throughout the site. Mr. Mercado asked that the elevation of the rock be provided. Mr. Fleming indicated that the test pit logs would be comprehensive.

Mr. Sadowski noted that the single family alternative would require subdivision approval. He thought that it would be more impactful, yet the slope protection ordinance would still apply. Ultimately, he thought that the townhouse proposal in front of the Planning Board would be less impactful. Mr. Sadowski thought that the test pits wouldn't necessarily confirm the location of ledge, but would be supportive of the drainage design.

Ms. Morelli asked the Applicant to address snow storage. Mr. Fleming indicated that snow would be pushed to either side of the driveway. At the building, snow would be pushed to the side. Ms. Morelli stated that the revised site plan should show delineated areas of snow storage.

Ms. Morelli noted that the Applicant needs to provide more context for the project. That includes providing the location of abutting structures, a cross section of the site, and showing where any culverts or brooks are on the property. Mr. Fleming indicated that he cannot know the location of everything when it comes to water onsite. He stated that for the drainage design he would look at the site and where water goes when it hits an impervious surface. The proposed project will not increase runoff from the site.

Mr. Cassavoy thought that the building was flat and that he agreed with Mr. Cassidy's earlier suggestion of staggering the units. Mr. Gordon indicated that there would be a large impact to the sloped areas. Mr. Cassavoy indicated that there are other ways to do it with color and texture and encouraged Mr. Gordon to rethink the design.

Mr. Cassidy asked if new information could be posted on the website. Ms. Gaffey indicated that it could.

Ms. Morelli summarized the additional information that is requested of the Applicant:

1. Provide the percent of the impacted slopes;
2. Add the snow storage areas to the Site Plan;
3. Complete percolation tests and test pits prior to next meeting;
4. Complete a hydrant flow test on the water main prior to next meeting;
5. Provide a locus plan to give context to the project;
6. Provide a cross section of the property;
7. Extend topography across property lines for context on the Site Plan;
8. Revised building elevations addressing the comments about the massing of the building;
9. Proposed revisions to the exterior lighting plans;
10. Show the building footprints of adjacent buildings on the site plan;
11. Provide revised site plan and building elevations in electronic format for posting on the website;
and
12. Plan a site visit with the Planning Board

Attorney Bell also indicated that there is no connection between Willowdale, LLC and the Applicant, which is Willowdale Development, LLC. There is also no connection to the DCR.

Ms. DeSouza-Ward MADE a MOTION to continue the public hearing to December 15, 2014. Mr. Cassavoy SECONDED the MOTION. All members voted in favor. None were opposed.

Documents: Site Plan Review Case 14-004, 40 Aaron Street
 Slope Protection Special Permit Case 14-004, 40 Aaron Street

ZONING SUBCOMMITTEE REPORT

Ms. DeSouza-Ward gave a brief overview of the proposed zoning amendments and noted that a formal presentation will occur at the December meeting. At present, the plan is to rezone the existing BC Districts at the stations to BA-1, which is the current zoning for Melrose's downtown, with some tweaks. Ms. DeSouza-Ward indicated that the Wyoming area is already BA-1.

Mr. Sadowski asked if it will be an overlay. It will not.

Ms. Gaffey noted that the upcoming Zoning Subcommittee meeting is scheduled for December 3.

The meeting adjourned at 10:30 PM.