

MELROSE PLANNING BOARD
MEETING MINUTES
Regular Meeting
Monday, February 24, 2020
7:45 PM
Cassidy Conference Room,
City Hall, 562 Main Street

PRESENT: Anne DeSouza-Ward, Paul King, Robert Mercado, Carla Morelli, Sharon Petrillo, John Sadowski, Greg Sampson & Jack Welch

ABSENT: Mike Cassavoy

STAFF PRESENT: Denise Gaffey, Director, Emma Schnur, Senior Planner & Lori Massa, Planning Coordinator

The meeting was called to order at 7:50 PM by Ms. DeSouza-Ward.

RECOMMENDATIONS TO THE BOARD OF APPEALS

Board of Appeals Public Hearing on March 11, 2020

Case 20-003, 159 Forest Street, Zdenek Frank Jurik & Irina Jurikova

Applicant Frank Jurik appeared to present the case. He explained that he has two children and another one on the way. The house is more than they can handle financially. They would like to stay in Melrose and subdividing the lot to build and live in a smaller house would allow them to do this. The property does not have grading issues. He received signatures from several neighbors who are not opposed to the proposal. One of the direct abutters that did not sign the petition is older and Mr. Jurik spoke with her son. The other said that they would not support it but would not proactively be opposed. Mr. Jurik showed the members a list of the frontages of the other lots on the street. He said that all of the properties with large frontages have slope issues and would not be able to be subdivided.

A member asked if he would construct the house and Mr. Jurik said that he would hire Millbrook Homes to construct the house.

All of the members found that the proposal to create a small lot with a modest house on it that otherwise meets the dimensional requirements has some benefits. They explained that is type of development creates smaller housing that helps fill the regional housing shortage and provides more affordable options as compared to a typical single-family house. However, members had varying opinions on how this type of development should be permitted.

Some members expressed that it would be better to amend the zoning ordinance than grant a variance for lot area and frontage for this property. A zoning amendment could provide opportunities to create smaller lots and modest houses in certain circumstances without the need for variances.

Other members did not object to granting the variances for the proposal for a variety of reasons. The proposed house is modest and meets all of the other dimensional requirements. The land is flat, whereas the other larger lots in the area have topographic challenges. Additionally, the majority of the lots in the area have similar sizes and frontages as is proposed.

If the variances are approved the Applicant will need to return to the Planning Board for Subdivision approval.

Mr. Sadowski MADE a MOTION to recommend that the Board of Appeals consider these opinions along with the information provided by the applicant and abutters at the public hearing in making a determination on this case. Mr. Welsh SECONDED the MOTION. All members present voted in favor. None were opposed.

Documents: ZBA Applications, Case 20-003

Case 20-004, 40 Hancock Street, Seaside Legal Solutions, P.C.

Representative Lauren Weeks appeared to present the case. She explained that the request for a 24 foot wide curb cut is proposed so that three 8 foot granite pieces could be removed and no granite would have to be cut. She showed a photograph of two vehicles parked in the driveway and they did not overhang or obstruct the sidewalk. Ms. Weeks explained that the denial letter incorrectly stated that the property was in the UR-A district and that is why the zoning district is listed incorrectly on the application form.

The Board members pointed out that the driveway and parking regulations are the same for the UR-A and SR-A districts and therefore the type was inconsequential.

Members were supportive of the proposed curb cut if the opening was reduced in width to 20 feet or less. The extra four feet of curb cut is not needed and may in fact provide an opportunity for vehicles to damage a retaining wall to the right side of the driveway. The distance to the intersection and backing out of vehicles across the street from other driveways are not ideal; however, due to the circumstances that the driveway exists, there is no other place to install a driveway on the site, slow turns are required at the intersection because of the angle of the streets, and the streets are residential in nature, it would be a better condition to install a curb cut. The curb cut would provide the property owners with clear access to the driveway and pedestrians better visibility of it. The curb cut should be installed to City standards.

Mr. Sampson MADE a MOTION to recommend that the Board of Appeals approve a curb cut that is reduced in width and constructed to City standards. Mr. Mercado SECONDED the MOTION. All members present voted in favor. None were opposed.

Documents: ZBA Applications, Case 20-004

Case 20-005, 116-158 Essex Street, LCB Senior Living

Jason Fredette from Poyant Signs appeared to present the case. He said that the purpose of the sign is to identify the entrance of the building. The material is a muted metal that complements the architecture of the building. The sign's proposed size works proportionally with the building.

Members did not recommend approving the sign as proposed. They found the sign's size to be excessive especially considering that it faces the parking lot and a residential neighborhood. It would not be effective for directing people to the site. To capture the attention of people on Essex Street it would be more appropriate to have a sign that faced the street.

Some members said that they were not opposed to the halo lighting.

The Board's Design Review Subcommittee would be willing to meet to work with the Applicant to discuss a plan that addresses the desire for better signage for identification and wayfinding in a way that is sensitive to the surrounding residential neighborhoods.

Mr. Sampson MADE a MOTION to recommend that the Board of Appeals deny the signage as proposed. Ms. Morelli SECONDED the MOTION. All members present voted in favor. None were opposed.

Documents: ZBA Applications, Case 20-005

DEFINITIVE SUBDIVISION PLAN

67 & 73 Lovell Road, Bradley J. and Kristen P. Schreck

Attorney McAvoy appeared to present the case. The Applicant changed the lot lines in response to the Planning Board's comments when making a recommendation to the Board of Appeals on the variance application. The number of setback variances was reduced to one for the 67 Lovell Road garage. The Board of Appeals attached a condition to the variance approval that required an easement for maintenance placed on 73 Lovell Road along the western lot line that allows for space in order to maintain the east side of the garage. The easement has since been recorded. The proposal is a subdivision and not an ANR because the lots do not have sufficient frontage and lot area. The Applicant did not have any issues with the conditions in the staff report.

The Board appreciated that modifications were made to the plan to reduce the degree of the Variances requested. One member pointed out that the new driveway on the other side of 73 Lovell Road could potentially cause conflicts with the existing driveway directly across the street. Also, when there are fewer open parking spaces, there are fewer areas where a car can turn into to allow an emergency vehicle to pass. He explained that Lovell Road was initially designed with a number of shared driveways and as more and more are converted to private driveways, safety issues may result.

Mr. Mercado MADE a MOTION to open the public hearing. Mr. Sampson SECONDED the MOTION. All members present voted in favor. None were opposed. No one appeared to speak.

Mr. Mercado MADE a MOTION to APPROVE the Waiver for frontage. Mr. Welsh SECONDED the MOTION. All members present voted in favor. None were opposed.

Mr. Mercado MADE a MOTION to APPROVE the Subdivision with the conditions listed in the staff report. Mr. Sampson SECONDED the MOTION. All members present voted in favor. None were opposed.

Documents: Subdivision Application for 67 & 73 Lovell Road
Staff Report dated February 20, 2020

SITE PLAN REVIEW & AFFORDABLE HOUSING SPECIAL PERMIT

Case 19-006, 99 Washington Street, Oak Grove Mill, LLC
Continued from the February 10, 2020 hearing

Ms. DeSouza-Ward gave a background of the history of establishing the Smart Growth Overlay District. The rezoning was a long, thoughtful process that involved receiving grant money and hiring a consultant. The decision was to incentivize mixed use development through an FAR bonus and parking reduction but not require it. In the 2008 report from the Planning Board to the then Board of Aldermen there was a half of a page on the topic. No one has requested to amend the zoning district. She said that she would still encourage some commercial space in the proposed development but wanted to be clear on what the regulations allow. A member questioned if anyone would include commercial space if it is not required and the example of 2 Washington Street was given which has a physical therapy office on the first floor and residential units above.

Ms. Gaffey addressed a question about how Windsor at Oak Grove was permitted. It was a complicated project because the property had three zoning districts and required a lot of variances. One district was a business district and the proposal included retail from the beginning. The square footage of retail was reduced as a settlement to an appeal of the permitting decision.

Attorney David Lucas also discussed the history of the Smart Growth Overlay District that included the 2004 Master Plan and 2006 Smart Growth Task Force. He reviewed the purposes of the Overlay District and the fact that developers rely on the by-right uses in the zoning ordinance when determining if they are going to do a project. Multi-family housing is allowed by-right in this district.

Mr. Lucas discussed the proposed parking ratio and how it is already lower than that required. They are not in favor of reducing the number of parking spaces. They would provide other amenities for transportation demand management. They would provide 191 bicycle parking spaces when only 7 are required, and provide for bicycle sharing and first-month MBTA passes. The other projects in the area have 1.55 parking spaces per unit. If those parking lots have 80% utilization that would mean that the parking ratio should be 1.24, which is what is proposed for this development.

At the 2008 joint hearing with the Planning Board and Board of Aldermen, infrastructure, flooding, and parking for commercial uses were brought up as concerns. Also at the

neighborhood meeting for this development people were concerned about potential customers parking on the residential streets.

There have been no requests to change the ordinance after the developments in the zoning district were approved. Also, the newer Rail Corridor Overlay District used the Smart Growth Overlay District as a model because it was deemed a success. There was one amendment to the Smart Growth District that removed a few commercial uses and did not change the by-right allowance for multi-family. If the City wants commercial here, there should have been a zoning change.

Architect Nancy Ludwig explained the changes to the plan that address comments that they heard in the public hearings. The driveway and parking area in the front yard was reconfigured. The new plan allows for more open space and two more parking spaces. The patio area was expanded by the beech tree. The open space on the southern side would contain layers of activity including a serpentine wall with a bench and dense plantings behind it that would shield view of the parking lot.

They approached local retailers and found that they would be open to establishing a shop here if there were 10 to 15 dedicated parking spaces for them. These could work with shared parking for visitors of the apartments.

The revised plan included a small retail space in the north tower and a community space in the south tower. This will require constructing a new entry for the residential entrance next to the north tower. The windows on the front of the towers would become doors. They are not seeking historic preservation tax credits so these changes are possible. This would not decrease the number of residential units. The north tower was previously the residential entrance and south tower was storage. The retail space would be less than 500 sf and community space would be greater than 600 sf.

Civil Engineer Brian Jones said that he would have responses to the City Engineer's memo by the end of the week. They would be able to address all of her comments. A member asked if there will be any onsite stormwater infiltration. Mr. Jones said that there will be a packed crushed stone area in the back of the site. There is a significant decrease in runoff from the site. The roof drains are currently tied into the system and that would be maintained. Regarding item 45 in the memo, they can adjust the grade to make sure that there is no ponding in the parking lot.

Traffic Engineer Elizabeth Peart addressed item 18 in the City Engineer's memo about the highest crash location which is at the intersection at the corner of Pleasant Street, Stone Place and the driveway to 99 Washington Street. All of the crash data points in the area are below a threshold of concern. Mr. Jones said that the original plans for Stone Place showed this intersection as one-way. They can review the intersection and provide more information. There are agreements for the shared driveways and utilities and that can be provided.

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

City Councilor Shawn McMaster thanked the developers for making a good faith effort to offer tangible benefits to the neighborhood. He read the letter that he submitted that included photos of the area across the street from the project, which does not have a sidewalk.

Ward 3 City Councilor Rob Stewart said that he has received concerns from residents in his ward about cut through traffic. They are concerned about adding additional traffic during the morning commute. Also, he is an avid cyclist and asked about additional on-street parking which would make it more dangerous to cycle on this narrow street.

Members of the public that spoke included Finn McSweeney of 160 W Wyoming Avenue, Ellen Katz of 70 Lynde Street, Janine Venuti of 39 Altamont Avenue, and Rick Greski of 23 Brazil Street. Comments and questions included the following – if mentioned more than once the number of times is in parenthesis:

- The public hearings have been productive.
- The City should capitalize on the ideas generated and experiment with retail in the area with for example a Washington Street Festival with food trucks. This would get people out to meet each other and encourage walking.
- More people should be walking in this area.
- The changes to the project have been positive.
- It is a good move to go to all electric for the apartments' HVAC to reduce reliance on fossil fuels.
- The Smart Growth District encourages LEED or other green building accreditation. The developer should work with the City to get incentives to seek certification.
- Having businesses here is important. Businesses and jobs were here and are now gone. The state is seeking more mixed use development. The retail space is small and it will be hard to make it if there is just one commercial use. A floor could be added to the building to keep the number of residential units and have commercial on the ground floor.
- The developers took the neighborhood's concerns into consideration.
- The sewer lines are still a concern and the City needs to do the work planned on the pipe to the south of the development.
- No one obeys the stop sign and that is why the intersections are dangerous to cross.

The Planning Board had the following comments and questions. The responses from the applicant team are below.

- There is no street parking in front of the site. Parking is allowed on the southbound side farther up the street. Figure 4 of the parking study shows the street parking and this would be not change. If people park on the street it would be an enforcement issue. On the northbound side there is a bus stop but it does not stop here often because it is close to Oak Grove Station and people typically would walk rather than take a bus one stop.
- Can a fire truck access the front parking lot?
 - Yes. The turning radii can be shown on the plan.
- Will there be recycling? The trash room is small.
 - Yes.

- The community and retail spaces are a good addition to the plan.
- Is a food truck still part of the plan?
 - They cannot commit to a food truck. They do not want to have competition for the retailer. They could do it if there was demand for it.
- Should there be a sidewalk on the southbound side of Washington Street?
 - Ms. Gaffey explained that the City has explored putting a sidewalk there. There are slope issues and it would hard to clear. The City rebuilt the sidewalk on the northbound side of the street and designed the crosswalks to direct people to it. There are only a few homes that do not have easy access to the sidewalk.

Ms. Gaffey explained that the City is committed to do the sewer repair work as planned. Inflow and Infiltration funds will be used to do the work. It is very disruptive to replace a sewer line that is deep in the ground and close to the MWRA waterline. Mr. Jones said that unless the pipe is sagging relining the pipes is the best solution.

The Board requested responses to the outstanding items in the City Engineer's memo and revised architectural and site plans that show the changes presented during the meeting.

Mr. Sampson MADE a MOTION to continue the public hearing to March 23, 2020 at 7:45PM in the Cassidy Conference Room. Mr. Welch SECONDED the MOTION. All members voted in favor. None were opposed.

Documents: Site Plan Approval and Affordable Housing Special Permit Application, Case 19-006
Staff Report dated January 24, 2020
Memorandum from the City Engineer dated February 7, 2020

NEXT MEETING

The next Special Meeting is scheduled for Monday, March 16, 2020, at 7:45pm.

The next Regular Meeting is scheduled for Monday, March 23, 2020, at 7:45pm.

The meeting adjourned at 10:25 pm.