

MELROSE PLANNING BOARD
MEETING MINUTES
Special Meeting
Monday, May 4, 2020
7:45 PM
Remote Meeting

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

ABSENT: None

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

The meeting was called to order at 7:40 PM by Ms. DeSouza-Ward. Attendance was taken by roll call.

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the Melrose Planning Board was conducted via remote participation to the greatest extent possible. Specific information and the general guidelines for remote participation by members of the public and/or parties with a right and/or requirement to attend this meeting was found on the City of Melrose's website, at www.cityofmelrose.org. No in-person attendance of members of the public was permitted, but every effort was made to ensure that the public could adequately access the proceedings in real time. An audio or video recording, transcript, or other comprehensive record of proceedings was posted on the mmtv3.org website as soon as possible after the meeting. A link was also be available on www.cityofmelrose.org.

Meeting access information was found at the following link:
www.cityofmelrose.org/remote-meetings .

APPROVAL OF MINUTES

Planning Board Meeting Minutes March 30 & April 13, 2020

Mr. King MADE a MOTION to accept the meeting minutes from March 30 and April 13, 2020. Mr. Mercado SECONDED the MOTION. All members, except for Ms. Petrillo and Mr. Sampson who were not yet present, voted in favor by roll call. None were opposed.

MODIFIED DEFINITIVE SUBDIVISION PLAN

Swains Pond Avenue, 0 Swains Pond Avenue Realty Trust (public hearing continued from January 27, 2020)

Ms. DeSouza-Ward reviewed the permitting timeline for this case. On January 27, 2020 the case was heard and subsequently continued due to the Covid-19 pandemic to March 16, 2020, April 13, 2020 and to the current meeting of May 4, 2020.

Attorney Jim Mitchell, and the development team Sean Szekely, Owner, and Rich William, Civil Engineer, were present remotely to present the revised plans and addition application information.

Mr. Szekely gave an overview of the history of the project. Mr. Williams explained the changes to the plans that were outlined in a presentation. The changes were to the Maple Terrace provisions, stormwater management for lot 9, increase in open space, and increase in fencing and vegetation in areas near the perimeter of the property. He also stated that the changes in the plans respond to comments from BSC, the peer review consultant, Melrose DPW, the Conservation Commission and the public. Written responses to BSC, DPW and the Planning Board's comments were provided.

They provided a construction schedule with as much detail as they can provide at this time. They have not yet hired contracting or blasting companies. They also provided two cross sections through 87 Swains Pond Avenue and two proposed houses on Patrick's Place. Only the tops of the new houses would be visible from 87 Swains Pond Avenue. They will keep the roads open to abutters during construction; however, the road may have to go down to one lane at times. Mr. Szekely will use email to communicate with the neighbors and may set up a blog or website.

Mr. Casavoy MADE a MOTION to open the public hearing. Mr. King SECONDED the MOTION. All members by roll-call voted in favor. None were opposed.

Ms. DeSouza-Ward explained that members of the public could use the chat function of the virtual meeting or email the Planning Director to alert the Board that they would like to speak. Some members of the public had requested to speak in advance of the meeting.

Sadie Brown of 87 Swains Pond Avenue, Meigan Campbell of 2 Maple Terrace, Carly Rose of 8 Maple Terrace, Ryan Williams of 88 Malvern Street and City Councilor Cory Thomas spoke. The Board received four letters from Brent Robie of 58 Crescent Lane, Malden, Sarah Farooqi of 57 Swains Pond Avenue, Diane Waddell of 14 Hillside Park and Gina and John Preziosa of 14 Ireson Court.

Some of the comments and questions included the following:

- The subdivision will destroy the ecosystem. There is a heavy animal population in the woods (2). The ecological restoration of Swains Pond and the surrounding conservation land should be required (2).

- The proposal is a cookie cutter cul de sac.
- Why do they need the threat of the 40B project? They would not need to do this if it was a compatible development.
- There were concerns about rainwater runoff (3), release of carbon into the atmosphere, and pollution from gasoline, pesticides and herbicides from lawn care.
- Low impact development should be used for development.
- The stone from the site could be used to rebuild the shoreline and restore Swains Pond.
- The abutters, including the City, could be members of the proposed neighborhood association to get together to improve the area.
- The zoning should only allow low impact development in these conservation areas and ecological restoration should be required.
- What is the status of the other properties marked “Acquire Unprotected Properties” in the 2015 Seven Year Action Plan?
- How does the developer have the right to do work in the private way when the abutter has been maintaining it?
- How long will access to existing houses be impeded (2)?
- There were concerns about blasting and the impact on the neighbors’ houses and septic systems (3).
- There were concerns about noise pollution during construction and water pressure during and after construction.
- Only half of Maple Terrace will be improved (2). Will it become a public way?
- The drainage area is close to the wetland.
- There should be more detail in the construction timeline document.
- What will be in the proposed open spaces – sod or plantings? Will the old road be removed?
- The road is narrow – how can a sidewalk be constructed?
- People will drive faster around the bend if the mouth of Maple Terrace is widened. Can a speed bump be installed?
- Who will make the determination on which trees will be removed? An arborist or the construction crew?
- A 40 foot right of way will cause speeding. Two 10-foot lanes with a 5-foot sidewalk is sufficient.
- There were concerns due to the pandemic about if the economic crisis would slow down finishing the project or selling the houses, having more exposure to people as there will be workers close by, and having no escape from construction while the stay-at-home orders are in place.
- The developer should solicit input from the neighbors on blasting hours, preservation of trees where possible, and improvements to Hillside Park and Maple Terrace.
- The project should include sustainability measures, turn private ways into public roads (2), make sewer tie-ins available, ensure roads are safe widths, include street trees and screening, pre-blasting inspections, and 2.5 acres should be given the City as conservation land.

The Planning Board members discussed the following:

- A member encouraged the developer to consider electric heat pumps instead of high efficiency propane as the heating source. If there is was a propane leak it would affect the surrounding houses that are at a lower elevation than the proposed houses. Also, electric heat pumps would eliminate the need for propane trucks to drive through the neighborhood.
- Who will maintain the roads? Hillside Park does not meet City standards. Ms. Gaffey explained that the City services private ways with plowing and trash pickup. The City may accept the new roads as public ways.
- The home owners association will be required to maintain the stormwater management systems.
- Access to existing homes will be maintained during construction.
- Blasting can cause the release of radon. Mr. Szekely said that there will be radon systems in all of the houses.
- The intersection of Swains Pond Avenue and Maple Terrace should be made safer. Because of the angle drivers will not slow down when making the turn. Mr. Williams said that the intersection cannot be perpendicular without taking private property. They have proposed extending the sidewalk and striping a stop bar and signage to make it safer. A speed bump is not a good solution because snow plows destroy them and they interfere with rainwater runoff. Ms. Gaffey said that she would contact the DPW Director about the concerns with this intersection.
- The white hatching on Maple Terrace on the plan shows where there is a driveway entrance and therefore a curb cannot be installed.
- A member said that a developer can improve a private way as long as access is not impeded and the way is not overburdened. Nine houses will not overburden the way. Will the work on Maple Terrace encroach on private property? Mr. Williams explained that all of the work will be within the right-of-way which is 24 feet wide at its narrowest point. He will submit the originating documents that show the width. They are old recorded plans from land court and they all mark the width as variable.
- What will be the nature and ownership of the open space on Lot 1? Mr. Williams explained that the open space here will be on private property with a deed restriction for the sight line easement. Attorney Mitchell said that the deed restriction will be in perpetuity. The City will not have to maintain the open space. The old pavement will be removed from this area and it will be planted with a natural wildflower mix.
- How wide will the roadways be within the 40-foot rights-of-way? Mr. Williams explained that the roadways will be 20-24 feet curb to curb and some will have sidewalks. The roads will not take up the whole 40-foot right-of-way.
- Who decides which trees will be removed? Is there a planting plan? There should be a delineated tree clearing line on the plan. Mr. Szekely said that there will be 18 street trees that will be chosen from the city's list of acceptable trees. He has reviewed the tree locations with the City Engineer and moved some of the locations based on home owners' feedback. The existing trees will be removed only where the streets and houses will be located.

- What is the process for hiring a Clerk of the Works? Ms. Gaffey explained that the developer will hire the Clerk but the City Engineer will need to approve the hire by reviewing his/her resume.
- Nine new houses will connect to sewer. Will the other residents have the opportunity to connect?
- Under peak storm events will there be any standing water? Mr. Williams said that there will be no standing water – all will be subsurface.
- Home inspections will be difficult with the pandemic.
- Where will the runoff flow from Lots 3 and 4?
- An oil and water separator was proposed and not a stormceptor system. Mr. Williams can explain how this meets the stormwater requirements. BSC did not question the proposal.
- What sized houses will be built? The footprints are around 30 by 40 feet and have an attached garage. The houses will be 3,300 to 3,500 sf.
- The houses are pushed back on the lots, which make them closer to existing houses and require long driveways and more vegetation removal. Mr. Williams said that some of the houses are in the proposed locations because of setback requirements and the no build zone. Other houses may be able to be shifted towards the street. Members asked for the setback lines to be made more visible on the plan.
- The board would like to get more detail on the proposed slopes, the amount and method of rock removal, the constructed walls, fencing on top of the walls, and construction timing. Construction details like how long the binder coat of the road will be exposed are important.
- Members would like a full-sized plan before the next meeting.

Ms. Gaffey said that the peer review engineering consultant will attend the next Planning Board meeting.

Mr. Cassavoy MADE a MOTION to continue the public hearing to May 18 at 7:30pm. Mr. Welch SECONDED the MOTION. All members by roll-call voted in favor. None were opposed.

Documents: Subdivision Application Materials
Construction Sequencing Notes
Development Update/ FAQ
Executive Summary
Modified Definitive Subdivision Plans, Revised
Response to DPW Review
Response to Peer Review
Presentation to the Planning Board 5/4/20 for Revised Plans
Sections of #87 Swains Pond Ave
Site Distance Sketches
Stormwater Report, Revised

NEXT MEETING

The next regular meeting is scheduled for May 18, 2020 at 7:30pm.

The meeting adjourned at 9:55 pm.