MELROSE PLANNING BOARD
MEETING MINUTES
Regular Meeting
Monday, June 29, 2020
7:30 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, & Lori Massa, Planning Coordinator

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

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 limitations 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 available on www.cityofmelrose.org.

Meeting access information was found at the following link and the application materials were posted to the City's website: www.cityofmelrose.org/remote-meetings.

RECOMMENDATIONS TO THE BOARD OF APPEALS
Board of Appeals Public Hearing on July 8, 2020

Case 20-009, 238 Lynn Fells Parkway, Ranjan Dahal
Ranjan Dahal explained the proposal. He thought that he was buying a multi-family house when he purchased the property because it had been taxed as a two-family for many years. His parents have been living in the basement and they have health issues. They would like their own space and thinking of the future he would like to have two-family as opposed to an in-law apartment.

Board members asked how long Mr. Dahal owned the property and if he installed the attractive retaining wall in the front of the property. He has owned it for two years and did install the wall. They asked about the timing of removing the second kitchen. Mr. Dahal removed the second kitchen because he thought that they would not need it but things changed. A member said that the floor plan does not work to be a separate unit because there is no living room and an exterior

door leads into the bedroom, which are not allowed by building code. Mr. Dahal said that he is willing to make interior changes to make the basement a legitimate unit. The Board advised that he may want to pursue an in-law apartment special permit.

A member discussed how there were a lot of illegal two-families in this area and they have since transitioned to single-family houses with in-law apartments. The neighbors would probably have less of an objection to an in-law apartment. On the other hand, another member found that for this property that has been used illegally as a two-family for years the neighborhood would not feel different impacts from the basement being an in-law apartment or a separate unit. Mr. Dahal said that the neighbors that he spoke with did not object to the two-family use.

The Planning Board generally had no objection to this application and wanted to defer the case to the Board of Appeal with comments about the interior layout needing to be reconfigured for the basement unit to meet building code and the discussion that an in-law apartment may be an alternative to the proposal.

Mr. Sadowski MADE a modified MOTION to write a neutral letter and note their discussion for the Board of Appeals to consider along with the information provided by the applicant and abutters at the public hearing in making a determination on this case. Mr. Mercado SECONDED the MOTION. All members voted in favor by roll call, except for Mr. Cassavoy who abstained. None were opposed.

Case 20-010, 423 Pleasant Street, MPower Energy, LLC

Attorney Rosen explained the proposal. The building was constructed 120 years ago and was last used as an adult daycare. A year ago the space was approved for a photograph equipment rental business but that case was appealed and the space remains vacant. No signage is currently proposed because of the pandemic and the approaching deadline for purchasing the property. The company is based in NY and this would be the first office in MA. They would like to hire a local architect to design the signage with character that fits the area. Signage is not essential because just employees will be coming to the site; however, there may be a benefit for the City to know who is using the space, especially since it is a renewal energy business.

Member asked about the proposal: What the storefront will look like? Will the building look the same as it does now? Attorney Rosen said that the building will not be altered. There will be curtains or blinds in the windows and workstations with desks and computers will fill the space. Has the building already been purchased? No, they have until July to close on the property. Is there enough parking? Yes, this is a company that values being green and will want to hire people that will either live close by, ride a bicycle, or take public transportation. Are the existing parking spaces striped? Yes. Is the driveway sufficient? They did not argue with the need to apply for a variance for the driveway width, which is an existing condition that is not changing, because the Board granted this variance for the last application. The last occupant of a space was an adult daycare and they have drop-off and pick-up of adults without a problem. Staff pointed out that pick-up and drop-off may have been done at the street.

The members felt that the use is suited for the land and building. In terms of the driveway and parking relief, with only three full-time employees onsite, 12 part-time employees onsite and no

customers trips, the existing conditions should be sufficient for the business. Any business that locates here will require the same or a similar number of parking spaces and driveway width and these conditions would not change without a redevelopment of the site. The proposed business is a renewal energy company that will encourage employees to walk, bike or take public transportation to commute to work. The Board recommended tying the special permit approval to the business as other businesses within the same use category may have a greater impact on parking in the area than this green energy focused applicant.

Mr. Sadowski MADE a MOTION to recommend approval of the variances and special permits noting these points discussed. Mr. Welch SECONDED the MOTION. All members voted in favor by roll call. None were opposed.

Case 20-011, 31-39 West Wyoming Avenue, James Heffernan
Applicant team James Heffernan and Katie Enright explained the proposal. The redevelopment would involve two parcels that are uniquely shaped. The property is also a corner lot with two front yards. The Ell Pond Brook culvert runs through the site. They designed the building to occupy as much frontage as possible but cannot meet the maximum front yard setback requirement because of the inability to build over the culvert.

Members found that the variance is justified given the two front yards and the location of the culvert which cannot be constructed upon. Any meaningful development of this site that meets the goals of the recently amended Transit-Oriented Mixed Use zoning district, which this proposal does, would require a variance from the maximum front yard setback requirement.

Mr. Sampson MADE a MOTION to recommend approval of the variance request based on the points discussed. Ms. Morelli SECONDED the MOTION. All members voted in favor by roll call. None were opposed.

Documents: ZBA Application Materials

SITE PLAN REVIEW & AFFORDABLE HOUSING SPECIAL PERMIT

Case 20-001, 272 Tremont Street, 495 LLC c/o Eric Kenworthy
Applicant team Attorney David Lucas, Owner Eric Kenworthy, Architect William Chalfant, and Engineer Rick Salvo were present remotely to present the proposal. A different version of the proposal was before the Planning Board in December of 2019 for a recommendation to the Board of Appeals for a variance related to the driveway. They took the Planning Board's feedback and made changes to the proposal. One change is that there is a curb proposed between the driveway and RJM's driveway next door to distinguish the driveways. There are 14 parking spaces on the plan and 17 are required. They are asking for a waiver from the traffic study since there would only be an increase from 6 to 14 spaces which is not a big change. They are also asking for a waiver from the drainage report. Most of the rainwater will be falling on the roof and this water will be collected. Mr. Kenworthy said that he would uncouple the cost of parking from the rent to encourage people to not own a car as staff recommended. Mr. Chalfant explained the architecture of the building and Mr. Salvo explained the drainage and vehicular access.

A member pointed out that the letter from Inspectional Services is over a year old. Attorney Lucas said that he has submitted the revised plans but has not heard back. They understand that the 15% affordable housing requirement applies to the development even though the denial letter states the old 10% requirement.

The Board also discussed the driveway configuration. The curb cut would be 16 feet wide and the driveway aisle would be 18 feet wide. Mr. Salvo said that typically only one vehicle will be on the driveway at any time so the curb cut width is sufficient; however, he could provide the turning template to get into the driveway. If it was wider they would be impeding on the abutter's access. The curb makes it clear that the driveway is for the residences. They discussed if the landscaped triangle to the left of the driveway could be moved to the right to further define the driveways. Since the abutter has rights to access the driveway and it is not ideal to have the driveway up against the building, this change was not requested. Members did ask for a pervious paver strip that is drivable to be placed along the edge of the driveway to provide more distinction between the driveways.

Mr. Mercado MADE a MOTION to open the public hearing. Mr. Welch 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.

Les Epstein of 25 Ellsworth Avenue and Finn McSweeney of 160 W Wyoming Avenue spoke during the hearing. Nancy Brooks of 260 Tremont Street submitted comments.

A summary of the comments and questions included the following:

- Where will the overflow parking go? It is hard to back out of the residential driveways right now with people parking to go to the train. You can't assume that residents will take public transportation.
- There should be a traffic study. The intersection is chaotic and there are accidents. Mr. Epstein avoids crossing the intersection because it is dangerous.
- There will be a lot of early morning noise with trash trucks picking up at the site.
- The neighborhood is made up of single-family houses and a 15-unit building does not fit.
- This is a strong commercial area that is ripe for more housing.
- The commercial space on the ground floor will activate the street.
- The parking will be adequate.
- What is happening to the driveway on the left side of the site that 260 Tremont Street uses? Will the fence along the driveway be removed?

The Planning Board members discussed the following. The Applicant's responses are below.

- What are the changes to the fence and driveway on the left side of the site?

    - People park along the driveway, which is not allowed since it is an easement only for passage; however, they are not going to change the lack of enforcement in keeping it clear. The driveway will not change and will not be used as part of the development. The fence will need to be removed during construction.
- Will the project be condominiums or apartments? Can they be converted to condominiums in the future?
    - They are planning for them to be apartments. They could be converted in the future but it is often difficult to do so.
- How many vehicles currently park on the site?
    - There are usually 6 to 10 cars parked onsite. Mr. Kenworthy parks trucks in back and employees of Ernie's Lunch and RJM Motors park there too.
- This TOD area has less of a need for parking and there is minimal risk that people that move here would have more cars than spaces available to them. Having fewer parking spaces means fewer cars and less of an impact on traffic at the intersection.
- They have not received comments from the Engineering Department and would like to see their review of the stormwater system before making a decision on the case.
- The driveway width requirement is for public safety. The driveway has been reviewed by City Departments and is acceptable.
- The proposed building is handsome and has the level of articulation that is typical of housing in Melrose. Why are there 3 and not 4 columns along the front?
- The written description of the project and the rendering may have discrepancies. The final colors will be reviewed with the Design Review Subcommittee.
- The landscape plan shows trees in the front yard and the rendering does not. There may not be sufficient space to plant trees here. The Applicant should explore installing street trees if there is the space to do so.
- Will there be designated parking for the commercial space?
    - No, there will just be walk-by traffic for the commercial space.
- What is happening with the MassDOT approval?
    - MassDOT is only requiring a public hearing when constructing within the rail bed. They will be providing a letter of consent.
- Where will snow be stored?
    - There is a small area in the back for snow storage. Most of the snow will land on the roof.
- Where will the storm drain be located?
    - The building will be slab on grade. They have not done borings yet to figure out that detail.

The Board asked for the Engineering Department's comments, a landscape plan that is consistent across the site plans and that considers if street trees are possible and pervious pavers along the edge of the driveway, information on the rooftop HVAC units' noise and screening, and expectations on the number of deliveries to the site and a plan for them. The Board did not ask for a traffic study because there will not be a big increase in the number of vehicles onsite.

Mr. Sampson MADE a MOTION to continue the case to July 27, 2020 and to revise the Planning Board's recommendation to the ZBA at that meeting. Mr. Welch SECONDED the MOTION. All members by roll-call voted in favor. None were opposed.

Documents: Site Plan Review and Affordable Housing Special Permit Application Materials

OTHER BUSINESS

419 Main Street

Ms. Gaffey explained that the project that is under construction at 419 Main Street received a variance from the minimum residential unit size to add two units to the project without any exterior alterations. The unit count went from 10 to 12. The question for the Board was if a public hearing should be held to amend the Site Plan Approval and Affordable Housing Special Permit or if the amendment should just be taken up as an item on the agenda at the next public meeting. Members felt that a full public hearing was not necessary. There was a public hearing for the variance for unit size where the public had an opportunity to speak on the issue. The amendment does not change the approval requested, the design or affect the decision. There was no parking requirement for this site. The amendment to the case will be on the agenda at the next meeting.

NEXT MEETING

The next meeting is scheduled for July 27, 2020 at 7:30pm.
The meeting adjourned at 10:15 pm.