MELROSE PLANNING BOARD
MEETING MINUTES
Regular Meeting
Monday, August 24, 2020
7:30 PM
Remote Meeting

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

ABSENT: Sharon Petrillo

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

The meeting was called to order at 7:30 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. Meeting access 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/remote-meetings. 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.

APPROVAL OF MINUTES

Planning Board Regular Meeting, July 27, 2020
Mr. Sadowski MADE a MOTION to approve the meeting minutes from July 27, 2020. Mr. Sampson SECONDED the MOTION. All members by roll call voted in favor. None were opposed.

Zoning Subcommittee Meeting, July 23, 2020
Mr. Sampson MADE a MOTION to approve the meeting minutes from July 23, 2020. Mr. Mercado SECONDED the MOTION. All members that were present at that meeting by roll call voted in favor. None were opposed.

RECOMMENDATIONS TO THE BOARD OF APPEALS

Board of Appeals Public Hearing on September 9, 2020

Case 20-015, 366 Lebanon Street, Robert Krasco

Mr. Krasco appeared to explain the proposal. The Board questioned the need to have the deck, especially one that is almost six feet in height, so close to the property line. Mr. Krasco said that the proposal cannot be designed in another way because he would like to use the side entrance to the house to access the deck. The deck would tie into the existing stairs, which are three feet from the property line.

Mr. Sadowski made a motion to send the Board of Appeals a neutral letter explaining their discussion and that they did not reach a consensus to support or oppose the application. Ms. Morelli seconded the motion. By roll call all voted in favor of sending this letter. None were opposed.

Documents: Application Materials, Case 20-015

Case 20-016, 46 Mount Hood Terrace, Kristoffer Lange
Mr. Lange appeared to explain the proposal. The Board recommended pulling the deck in from the side lot line so that it conforms to the side yard setback and Mr. Lange was amenable to this suggestion. Therefore, the Board did not recommend approval of the side yard setback variance.

Since the existing deck has a depth that is not practical for much use and the house sits at the required setback, the Board recommended approval of the rear yard variance.

Mr. Mercado made a motion to send the Board of Appeals these recommendations. Mr. Sadowski seconded the motion. By roll call all voted in favor. None were opposed.

Documents: Application Materials, Case 20-016

Case 20-017, 52 West Emerson Street, 52 West Emerson Street LLC
Attorney Clark, Applicants James Lister and Paul Hollien Jr, and Architect Philip Sima appeared to explain the proposal. The Board chose to remain neutral in terms of a recommendation for this case but wanted to provide thoughts on the proposal. Members consider the frontage, lot area and number of stories to be significant variances; but given the location and reported poor structural condition of the existing building, the Board was not opposed to the variances. The site is on the edge of the UR-B district and abuts the UR-D district where the multi-family use and greater density are allowed. Also, there are multi-family uses on both sides of the property and it is close to downtown Melrose and the Cedar Park Commuter Rail Station. Members felt that if an affordable unit is provided onsite allowing the proposed level of density is appropriate.

They discussed how it is difficult to support a variance for the number of stories without considering the design implications of the proposal. The Board expected that given an opportunity for design review during Site Plan Approval they will request that the proposed mansard be altered to better reflect the intent of a mansard which narrows towards the top and reduces the massing of the structure. The driveway width would also be reviewed more closely. The full 24-foot width is likely not needed but the proposed 12-foot width would provide challenges given the activity on the street and length of the driveway.

Mr. Sadowski made a motion to send the Board of Appeals a letter including the points discussed. Mr. Welch seconded the motion. By roll call all voted in favor. None were opposed.

Documents: Application Materials, Case 20-017

Case 20-018, 28 Belmont Street, Maria Daddieco

Ms. Daddieco and Mr. Izzi appeared to explain the proposal. The Board felt that the two-family use was appropriate for the site considering its proximity to the Melrose Highlands commercial area and surrounding uses including a parking lot, railroad tracks and conservation land.

They did not; however, find that the design and massing of the structure and parking configuration were appropriate. The house will be large and will not fit into the character of the neighborhood. The corner lot and placement of the existing house on it are unique and variances are warranted but the architecture of the building should mitigate the volume of the building in the nonconforming yards and it does not.

Members were not in support of the proposed parking configuration that includes a very wide curb cut for three vehicles to park in the front yard and back out onto the street. The Board's preference was to have two sets of tandem parking spaces behind the building to minimize the curb cut length and front yard parking. The Applicant was receptive to this idea despite the desire to keep an area open for a backyard. Members felt that not having a backyard was a compromise for extending the footprint of building towards the back of the lot as proposed.

Mr. Sampson made a motion to send the Board of Appeals this recommendation. Mr. Welch seconded the motion. By roll call all voted in favor. None were opposed.

Documents: Application Materials, Case 20-018

Case 20-013, 272 Tremont Street, 495 LLC c/o Eric Kenworthy

This recommendation was made after the Site Plan Review vote documented below.

The Board recommend approval of the parking space reduction and aisle/driveway width variances. They held two public hearings on the project and granted the Site Plan Approval. The project has also undergone Department of Public Works review. The project will supply much needed housing and affordable housing to the City. The reduced number of parking spaces will limit the number of vehicles that residents will own which reduces traffic impacts from the development. The site is walkable to the Melrose Highlands commercial area and accessible to public transportation. The project will unbundle parking from rent to dis-incentivize residents from owning cars. The driveway and vehicular back out space will be functional for this mixed use building.

Mr. Mercado made a motion to send the Board of Appeals this recommendation. Ms. Morelli seconded the motion. By roll call all voted in favor. None were opposed.

Documents: Application Materials, Case 20-013

APPROVAL NOT REQUIRED

142 & 162 Boardman Avenue, Keleghan Fursey
Mr. Sadowski made a motion to move this item up on the agenda. Mr. Sampson seconded the motion. All members voted in favor by roll call. None were opposed.

Mr. Bill Gardiner and Mr. Keleghan appeared to explain the proposal. Mr. Keleghan owns both lots, one individually and one in trust. He would like to reconfigure the property lines to reflect how the land is being used.

Ms. DeSouza-Ward noted that the plan shows that the frontages of the lots are not changing, the back lots will be combined with the front lots, and that the endorsement is not a determination of zoning compliance. Mr. Mercado made a motion to endorse the Approval Not Required Plan. Ms. Morelli seconded the motion. All members voted in favor by roll call. None were opposed.

Documents: ANR Application Materials including Plan of Land, August 5, 2020

SITE PLAN REVIEW & AFFORDABLE HOUSING SPECIAL PERMIT

Case 20-001, 272 Tremont Street, 495 LLC c/o Eric Kenworthy
Ms. DeSousa-Ward gave a summary of the past review of this case. There was a public hearing for the case on June 29th and the Board reviewed a prior iteration of the plan to provide a recommendation to the Board of Appeals for variances requested.

Attorney Lucas, Mr. Kenworth, Applicant, Will Chalfant, Architect, and Eric Bradanese, Civil Engineer, filling in for Rick Salvo, appeared to present the case. A new site plan and landscape plan were submitted for this meeting that responded to comments made at the last meeting. The plans include street trees, the species of which will be determined by the City. Plan AV-2 better represents the light trim color. The cornice above the first floor was moved to the right so that it highlights the residential entrance. A screening was added to the roof and the technical information the HVAC units provided. A transportation information screen will be located in the residential lobby.

Attorney Lucas said that he calculated the number of affordable units required by starting with a 13 unit project and seeking 2 additional units by special permit. In this scenario no financial contribution for a fraction of an affordable unit would be required.

Mr. Bradanese said that the revised civil plans respond to the DPW's memo. The changes to the existing utilities and the test pit data are shown on the plans. The drywells were resized based on NOAA rainfall data, details were added to sheets and utility notes were added.

Mr. Gaffey said that the City Engineer has reviewed the revised plans and is satisfied with them.

Mr. Mercado made a motion to begin the public hearing portion of the meeting. Mr. Sadowski seconded the motion. All members voted in favor by roll call. None were opposed.

The following people spoke in opposition to the project during this hearing: Cheryl Walsh of 271 Tremont Street and Phil Iantosca of 32 Ellsworth Avenue. Ms. Walsh also submitted a letter as well as Susan McGrath of 242 Tremont Street, Fred McGrath of 242 Tremont Street, and Danielle and Kevin Bowers of 245 Tremont Street for this hearing. These neighbors were opposed and cited concerns about the increase in density from the existing 3-family structure, the poor condition of the existing property and concerns about maintenance in the future, the large size and height of the building, spillover parking, the curb cut will be at a dedicated bike lane and the curb cut is narrow, snow storage, delivery location and trash pickup, shadows on the intersection, the lack of landscaping, the minimal front setback of the building, the lack of a traffic study, the driveway is at an angle, and the intersection is very busy.

The Board members discussed and asked questions of the development team about issues that were identified during the public hearing.

- Snow from a two to three-inch storm will fit at the back of the site. Any snow greater than this will be removed from the site.
- There is already a large curb cut for the subject property and RJM Motors. This project will provide separation between the driveways.
- The turning radius plan for a passenger vehicle was sent to the DPW for their last review.
- Vans will deliver items to the building from the street like deliveries occur for other properties on the street. The commercial space will be an office use and will not be for retail goods that would require frequent deliveries.
- Mr. Lucas said that the traffic study is a waste of resources because there are six parking spaces onsite now and there will only be an increase of eight space, which is negligible for a study. He also said that the concerns about traffic and insufficient parking are conflicting. If they provide more parking spaces there will be more cars on the road.
- The zoning district sets a maximum front yard setback and therefore the building cannot be shifted back.
- The property is at the edge of a commercial district and adjacent to a residential district. The density proposed is allowed.
- Members consider the merits of the application and the public testimony carefully. They pointed out that the zoning ordinance outlines specific criteria that the Board must consider in granting approval and this project meets these findings. Melrose has multiple downtowns and this busy area and intersection is one of them. To remain vibrant there should be more housing and affordable housing. Residents will walk to the businesses in the area.
- The traffic flow needs improvement from Greenwood to Tremont Street, not just at the intersection. This development is not going to exacerbate the issue and the developer cannot fix it. The stretch along Franklin Street needs to be considered as a whole. The City's streetscape improvements have helped but vehicles speeds are still too high along Franklin Street.
- The project only needs two minor variances for a couple of less parking spaces and driveway width, which they often grant.
- The project provides affordable housing and unbundled parking and rent; both of which will decrease the parking demand.

- Mr. Lucas said that there will be a professional management company managing the building. The owner does not have a management company for the existing three units.

A member mentioned that the construction of the site will be made more difficult because of the easement along the driveway needing to be kept clear. Another member said that the cornice between the first and second floor sticks out over the driveway with a twelve-foot clearance. Trucks will likely hit the cornice. Mr. Chalfant said that he will redesign the cornice so that it is flush along the driveway.

Mr. Mercado make a motion to close the public hearing. Mr. Cassavoy seconded the motion. All members voted in favor by roll call. None were opposed.

Ms. Gaffey reviewed the proposed conditions of approval. Member made the following edits to the conditions:
#31 Add: snow must be removed from the site when the snow storage location is at capacity.
#30 Add that the solid waste cannot be picked up before 7am and on weekends.

They discussed but ultimately did not ask for the curb cut to be increased to 18 feet wide. They also discussed but did not add to a condition of approval specific unit numbers for the affordable housing units. The units are identified on the plans. There will be a one- and a two-bedroom and their exact location may change if there is a good reason for it. Signage will be reviewed by the Design Review Subcommittee. It meets the dimensional regulations.

Mr. Lucas said that he would like to discuss the affordable housing calculation with staff but wanted to proceed with a vote tonight.

Mr. Sadowski made a motion to approve the application material waivers as requested, except for the Transportation Demand Management plan, which was provided. Mr. King seconded the motion. All members voted in favor by roll call. None were opposed.

Mr. Sampson made a motion to approve the Site Plan with the conditions as amended. Mr. Mercado seconded the motion. All members voted in favor by roll call. None were opposed.

Mr. Mercado made a motion to approve the Affordable Housing Special Permit with conditions. Mr. Welch seconded the motion. All members voted in favor by roll call. None were opposed.

Documents: Site Plan Review and Affordable Housing Special Permit Application Materials
Staff Report June 29, 2020
Draft conditions of approval

PRIVATE WAY RENAMING

<u>Lake Road, Brendan Cunningham (public hearing)</u>
Mr. Cunningham was present to explain his request to change the name of his street, which was recently created from Lake Road to Cunningham Way. There is a Lake Avenue in the City and it

is causing confusion with deliveries and a fire truck went to the wrong address. There is no address in the 911 system yet.

Ms. Gaffey explained that the Planning Board is the entity authorized to approve name changes for private ways and the statute permits the renaming of a private way when the name is identical or so similar to the name of another way (private or public) that it causes confusion. The last time the Board did this was 18 years ago.

Ms. Morelli make a motion to open the public hearing. Mr. Cassavoy seconded the motion. All members voted in favor by roll call. None were opposed.

No one appeared to speak. One letter was submitted by Michael Powers of 991 Main Street, who was opposed to the requested name because it is culturally insensitive and contrary to our cultural values.

The Board members discussed naming the way something that relates to its location and not to a specific person. Mr. Cunningham asked why this proposal is different than when developers name streets in subdivisions.

They discussed how the private way acts like an extended driveway and not a subdivision. The way connects to paper streets above but no other property would have this street address because slope protection would prevent more development in the area. Mr. Cunningham built the road and maintains it. He brings his trash down the road to be picked up at Swains Pond Avenue. The street name should be something that does not cause confusion. There are no other streets with the name Cunningham. Members found that the name was not objectionable.

Mr. King made a motion to approve the name change to Cunningham Way. Mr. Welch seconded the motion. All members voted in favor by roll call. None were opposed.

Documents: Staff Report dated August 20, 2020

OTHER BUSINESS

Housing Production Plan

Ms. Gaffey explained that the Housing Production Plan was summarized at the last meeting. The consultant at MAPC issued a statement as an introduction to the plan, which was distributed to members. Mr. Sampson volunteered to be on the committee and act as a liaison to the Planning Board.

Document: Memo from John McCartin, MAPC dated August 6, 2020

Endorsement of Subdivision Plans for Swains Pond Avenue Subdivision

Mr. Szkeley was present for this discussion. He said that he has submitted several versions of the plans to staff for review since the Planning Board's approval. Ms. Gaffey said that the conditions of approval related to plans have been incorporated such as the stop sign and curbing.

Mr. Sampson made a motion to endorse the subdivision plan. Mr. Cassavoy seconded the motion. All members voted in favor by roll call. None were opposed.

NEXT MEETING

The next meeting is scheduled for Monday, September 21, 2020 at 7:30pm. The meeting will not be on the fourth Monday of September due to Yom Kippur.

The next Zoning Subcommittee Meeting is scheduled for Monday, August 31, 2020 at 7:30pm.

The meeting adjourned at 11:10 pm.