

**MELROSE PLANNING BOARD
MEETING MINUTES
Regular Meeting
Monday, April 25, 2022
7:30 PM
Remote Meeting**

PRESENT: Tim Bailey, Beth Delahajj, Anne DeSouza Ward, Brian Gregory, Paul King, Carla Morelli, Greg Sampson & Jack Welch

ABSENT: None

STAFF PRESENT: Denise Gaffey, Director and City Planner, Lori Massa, Senior Planner & Maya Noviski, Assistant Planner

The meeting was called to order at 7:36 PM by Mr. Sampson.

Pursuant to An Act Extending Certain COVID-19 Measures Adopted During the State of Emergency signed by Governor Baker on June 16, 2021, this meeting was be conducted via remote participation. 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 could be 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, or in the event that we are unable to do so, they would be post on the mmtv3.org website an audio or video recording, transcript, or other comprehensive record of proceedings 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:
www.cityofmelrose.org/remotemeetings.

APPROVAL OF MINUTES

Planning Board Regular Meeting, March 28, 2022

Board Members had no comments or adjustments to previous minutes. Ms. DeSouza Ward made a motion to approve the meeting minutes. Ms. Morelli seconded the motion. All members voted in favor. None were opposed.

Zoning Subcommittee Meeting, April 6, 2022

Board Members had no comments or adjustments to previous minutes. Ms. DeSouza Ward made a motion to approve the meeting minutes. Mr. Gregory seconded the motion. All members voted in favor. None were opposed.

SITE PLAN REVIEW

Case 22-001, 148 Myrtle St., Brown Dog Properties, LLC (continued public hearing)

Robert Bell, Attorney, began by giving an overview of the project's development thus far. The City Engineer has provided an updated memo based on the new materials provided. The Applicants provided a memo from a traffic engineer relative to the property's parking reduction request. The Applicants are not opposed to the preliminary conditions of approval provided by staff. Attorney Bell mentioned the many public comments that the Board has received are mainly from people in support of the project with those who are opposed citing the project's limited parking spaces. He closed by suggesting that this project will not only add to the City's housing stock and further the City's transit-oriented housing goals, but promotes green design in line with the City's Net Zero Action Plan.

Board Members asked about the project's stormwater management specifically around the separation of seasonal high ground water to achieve infiltration credit. The current design plans do not include the necessary two-foot separation and members wondered how the Applicant would respond if they were unable to meet this requirement. Mr. Roman explained that he did not think it would be a problem but if they were to run into issues, they could install a shallower chamber. Mr. Sampson asked if the Applicants have room to expand laterally if needed. Mr. Roman affirmed that they have plenty of area under the driveway for a system that takes up more space.

Board Members questioned why plans for the separation of stormwater were not designed correctly in the first place and why the issue is not yet resolved. Ms. Gaffey explained that this situation is not atypical and assured Members that the Department of Public Works (DPW) will not let this project move forward without ensuring that the Applicant meets all required conditions. Although Board Members would have preferred to see the final stormwater design, they ultimately felt comfortable with making this a condition of approval. They agreed to add to the proposed condition number three the requirement that the Applicant provide an update on the stormwater system to the Design Review Subcommittee before a building permit can be issued.

Board Members also asked about the location of the trash and recycling receptacles. Mr. Roman explained that they will be located by the first unit of the building. There will be fencing around the receptacles and the location has been designed so that it does not infringe on anyone's outdoor space. Mr. Roman noted that there will also be a compost bin. All waste receptacles will be shared by all units.

Members wondered about the unit's windows that face the trash and recycling area. Mr. Roman noted that there is a one window facing the area but it is placed high enough so the receptacles will not impose on the tenants view. He also explained that most of the windows located throughout the units are not meant to open to create a closed system for energy efficiency. Mr.

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Board Members asked about the project's bicycle storage and parking. Mr. Roman explained that there is a utility room where there is space for one bicycle per unit. The room can be accessed by a path that leads tenants from the front of the building to the utility room's bulkhead. He also noted that there are several outdoor posts and railings where tenants can store their bikes. Alternatively, tenants can bring their bikes into their units which would only require climbing a few entry steps. Ms. Morelli asked if the exterior materials have changed since the previous proposal to which Mr. Roman confirmed that they had not. They noted that a proposed condition of approval is that the Applicants build a mockup for the Design Review Subcommittee to review and approve.

The case was opened for public comment. Mr. Sampson noted that there were many letters submitted both supporting and opposing the project, especially around the proposed parking. Jim Bennett of 45 Wentworth Road provided some historical context of the project site and asked that Applicants contact the Historical Commission prior to demolition so they can photograph the existing structure and salvage any noteworthy features or remains such as cologne bottles, which were once found in the yard from a prior business run out of the house. Shelby Doyle of Tremont Street voiced her support of the project highlighting its environmentally friendly design and its contribution to the City's housing inventory. A motion was made by Ms. Morelli to close to the public hearing. Mr. King seconded the motion. All voted in favor. None were opposed.

Ms. Gaffey provided a brief summary of the other 37 conditions drafted by Planning Staff, which included the DPW's requests. The Board added to condition number three that the final stormwater design addressing DPW's concerns be provided to the Design Review Subcommittee for review and approval. They also added an additional condition that the Planning Board encourages the Applicant to work with the Melrose Historical Commission to allow them access and permission to take photographs to document the building and remove desired elements from the property.

Ms. Gaffey also provided information on the project's three requested waivers from providing a traffic impact report, signage rendering, and handicap access provisions. She explained that due

to the size of the project and building type, a traffic impact report and the handicap provisions were not necessary. Furthermore, the Applicant was not proposing any signage.

A motion was made by Ms. DeSouza Ward to approve the requested waivers. Mr. Welch seconded the motion. By roll call vote, all members voted in favor. None were opposed. A

motion to approve the project's site plan subject to the conditions as amended was made by Mr. Welch. Mr. Gregory seconded the motion. By roll call vote, all members voted in favor. None were opposed. A motion was made by Ms. DeSouza Ward to approve a Special Permit for the reduced parking requirement. Mr. Gregory seconded the motion. By roll call vote, all members voted in favor. None were opposed.

Documents: Application Materials, January 3, 2022
 Response to Preliminary Review, January 3, 2022
 Civil Plans, March 23, 2022
 Landscape Plans, March 22, 2022
 Heat Pump Locations, January 4, 2022
 Construction Management Plan, January 4, 2022
 Stormwater Management, January 4, 2022
 Inspectional Services Letter, July 20, 2021
 Green Building Overview, February 28, 2022
 Snow Removal Information, March 28, 2022
 Stormwater Report, March 16, 2022
 Parking Memo, April 22, 2022
 Operation and Maintenance Plan
 Department of Environmental Protection Checklist Stormwater Report, March 23, 2022

SUBDIVISION

33 Goss Avenue, John Doucette

David Lucas, Attorney, appeared to present the case. He began by noting that this is a two-lot definitive subdivision application and provided information on the square footage and frontage of the property. Currently, there are two structures on the land: a single-family home where the Applicant lives and a garage. The Applicant would like to subdivide the lot and building onto the existing garage to create a single-family house. This case was heard before the Board of Appeals and granted the necessary variances for frontage and lot area for both lots. Attorney Lucas noted that many neighbors have supported this project and suggested that these proposed lots are similar in size to many others in the neighborhood. He does not anticipate any work being done in the public way and stated that the Applicant has offered to extend a sidewalk south on Goss Avenue so that it extends across both lots.

Mr. Sampson noted that because the Applicant requires frontage variances, he is ineligible for an Approval Not Required application. He also noted that this is not a traditional subdivision application given that there will not be any roadway construction. Despite having the variances approved, the Planning Board needs to grant approval of the subdivision and waivers to allow the project to proceed. Ms. Gaffey called attention to the conservation land behind the existing house that was infringed upon by the construction of a retaining wall and parking. She explained that this point was raised during the Board of Appeals hearing and the Board of Appeals conditioned that the Applicant remove all encroachments. She mentioned that the Planning Staff in conjunction with the Conservation Agent outlined a condition of approval for consideration with language around reseeding and restoring the area.

Attorney Lucas explained that when Mr. Doucette bought his house, there was garbage that would flow into his yard from the conservation land, so he built a wall to hold it back. However, it was mistakenly placed on the conservation land. He noted that the Board of Appeals wanted the Applicant to remove the retaining wall, and regrade and reseed a small strip of asphalt, which the Applicant agreed to do.

Ms. DeSouza Ward asked whether the Board of Appeals conditioned the design and location of the second house to which Ms. Massa confirmed that they did. Attorney Lucas elaborated that the second proposed house is not as large, nor does it have as much lot coverage as some of the surrounding homes. Attorney Lucas also confirmed that the Applicant will not have to reappear in front of the Board of Appeals to receive variances to begin construction on the second house.

Mr. Sampson asked if the 6 ft left side yard setback on the second house is conformed to which Ms. Massa explained that the side yard setback requirement is 10 ft but the Applicant received a variance for the left side; a variance was not required for the right side yard setback. Attorney Lucas clarified that he requested a waiver in case the road does not meet standards for a subdivision but that this project is not touching the road. Mr. King reiterated that the Planning Board will just be voting on the plans for the subdivision and not on the dimensions or design of the house, although if the design were to change, the Applicant would have to reappear in front of the Zoning Board.

Mr. Sampson opened the hearing for public comment. No one appeared in support or in opposition of this project. One neighbor submitted a letter of support.

Mr. Sampson outlined the two votes the Planning Board would hold. The first would grant the three requested waivers including waivers for frontage requirements, lot area, and construction of Goss Ave to city standards, to the extent so necessary. The second would indicate approval of the subdivision subject to the conditions in the Staff Report.

Attorney Lucas clarified that the Staff Report discussed rebuilding and reinstalling the retaining wall, which differed from the Board of Appeals' recommendation to remove the wall. Ms. Massa explained that in further discussions with the Conservation Agent and in thinking about how the area would be regraded, one idea was to rebuild the wall on the property line so that the conservation area behind the wall could be filled with clean soil and reseeded. This way, the property line would be clearly demarcated, and the conservation area would be adequately

maintained as opposed to having a sloped area that could affect the success of the plants thriving there. Attorney Lucas countered by explaining that the Applicant would rather not absorb the cost of rebuilding the retaining wall after deconstructing it. He went on to note that the property sat for years without a retaining wall. Ms. Massa posited that rebuilding the wall was just one idea for the private and public property to be clearly separated and so that the conservation area could thrive. She went on to state that in the absence of a retaining wall, the area will need to be reviewed more thoroughly and often to ensure that it is properly maintained. Board Members agreed the decision should include the proposed language except that the requirement to building a retaining wall is omitted and replaced with a requirement to ensure that the conservation land has a stable slope on which the seed mix can thrive.

A motion was made by Mr. Welch to approve the requested waivers for frontage requirements, lot area, and construction of Goss Ave to city standards to the extent so necessary. Ms. DeSouza Ward seconded the motion. By roll call vote, all members voted in favor. None were opposed. A motion was made by Mr. Welch to approve the subdivision subject to conditions in the Staff Report as amended at the meeting. Ms. DeSouza Ward seconded the motion. By roll call vote, all members voted in favor. None were opposed.

Documents: Application Materials, March 31, 2022
Plot Plan, March 7, 2022
Board of Appeals Decision, November 24, 2021
Board of Appeals Approved Plans, July 25, 2021

RECOMMENDATIONS TO THE BOARD OF APPEALS

Board of Appeals Public Hearing on May 11, 2022:

Case 22-006, 194 Melrose Street, Olja Radic

The Board took a neutral position on the proposal. Board Members discussed the design of the structure noting the second unit's lack of a front door, and questioning its accessibility given its location relative to the first unit. Members considered the option of approving the second unit as an in-law instead of legalizing the two-family structure; however they had varying feelings on this idea. A motion was made by Mr. Welch and seconded by Ms. Morelli. All members voted in favor. None were opposed.

Documents: Applicant Materials for Case 22-006

Case 22-007, 25 Rockland Street, Katherine Roberts

After discussing the design of the addition, Board Members did not recommend approving this project. Members felt that the addition could be restructured so that it does not create a new nonconforming left side yard setback and does not extend the tight nonconforming right yard setback. A motion was made by Ms. DeSouza Ward and seconded by Mr. Welch. All members voted in favor. None were opposed.

Documents: Applicant Materials for Case 22-007

Case 22-008, 69 Gooch Street, Matthew Galvin

After discussing the design of the addition, Board Members did not recommend approving this project. Members felt that the massing of the proposed addition was over-scaled and that it increased the footprint of the single-family home by a large margin that is out of proportion with the rest of the neighborhood. Additionally, Members felt that the addition could be designed to be in conformance rather than creating a new nonconformity. A motion was made by Mr. King and seconded by Mr. Welch. All members voted in favor. None were opposed.

Documents: Applicant Materials for Case 22-008

NEXT MEETING

The next Zoning Subcommittee is scheduled for Tuesday, May 17, 2022.

The next regular meeting of the Planning Board is scheduled for Monday, May 23, 2022.

The meeting adjourned at 9:23 pm.