

MELROSE PLANNING BOARD
MEETING MINUTES
Regular Meeting
Monday, June 27, 2022
7:30 PM
Remote Meeting

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

ABSENT: Paul King

STAFF PRESENT: Lori Massa, Senior Planner & Maya Noviski, Assistant Planner

The meeting was called to order at 7:32 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:
<https://www.cityofmelrose.org/remote-meetings>

APPROVAL OF MINUTES

Zoning Subcommittee Meeting, May 17, 2022

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

Planning Board Regular Meeting, May 23, 2022

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

SITE PLAN REVIEW

Case 22-002, 27 Temple Street, Joseph H. & Robin L. Higgins

Patrick McAvoy, Attorney, appeared before the Board to request a continuance to July 25, 2022. He explained that the Applicant was in the process of modifying the application based on the comments made by Staff and the Department of Public Works and would be ready to present at the next meeting.

Ms. Morelli made a motion to approve a continuance to the July 25, 2022, meeting. Mr. Welch seconded the motion. All members voted in favor of a continuance. None were opposed.

Case 22-002, 453-463 Franklin St., Franklin Development, LLC (continued public hearing)

Robert Bell, Attorney, began by noting that the application has been updated to incorporate suggestions highlighted during the previous public hearing. He emphasized that this project is not seeking variances, takes advantage of the City's Density Incentives in the BA-2 District and promotes transit-oriented development. Attorney Bell responded to concerns about increased traffic by explaining that the proposed number of parking spaces will limit congestion and encourage residents to utilize public transportation. He concluded by reading a list of the updated materials to be presented at the meeting including a shadow study and rendering showing the 14 Chipman Ave proposal, modified design plans with respect to bicycle access, the building's lot coverage, and rideshare availability, a detailed financial analysis, building envelope details, details around the logistics of deliveries, and the reinstallation of the sidewalk planter.

Eric Zachrison, Architect, presented the development's architectural plans. The plans show the retail entrance situated at the intersection of Marvin Rd. and Franklin St. and the residential entrance situated along Marvin Rd. The open parking area is adjacent to the lobby with access to the lobby provided through a backdoor connecting the two spaces. The easement in the middle of the parking area will be kept open and will continue to accommodate two-way traffic. The trash room is an enclosed area located behind the parking; the bicycle parking, which can accommodate 25 bikes, can be accessed from the 3 ft. walkway along the back of the building. Mr. Zachrison mentioned collaborating and coordinating with the Developers for the 14 Chipman Ave project who proposed landscaping the area adjacent to the walkway.

Mr. Zachrison continued by noting that there will be seven units per floor and the units facing 437 Franklin St. will now have Juliet balconies rather than the decks originally proposed. The building has also been pulled back 3 ft from the lot line. These updates better accommodate emergency services and maintenance, and create more livable spaces if the neighboring building is redeveloped in the future. Mr. Zachrison reviewed the shadow studies and renderings submitted to the Board. The shadow studies include depictions of the building's impact on surrounding neighbors at 8:00 AM, 12:00 PM, and 4:00 PM for all four seasons. The updated renderings include multiple perspectives of the project and include the 14 Chipman Ave. project, as well.

Other updates to the project's design include changes to the building's signage, the railing design on the Juliet balconies, and reinstallation of the sidewalk planter along the side of the building.

New renderings show the retail sign above the front door with a more muted residential sign on the side of the building along Marvin Rd. The Juliet balconies will have railings made of cast iron, or similar material, around the balcony. In light of DPW's decision regarding reinstalling the planter along Franklin St. as opposed to constructing one in the plaza across the street, the Applicant is willing to reinstall it in the same location as it is today.

Robert Johnson, Applicant, continued the presentation emphasizing that Mr. Zachrison attempted to incorporate feedback provided at the neighborhood meeting and the previous public hearing into the plans. Mr. Johnson stressed that he wants to be a good neighbor and collaborate with surrounding residents. He continued by explaining the marketing strategies the project will utilize. He discussed the theory behind transit-oriented development markets units to people who do not need or want a parking space. He has spoken with real estate agents who have noticed that the market is shifting away from being vehicle dependent due to the rising cost of gas and other vehicle-related expenses. Once the building is erected, Mr. Johnson plans to include signage in the lobby that shows a walkability map with nearby amenities, and make transit schedules available.

Mr. Johnson went on to describe the different transportation applications, such as Uber, Lyft, and Spacer, that tenants can utilize. He explained that Spacer offers parking spaces for rent on private property. He also noted that they are willing to have Zipcar on their site to offer a quick solution for transportation needs although the City may coordinate so that the carshare space is in a public parking space. Mr. Johnson highlighted the available grocery store delivery services that eliminate residents' need to go to a physical store. He explained that the services will be listed on different online platforms such as Zillow.com, MLS, and realtor.com to market to people so that they are mindful of the services available for car free living. He concluded by noting that he believes by providing less parking there will be less traffic and he is confident that the units will attract residents that are not vehicle dependent.

Attorney Bell elaborated on Mr. Johnson's comments explaining that they have done research on communities like Melrose who do not allow overnight parking, such as Brookline, that successfully rent units without dedicated parking. Towns such as Wakefield and Arlington also have developments with successful low unit-parking ratio. Attorney Bell pointed out that there are also other places where tenants can park in the Melrose Highlands if needed. Finally, he noted that an agreement over the use of the passageway has been reached with Mr. Robert Butler of 10 Chipman Ave, granting him permanent access.

Mr. Johnson went on to describe the logistics around deliveries. Trucks will enter through the vehicle entrance on Marvin Rd. and park in a loading zone in front of the lobby door. This design guides trucks through the parking area underneath the building and offers drivers the ability to exit by driving straight through or by turning around. Mr. Johnson posited that there should not be any traffic on Marvin Rd. from deliveries to this project. Attorney Bell mentioned that the Developers for 14 Chipman Ave. plan to have a loading zone on Marvin Rd., which will require approval from the Traffic Commission, and that the Applicant is happy to cooperate with the Developers, at the request of the Planning Board.

Board Members had several questions. Mr. Welch was concerned that toxic air from the adjacent Faulkner's Dry Cleaners at 437 Franklin St. will enter the windows of the project. Attorney Bell responded that the windows are triple paned and meant to be kept closed. The air purity and circulation done internally are elements of the energy efficient mechanisms installed in the building. Mr. Johnson went on to explain that the fans in the bathroom are a part of the HERS system that run for ten minutes every hour, 24 hours a day. This system takes and exchanges air throughout the building. He did not think that the air will be seeping into the building and emphasized that the Energy Star Code they will be using has strict guidelines for fans and venting systems that will circulate and recreate air within the units.

Mr. Welch was also concerned that if wind was blowing from the East, there will be a canyon-like effect exacerbated by the 14 Chipman Ave. project that will prevent vapors from Faulkner's Dry Cleaners from evaporating. Ms. Delahaij commented that according to the Faulkners' website, the business does not use traditional chemicals and their process should not introduce any new chemicals on the site. Attorney Bell addressed this by noting that an LSP or mechanical engineer will be consulted with as plans for construction continue.

Ms. Morelli asked the Applicant to provide a plan for what will be planted in the planter along Franklin St to the Design Review Subcommittee. She also asked if the Applicant would consider providing more than one EV charger in the parking lot. Ms. Morelli voiced her support for the 3 ft. walkway around the boundary of the building perpendicular to Franklin St. and suggested adding gooseneck lighting to illuminate the area and enhance safety prevention. Ms. Morelli also requested that the Board include a condition to the decision that the Applicant submit updated architectural plans that match the most recent renderings.

Ms. Delahaij wondered about plans for the ground floor retail. Mr. Johnson explained that he is working on a letter of intent with the current tenant to remain in the same location. Ms. Delahaij also wondered how the costs were developed in the financial analysis for the incentive zoning. Mr. Johnson explained that to derive the total improvement costs, he compared the cost of building features that meet minimum building code to the costs of the improved features utilized in this project. The analysis is separated by line item. The difference between the base cost and the improved cost result in the total improvement cost of utilizing green features, which is connected to some of the community benefits this project promotes. Ms. Delahaij asked if the Applicant considered enrolling in the MassSaves program to defray some of the costs associated with the features implemented. Mr. Johnson explained that by enrolling in the HERS program, a HERS rater assists with identifying available rebates although Mr. Johnson is unsure what is currently available or how much monetary assistance the rebates will provide.

Mr. Gregory commented that he noticed apartments buildings around the West Wyoming Commuter Rail station that match the fabric of this building and offer reduced, if not non-existent parking, such as the Waverly Place Apartments by the Cedar Park Commuter Rail Station. He also noted that the design of this building is more in line with what was there prior to the current use.

The Board opened the meeting for public comment. The following people spoke: Kori Mendonsa of 102 Richardson Rd., Kevin Sullivan of 12 Greenwood Ave., Councilor Jack Eccles of 99 Essex St., Councilwoman Manjula Karamcheti of 24 Botolph St., and Paul Beecy of 35 North Ave. The Board also received 16 letters written both in support and opposition of this project. Comments in opposition included concerns of lack of outreach to neighbors, increased traffic, lack of landscaping, and lack of sufficient parking. Those in support voiced needing more housing and affordable units, responding to the goals of the Housing Production Plan, increasing transit-oriented development, and promoting economic development opportunities. In response to a question posed by a community member about a dedicated spot for Uber and Lyft drivers, Mr. Johnson explained that they will install signs to help minimize any traffic issues.

Mr. Sampson wondered if there were any outstanding items from the City's perspective to which Ms. Massa responded that there are many recommended conditions of approval. Ms. De Souza Ward commented that the finer details of this project will need to be reviewed by the Design Review Committee. Mr. Sampson wondered if the affordable housing is in perpetuity. Ms. Massa confirmed that they are in perpetuity and regulated by a regulatory agreement which will be signed and entered into the record. Mr. Sampson also agreed with Ms. Morelli that the Applicant should provide conduits for additional EV units.

Ms. Massa noted that the Applicant originally applied for a Special Permit for compact parking spaces but Attorney Bell would like to withdraw that request. Ms. Massa went on to explain the conditions of approval. The Board updated the condition to include the DRSC reviewing the space between the edge of the building and the rear lot line, a planting plan for the planter, the number of vehicle charging spaces, and lighting for the path in the alley between the buildings.

Ms. Morelli commended the Applicants for their effort, flexibility, and open mindedness.

Mr. Welch made a motion to close the public hearing. Mr. Gregory seconded. All voted in favor. None were opposed.

Ms. Morelli made a motion to conditionally approve the Site Plan Review and Special Permit. Mr. Welch seconded. By roll call vote, all voted in favor. None were opposed.

Documents: Application Materials, April 5, 2022
 Financial Analysis
 Inspectional Services Letter, October 22, 2021
 Architectural Plans, May 23, 2022
 Shadow Study and Renderings, June 17, 2022
 Site and Topography Plan, June 23, 2020 & January 18, 2022
 Traffic Assessment, February 18, 2022
 Construction Management Plan, February 1, 2022
 Energy Star Partnership Agreement, September 21, 2021

Energy Code Information, September 10, 2021
Title 5 Flows, August 24, 2021
Marketing Plan, June 24, 2022
Lighting Plan and Fixture Specification, August 17, 2021
Incentive Zoning Information, May 23, 2022

SUBDIVISION PUBLIC HEARING

Summit Avenue, North Shore Residential Development

Patrick McAvoy, Attorney, appeared before the Board to request a continuance to August 22, 2022. Attorney McAvoy explained that due to the number of Board Members present, the Applicant prefers to wait and present their case in front of the full Board. Board Members discussed that they typically utilize a peer review consultant for projects of this scale so that the Applicant is not surprised by this request when they open the case and discuss this option at the August meeting. Mr. Sampson clarified that this is a new application for this project. The application that was presented to the Board in 2021 was a Modification to a Subdivision; that request was denied, and the Applicant is moving forward with a new application while appealing the Board's previous decision.

Ms. De Souza Ward made a motion to continue this case to the August 22, 2022 meeting. Mr. Welch seconded the motion. All voted in favor of the continuance. None were opposed.

RECOMMENDATIONS TO THE BOARD OF APPEALS

Board of Appeals Public Hearing on July 13, 2022:

Case 22-011, 1139 Franklin St., Thomas Harvey

The Board recommended denying the requested variances. Board Members discussed the illegal past construction above the garage in 2018 and the Applicant's lack of response to the Building Inspector's request for additional information regarding building code requirements. Members noted that application's incompleteness and lack of important pieces of information regarding how the property will be used for zoning purposes. Additionally, Members posited that the Zoning Ordinance currently does not allow for accessory dwelling units and the many variances this project required is disconcerting.

Mr. Welch made a motion to send a letter recommending denying the requested variances. Ms. DeSouza Ward seconded the motion. All members voted in favor. None were opposed.

Documents: Applicant Materials for Case 22-011

Case 22-013, 148 Myrtle St.. Brown Dog Properties, LLC.

The Board was in support of this application. This project was granted a Site Plan Approval and Special Permit for reduced parking and through this process, the project's design was modified to incorporate recommended changes.

Ms. DeSouza Ward made a motion to recommend approval. Mr. Welch seconded the motion. All members voted in favor. None were opposed.

Documents: Applicant Materials for Case 22-013

Case 22-015, 194 Melrose St., Olja Radic

The Board had no objection to the request. Mr. Welch noted that the Applicant modified the original proposal to be more in line with what the Planning Board, Staff, and Board of Appeals recommended to begin with. Members felt that an In-Law apartment is a more fitting use of space above the garage than a separate dwelling unit.

Mr. Welch made a motion to send a positive letter to the Board of Appeals. Ms. Morelli seconded the motion. All members voted in favor. None were opposed.

Documents: Applicant Materials for Case 22-015

NEXT MEETING

The next regular meeting of the Planning Board is scheduled for Monday, July 25, 2022. The meeting adjourned at 9:45 pm.