MELROSE PLANNING BOARD
MEETING MINUTES
Regular Meeting
Monday, October 24, 2022
7:30 PM
Remote Meeting

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

ABSENT: None

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

The meeting was called to order at 7:34 PM by Mr. Sampson.

Pursuant to An Act Relative to Extending Certain State of Emergency Accommodations, signed into law by Governor Baker on July 16, 2022, 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

SUBDIVISION PUBLIC HEARING
Summit Avenue, North Shore Residential Development (continued public hearing)
Patrick McAvoy, Attorney, appeared before the Board explaining that the project is in the middle of an engineering peer review and final plans will be presented once the review is complete. He noted that the team would like to use this meeting to receive feedback on the Board's site visit on October 15, 2022.

Board Members voiced concern about the site's slopes and the number of proposed lots. Members felt that there are opportunities to build on the site that preserve more of the protected slope and highlighted Lots 6 and 7 as plots that pose significant construction challenges due to their steepness. Members also suggested relocating the water booster station further from the adjacent neighbors on Summit Ave. Pictures of the water booster station were requested and Members were curious if the Applicant has considered using individual pumps in homes.

Members also voiced concern over the length of the dead-end road noting that it will be the longest in the city. Members felt that not enough information has been presented for a waiver to be granted for length of a dead-end road or to justify continuing the grade of the road. Similarly, Members felt that there has not been enough information presented to comply with the slope protection criteria required for a Slope Protection Special Permit. The importance of designing architecturally innovative homes that fit into the landscape was emphasized and Members suggested scaling back the size of the homes or reducing the number of proposed homes. A prepared site section that has the same scale, covering the top of the site through to the houses on Woodland Ave., was requested. Members were also curious if the Applicant is proposing full basements in all the homes; it was noted that basements could be designed in innovative ways to protect the slope.

Other concerns included the safety impacts and stormwater management of the site and Members wanted more information on the Applicant's efforts to mitigate potential effects on abutters beyond the required 100-foot limit of concern. Members requested data on the expected noise levels during construction and questioned how the Applicant will ensure all unimpacted slope areas are protected in perpetuity once construction is complete.

Attorney McAvoy and Jack Sullivan, Engineer, responded to the Board's concerns noting that one of the benefits of the new dead-end road is that a cul de sac will be installed at the top of the road for emergency vehicles, which improves existing road conditions. They also explained that changing the grade of the roadway will require more earth removal and extending the current grade will create less of an impact. They also noted that this dead end will not be the longest in the city.

Ron Lopez, Developer, explained that there will not be any blasting; the construction will only involve drilling and he will provide more information about noise impacts at the next meeting. He also explained that he is proposing full basements in the houses though the plans are not finalized. He noted that a Homeowners Association will be established after construction and their responsibilities could include the maintenance of the infiltration field and water booster, as well as establishing conditions for slope protection in perpetuity. In response to the question raised about individual water boosters for each home, Mr. Lopez explained that he discussed this option with a Water Engineer who suggested two possible concerns: individual boosters would not add pressure to the hydrant higher up the hill; and if individual systems rely on electricity and the electricity stops running, the houses may be cut off from an emergency water source. He noted that he is also waiting for the Fire Chief to review this option and provide comment.

The Board received five letters outlining questions and concerns about the project. Four members of the public appeared including: David Roache of 8 Prescott St., Kevin Sullivan, Charles Gill for Paula Byrne of 88 Woodland Ave., and Richard O'Gara of 68 Woodland Ave. Comments and questions included:

- Proposal does not demonstrate attempt to preserve landscape, use innovative architecture, or protect the slope
- 100 ft. is not enough for a vibratory impact assessment, and it should be extended
- Will the rock grinding and drilling pollute the air, and will there be radon emissions?

- Stormwater management and land erosion are concerns for downslope abutters
- Can the developer utilize the existing storm strain?
- The noise levels of the water booster station are unclear, and it should be relocated
- The site's steep slopes are dangerous, and the number of new homes proposed poses noise and privacy concerns for the neighborhood
- The foundations of existing homes will be impacted by the drilling

Attorney McAvoy noted that they will address all these concerns at the next meeting. Mr. Sampson asked Attorney McAvoy for an extension for filing a Planning Board decision to after the November 28, 2022, meeting.

Mr. Gregory made a motion to continue to the case to November 28, 2022. Mr. Welch seconded the motion. By roll call vote, all voted in favor of a continuance. None were opposed.

SITE PLAN REVIEW

Case 22-005, 27 Temple St., Joseph H. & Robin L. Higgins (continued public hearing)

Attorney McAvoy appeared to present the project and provided an overview of the property's history. He noted that the property's zoning district requires a lot area of 15,000 sq. ft. for a single-family home, which has impacted the permitting of this project. He explained that initially, the Applicant's proposed building two new single-family houses but were denied by the Board of Appeals. The current proposal is for one single-family home situated at the front of the property to avoid impacting the site's slopes, but the project still requires a Slope Protection Special Permit. He noted that the front of the house will barely be visible over the street level and the back of the house will be screened by existing trees.

Joseph Higgins, Applicant, explained that after the Board of Appeals denied the two single-family homes, the design was altered to include one, larger, single-family home, which covers more of the lot, and a two-car garage. Mr. Higgins noted that they are proposing a one and a half story house covering 13% of the lot, although the architectural plans have not yet been finalized. He explained that they are entitled to use 37% of the lot, which has 160 feet of frontage, and the neighbor across the street will be the only person able to see the house.

Board Members felt that the proposed house is too large and tall, especially with the proposed front dormers, and will have significant impacts on the steep slopes. While they believe that there is room for a house on the lot and enough screening from the existing trees, they noted that the site where the two-car garage is proposed is better suited for the foundation of the house. Members pushed back on the notion that just because the zoning allows building up to a third of the lot, this lot cannot accommodate the current proposal due to the steep slopes. Members emphasized that the architecture must fit into the landscape and suggested that a more moderate house may be better suited for the site, which would also allow for more usable green space. Board Members were concerned that the lack of yard space would lead future residents to further disrupt the landscape and wanted more information on the proposed measures to permanently protect the unimpacted slopes and trees on the lot.

Members also voiced concern for the abutters downslope that have been impacted by rocks falling from the site onto their property and wanted more information about a construction mitigation plan. They noted that 70% of the parcel has protected slopes but the footprint of the proposal is larger than the surrounding houses. Members felt that the design does not meet the criteria for the Slope Protection Special Permit and recommended shifting the program area downstairs and eliminating the master suite above the garage, which contributes to the oversized massing of the house. One Member also suggested that if the Applicant is considering a full walkout basement, there could be an opportunity to allow for a tighter footprint and less infiltration into slope protected areas. Members also noted that certain landscaping techniques could mitigate stormwater runoff.

The Board received one letter of support for this project and David Roache of 8 Prescott St., appeared in opposition to the proposal. Comments included:

- Concerns about increased truck and construction vehicle traffic
- The challenging landscape has prevented development
- There are safety concerns for downslope abutters
- There is not enough proposed green space
- The Applicant must submit definitive architectural plans
- The proposal does not meet the criteria for the Slope Protection Special Permit
- The proposed half story does not meet the Zoning Ordinance's definition

Thad Berry, Engineer, noted that a construction fence and erosion control device will be put around the site, and trees outside of the marked area will not be touched. The proposal also includes a shea block wall that will further prevent any impact down grade. He also explained that the deed for the home will require the maintenance and upkeep of the proposed rain gardens, which have been promoted across the state as an effective stormwater management technique.

Andy Bramhall, Land Surveyor, asked the Board what size tree they would like to see shown on the site. Robin Higgins, Applicant, clarified that a tree did not fall onto their neighbor's property from their lot and a construction plan would explain how neighbors would be protected from falling debris during construction. She also read a letter of support from a neighbor into the record.

Ms. DeSouza-Ward made a motion to continue the case to November 28, 2022. Mr. Aveni seconded the motion. By roll call vote, all voted in favor of a continuance. None were opposed.

<u>Case 22-006, 681-687 Main St., Green Rise Homes, LLC. (continued public hearing)</u>
David Lucas, Attorney, appeared before the Board to present the case and review the project's updates from the previous public hearing. He explained that the retail trash and recycling room was moved to the back of the building and the retail service door on Main St. will be frosted glass instead of metal. He noted that a shadow study was submitted to the Board and provisions for rodent control were included in the Construction Management Plan such as evaluations by a licensed Pest Control Operator before, during, and after construction, and daily onsite pest

monitoring. Data on overnight parking permits in the Livermore Lot was also collected; results show that the city does not have any record of residents requesting to park there. Attorney Lucas clarified that if the Reduced Parking Special Permit is granted, the project will not need parking relief from the Board of Appeals. He also noted that since the square footage of the commercial space was reduced, the businesses will not need as much parking.

Ken Feyl, Architect, reviewed changes to the architectural plans. He explained that while the trash room was relocated, a retail service door on Main St. will remain in place. When emptying solid waste, retail tenants will exit from the retail service door and walk or roll the trash about 20 ft. down Main St. and around the building to the dumpsters. If there are two commercial tenants, a service corridor will be located behind the spaces. The corner element was also updated with a white frontage and Juliette balconies. A wooden façade borders the corner, and the top of the building proposes a sloped parapet creating a tower-like feel. The stair tower was also shortened and details on the materials for the retail and tenant signage were included. Additional renderings with views looking up East Emerson St. were submitted along with a shadow study modeling the building's impacts on surrounding neighbors during the winter months.

Denise Gaffey, City Planner, provided more information on the city's overnight parking permits. She explained that while residents are not required to choose a specific lot at the time of permit purchase, the Parking Clerk inquiries about lot preference and keeps a record of the responses. To date, no resident has indicated they will be parking in the Livermore Lot although the project's parking study showed three cars parked overnight suggesting that there may be permit holders or guests parking there. Thus far, three hundred permits have been sold this year of the six hundred that are available annually.

Ms. Gaffey also noted that residential developments in the Downtown business district are exempt from providing parking and Staff feel that this project shares many similar qualities with those developments. She explained that residents living at 524 Main St. have not purchased permits from the Parking Clerk suggesting that they are either making use of private parking arrangements or that they do not own vehicles.

Board Members appreciated the relocation of the retail solid waste and recycling room and generally felt comfortable with the proposed parking situation. Members noted that apart from the availability of parking in the vicinity, not offering parking is ultimately a risk the Developer assumes when trying to find prospective tenants. Members were curious is there was a curb in front of the retail trash and recycling room or if the pavement is flush. It was noted that a curb would pose a challenge when trying to wheel the dumpsters out of the room to the pickup location. Members also commented that the location of the transformer and the egress in the back of the building could be redesigned.

Katie Enright, Engineer, explained that the conditions in front of the retail trash room are flush. Mr. Feyl clarified that the two-yard dumpsters will be wheeled to the pickup spot and the trash

truck will use forks to lift the dumpsters overhead. The proposed dumpsters are plastic on casters, which weigh less than metal dumpsters and will be easier to wheel.

The Board received four letters commenting on this project and four people appeared to speak including Patrick McAvoy of 723 Main St., Kori Mendonsa of 102 Richardson Rd., William Ryan 21 Damon Ave., and Bill LeFave of 653 Main St. Concerns included:

- Lack of parking
- ADA accessibility
- No designated parking for ride sharing services, deliveries, and moving trucks
- Building design and size
- Lack of information on exterior lighting
- Retail trash route down Main St.

Suggestions included:

- Adding a sheltered bus stop
- Increasing green infrastructure to account for the building's location within a floodplain
- Increasing greenspace along Main St. and East Emerson St.
- Ensuring that the Construction Management Plan considers abutters and includes air monitoring for toxic pollutants during construction

Ms. Gaffey reviewed several of the project's draft conditions of approval including:

- The project will be built according to plans, including the installation of all building components, and any changes must be reviewed by the Planning Board
- A mockup will be submitted to the Design Review Subcommittee who will meet with the team to discuss finer design details
- There will be a contribution to the infiltration fund
- A staging area will be erected prior to construction, and pedestrian access is maintained and protected during construction and demolition
- Construction vehicles are restricted from parking on East Emerson St.
- Residents will be given an orientation package with information on public transportation, parking, and MBTA passes
- Three of the units will be affordable
- The Owner is responsible for all building maintenance

Mr. Welch made a motion to close the public hearing. Mr. Gregory seconded the motion.

Ms. DeSouza-Ward made a motion to approve the Site Plan Review and Special Permit for Reduced Parking Requirements subject to the drafted conditions. Mr. King seconded the motion. By roll call vote, all voted in favor, except that Michael Aveni abstained as he was not on the Board for the first public hearing for the case. None were opposed.

NEXT MEETING

The next regular meeting of the Planning Board is scheduled for Monday, November 28, 2022.

The meeting adjourned at 10:30 pm.