

MELROSE PLANNING BOARD
MEETING MINUTES
Regular Meeting
Monday, March 13, 2023
7:30 PM
Remote Meeting

PRESENT: Tim Bailey, Beth Delahaij, Anne DeSouza Ward, Carla Morelli, Greg Sampson, Jack Welch, Michael Aveni, Brian Gregory & 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 7:40 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>

APPROVAL OF MINUTES

Planning Board Regular Meeting, February 27, 2023

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

SUBDIVISION PUBLIC HEARING

Summit Avenue, North Shore Residential Development (continued public hearing)

Patrick McAvoy, Attorney, Michael D. Rosen, Attorney, Ronald Lopez, Developer, and Jack Sullivan, Engineer, appeared before the Board to present the case. Attorney McAvoy explained that the Applicant is still responding to the City's comments on the proposed stormwater system. He provided an overview of the development noting that the project proposes six lots with one conforming single-family house on each that proposes a 20% lot coverage. He noted that the

slope protected areas inside the lots will remain untouched, however the turnaround at the end of Summit Avenue extension will impact approximately 900 sf of slope protected area. He also noted that the water booster station was eliminated and that Lot 7 will be donated to the city's Conservation Commission to remain in its natural state. He reminded the Board that each house now has an individual water booster and the Developer has offered to do an overlay of all of Summit Avenue including curbing. Additionally, he posited that the turnaround at the top of Summit Avenue extension will improve emergency vehicle access for the entire street.

Mr. Sullivan continued by noting that plans have been updated to meet most of the items addressed in Weston & Sampson's peer review and that the team will work to resolve any outstanding issues highlighted by the City Engineer. He reminded the Board that the lot has about 23,000 sf of slope protected area. 3.5% of the slopes will be altered at the top of the turnaround where updated plans include moving the retaining wall back into the right of way to reduce slope alteration. He noted that the majority of Lot 7 is in the sloped area and there will be some drainage infrastructure on the lot; drainage easements have been created where the drainage systems will be located. Mr. Sullivan reiterated that the Developer is proposing a full overlay of Summit Avenue. The team will ensure that the street has a proper crown, and stormwater will flow along the curb lines.

Mr. Sullivan noted that a noise report and vibration study were conducted. He also responded to comments from the previous hearing about the retaining wall behind Lots 1 and 2, noting that elevations were provided. He explained that they are proposing a ledge faced wall that is 10-15 ft. high with a black aluminum fence installed at the top of the ledge face. There will also be a two-tiered wall on the ledge faced side that will be 5 ft. high. Any retaining wall over 4 ft. tall will be designed by an engineer.

Members asked about the proposed erosion control in the slope protected areas noting that there will be more impact to the land than the plans demonstrate. Mr. Sullivan responded that construction would take place by the roadway and there will be measures in place behind the wall to limit erosion. It was also clarified that the sidewalk at the top of the turnaround will just be on the left side of the development and that there will not be any street parking allowed on the cul de sac. One Member asked if all emergency vehicles can access the turnaround during the winter months if there are snowbanks.

Members were disappointed with the renderings and proposed designs of the houses with comments including:

- The houses have full basements that will require more rock removal than is necessary
- The houses are too large and will tower over the houses on Woodland Avenue
- The houses do not fit the topography of the land and require destroying the natural habitat
- The renderings depict flat surfaces which is not an accurate representation of the site and the site should not be flattened excessively to support single-family houses
- The facades should be redesigned

- Design elements such as porches, having the houses set back and nestled into the landscape, using stone walls, including dormers, and altering the roof design should be considered

Mr. Lopez responded that the sizes of the houses are less than half of what the zoning ordinance permits and that the housing mix on Summit Avenue varies. He believes that a colonial style, like he is proposing, would not look out of place on the street. Additionally, he noted that most houses in New England have basements or crawl spaces and that it would be a loss to future residents to not have the storage space. Attorney McAvoy added that he believes the houses seem consistent with what has been built on the street since the 1900s and that the requested waivers do not relate to the architecture or design of the proposed houses.

Members were also concerned with the amount of noise and stone removal that the project will elicit. One Member requested data on the expected greenhouse gas emissions that would result from the deforestation and construction on the site for the six proposed homes compared to emissions from building one house on an accessible site. One Member noted that although the Developer is proposing walkout basements that take advantage of the grade changes and the plans propose placing garages at lower elevations, it would be helped to know to what extent rock removal could be avoided. One Member asked if there will be acoustic monitoring that will take place during construction and how the Developer plans to follow the recommendations in the sound report.

Mr. Lopez noted that during construction a portable system that is between 9-10 ft. high will be surrounding the machinery that is crushing and drilling the ledge. The system will move with the machines and control the sounds. The development team elicited information from sound blanket companies and a geotechnical engineer to revalue the proposed vibrations. Additional sound monitoring was recommended.

Members asked if there will be a barrier or protection to prevent rocks and debris falling on the abutters on Woodland Avenue and raised concerns about the impacts of granting the requested waivers. Some Members noted that this project is not in the general interest of the public and not enough is being done to protect abutters from safety hazards. Additionally, Members commented that they do not have confidence in the proposed stormwater system, which has had to undergo several reviews by Weston & Sampson and has had to be repeatedly altered.

Mr. Lopez explained that there will be a chainlink fence installed at the top of the hill and there will also be jersey barriers for additional protection at the steepest parts of the site. Mr. Sullivan noted that an Erosion and Sediment Control Plan was reviewed and approved by Weston & Sampson. He also refuted the number of peer reviews explaining that Weston & Sampson has reviewed two different plans that were significantly different and he confirmed that the team will continue trying to address the Board's concerns.

The Board received six letters in opposition to the proposed project and four members of the public appeared before the Board to speak in opposition including: Daniel Ferguson of 54 Woodland Avenue, Attorney Charles Gill for Paula Byrne at 88 Woodland Avenue, Ruth Greenholz at 68 Woodland Avenue, and Linsey and Sean Malkus of 60 Woodland Avenue. Comments and concerns included:

- Stormwater management and potential flooding for abutters on Woodland Avenue
- The Geotechnical report was not comprehensive and did not satisfy abutters' concerns
- Lack of erosion and sediment control
- Impacts of construction and the amount of rock removal
- Noise control and pollution
- Lack of details around the proposed catchment systems and how they will be maintained
- Destruction of natural habitat
- Increased traffic and drain on City's public services/resources
- Lack of affordable housing
- Lack of public benefit

Mr. Sampson noted that the Applicant should be prepared to respond to these comments and questions at the next hearing in addition to providing more information about the project's stormwater management system. He also requested that the Applicant provide a written request to extend the deadline for the project's decision. Attorney McAvoy agreed to send the written agreement for the time extension.

Ms. Morelli made a motion to continue the public hearing to April 24, 2023. Mr. Welch seconded the motion. All voted in favor. None were opposed.

Documents: Subdivision Plans 1.17.2023
Slope Protected Area
Drainage Report 1.23.2023
Pre-development Drainage Plan 1.23.2023
Post-development Drainage Plan 1.23.2023
Vibration Evaluation 1.24.2023
Construction Noise Report 2.6.2023
Homeowner's Association Trust
Stormdrain Operations & Maintenance Plan 1.23.2023
Independent Peer Review Report by Weston & Sampson 3.3.2023
Department of Public Works Memorandum 3.8.2023
Housing Renderings 3.2023

ZONING AMENDMENTS

Denise Gaffey, City Planner, presented an overview of the zoning amendments that the Planning Board initiated. She explained that Lori Massa, Senior Planner, Mr. Sampson, Ms. DeSouza Ward and herself went before the City Council Appropriations Committee on March 6, 2023 to present the amendment during their public hearing. She noted that the City Council will consider

the Planning Board's recommendation letter before voting on the amendments. She also noted that no members of the public appeared to comment at the City Council public hearing.

The presentation provided information on the 11 proposed amendments including:

- Corner lot setbacks
- Definition of Structure
- Zoning district change at 521-529 Franklin St.
- Definition of Retail Food Establishment
- Definition of In-law Apartment
- Votes for special permit approval & term
- Site lines and fence height in front yards on corner and non-corner lots
- Site plan review
- Vegetation height for corner lots and in yards along streets
- Unit size
- Definition of family and dwelling

The Board did not receive any letters from the public and no one appeared before the Board to speak on the amendments. Ms. Gaffey noted the City Councilors questions and comments and the Board discussed them. The items will be summarized in the Planning Board's recommendation letter; which the Board can review at the next meeting before it is sent to the Council. The Board did not recommend making any changes to the proposed amendments.

Mr. Welch made a motion to close the public hearing on the zoning amendments. Mr. King seconded the motion. All voted in favor. None were opposed.

Documents: Powerpoint Presentation to City Council 3.13.2023
Letter to City Council from Planning Board 1.31.2023
Zoning Amendments 2023

NEXT MEETING

The next meeting of the Planning Board is scheduled for March 27, 2023.
The meeting adjourned at 9:45 pm.