

**MELROSE PLANNING BOARD  
MEETING MINUTES  
Regular Meeting and Public Hearing  
Monday, July 27, 2015  
7:45 PM**

**Mayor's Conference Room, Second Floor, City Hall, 562 Main Street**

**PRESENT:** Carla Morelli, Michael Cassavoy, Ed Cassidy, Anne DeSouza-Ward, Paul King, Robert Mercado, Sharon Petrillo, and Jack Welch

**ABSENT:** John Sadowski

Denise Gaffey, Director and City Planner, and Erin Zwirko, Assistant Planning Director, were present.

The meeting was called to order at 7:55 PM by Ms. Morelli.

**MINUTES**

Design Review Subcommittee, June 25, 2015

Mr. Cassidy MADE a MOTION to accept the Design Review Subcommittee minutes of June 25, 2015 as written. Mr. Mercado SECONDED the MOTION. Mr. Cassavoy abstained. All members voted in favor. None were opposed.

**ASSENT CALENDAR**

Mr. Cassavoy MADE a MOTION to take the Assent Calendar cases out of order. Mr. Welch SECONDED the MOTION. All members voted in favor. None were opposed.

Case 15-020, 9 Trenton Street, Mark and Christine Donahue (August 12, 2015)

Mr. and Mrs. Donahue presented their application. They would like to add a small addition to their existing residence for a bathroom with laundry. The addition will not encroach on the side yard setback further than the existing structure.

Mr. Welch MADE a MOTION to send a letter to the Board of Appeals indicating that the Planning Board has no objection to the application. Ms. DeSouza-Ward SECONDED the MOTION. All members voted in favor. None were opposed.

Document: ZBA Application Case 15-020

Case 15-019, 30 Bratley Street, Mark Roscigno (August 12, 2015)

Mr. Cassavoy MADE a MOTION to send a letter to the Board of Appeals indicating that the Planning Board has no objection to the application. Mr. Welch SECONDED the MOTION. All members voted in favor. None were opposed.

Document: ZBA Application Case 15-019

## **BOARD OF APPEALS**

### Case 15-017, 17 Upham Street, Alex Alekseyev (August 12, 2015)

Alex Alekseyev owns Alliance Motor Group, an automobile dealership, which currently operates at 13 Stevens Place. Mr. Alekseyev requested to extend his existing Special Permit for operating such a use in the BA-1 District to the existing retail space at 17 Upham Street, the former location of Dorothy's Lane.

Mr. Welch noted that the space used to be a Pontiac Dealership and used the space at 17 Upham Street as a showroom.

Mr. Alekseyev explained that he keeps a few cars for sale outside of 13 Stevens Place. By using 17 Upham Street as a showroom, he will improve the appearance of that area.

Mr. Mercado asked if the building will be altered in any way. It won't. Mr. Alekseyev is only expanding his business.

Mr. Welch stated that a dealership operated at this location for many years previously. Recently, retail uses have been marginally successful at this location, and now the space is reverting to the previous use. Mr. Welch noted that had the dealership been a new use for this location, the Planning Board might object to the Special Permit request. Based on the history of the building, this particular use is appropriate for the location.

Ms. Morelli asked how Mr. Alekseyev will get vehicles in the space at 17 Upham Street. Mr. Alekseyev indicated that there are doors that open wide enough to drive vehicles into the space via the existing curb cut on Upham Street.

Mr. Cassidy asked where customers will park. Mr. Alekseyev explained that there is parking along Stevens Place, a small parking lot owned by his landlord, and on-street parking on Upham Street.

Mr. Welch MADE a MOTION to send a letter describing the stated comments to the Board of Appeals. Mr. Cassavoy SECONDED the MOTION. All members voted in favor. None were opposed.

Document: ZBA Application Case 15-017

### Case 15-018, 121 Larchmont Road, Albert Adami (August 12, 2015)

Ms. Petrillo disclosed that she received a notification of the Board of Appeals request as an abutter.

Attorney Judith Clark and John Weldon represented the Applicant at the meeting. Mr. Weldon is Mr. Adami's son-in-law. Attorney Clark explained that Mr. Adami purchased the property in January 2015. It is Mr. Adami's intent to live there with his wife and daughter and son-in-law's family. Mr. Weldon and his wife currently live at the home, and Mr. Adami and his wife currently live in Florida. Mr. Adami has mobility issues, and the family has planned an interior reconfiguration to allow Mr. Adami to live on the first floor for accessibility reasons. Attorney Clark explained that the structure is pre-existing nonconforming with respect to the side yard setbacks, and the rear abutter is Bellevue Golf Club.

Ms. Petrillo asked if the home has any existing Variances. Mr. Weldon indicated none to his knowledge.

Mr. Cassavoy asked when the home was built. It was built in the 1930s. Mr. Weldon also noted that it does not have a basement as it was built on a slab, which has made it difficult to reconfigure with respect to setbacks.

Mr. King asked about the structure in the backyard. Mr. Weldon noted that it was a hockey rink, which was installed by the previous owner and will be removed during construction.

Ms. DeSouza-Ward noted that the golf course as an abutter is a mitigating factor in this case. The encroachment on the rear yard setback will not have the same impact on the golf course and it may have on a residence.

Mr. Mercado asked if Mr. Weldon has consulted with his neighbors. Mr. Weldon explained that both abutters have been contacted, and understand that the addition is necessary for the continuing care of a family member.

Mr. Cassavoy agreed with Ms. DeSouza-Ward's comments. He noted that the side yard setback is a pre-existing condition. Mr. Cassavoy suggested sending a neutral letter.

Mr. Cassidy asked if the addition has a separate entrance. Mr. Weldon explained that French doors will lead to a patio providing an accessible emergency route, but that the addition is fully tied into the rest of the residence.

Mr. Cassavoy MADE a MOTION to send a neutral letter to the Board of Appeals as discussed. Ms. DeSouza-Ward SECONDED the MOTION. All members voted in favor. None were opposed.

Document: ZBA Application Case 15-018

Case 15-021, 21 Orchard Lane, Paul and Alison Costello (August 12, 2015)

Alison Costello presented her application to the Planning Board. Mr. and Mrs. Costello would like to add a two-story addition to their pre-existing nonconforming residence. The addition will be in the general location of the existing garage and breezeway. They have designed the project to appear natural rather than the typical bay window in the area of the old garage door. Mrs. Costello noted that the abutters are supportive of the proposed project.

Ms. Costello noted that the Building Commissioner's letter is a little misleading. There is no right side encroachment; it is the existing condition. The request is for a variance from the left side yard requirement. The addition is proposed on the left side due to the presence of ledge on the right.

Mr. Cassidy asked where Ms. Costello will park. The family will park in the driveway as they do now. The existing garage is not large enough to park a vehicle. The driveway is large enough for four cars parked in tandem.

Ms. Morelli asked if the Costellos will need to add a shed due to the loss of the garage. Mrs. Costello explained that a storage area will be created in the area of the existing garage. The storage area will appear to be a garage, but will open like a shed. A lawn mower and other items can be stored here without needing to add a shed.

Ms. DeSouza-Ward asked about the Option 1 and Option 2 drawings provided. Mrs. Costello explained that she and her husband prefer the peak shown on Option 1, but the layout of Option 2.

Mr. Cassavoy indicated that maintenance may not be an issue with the side yard encroachment. Mr. Cassavoy explained that the Planning Board typically discourages side yard encroachments because of the subsequent maintenance issues. Mrs. Costello indicated that her family reviewed three alternatives and this was the best option.

Mr. Cassidy asked about the arborvitae row on the property line. Mrs. Costello explained that her family and her neighbor cooperatively maintain the trees.

Mr. Mercado asked if a basement will be constructed. Mrs. Costello indicated that it may be constructed, but at this time, they do not know how much ledge is below the ground surface.

Mr. Cassavoy MADE a MOTION to send a letter to the Board of Appeals indicating the Planning Board typically discourages side yard encroachments, but does not see any concerns about maintenance for this particular case and has no objections. Mr. Mercado SECONDED the MOTION. All members voted in favor. None were opposed.

Document: ZBA Application Case 15-021

## **SITE PLAN REVIEW**

### Case 15-004, 463 Rear Franklin Street/ 5 Marvin Road, LCM Plus (public hearing)

Joseph Guarino, the owner of LCM Plus, presented the project to the Planning Board. LCM Plus' main office is on West Foster Street in downtown Melrose, and the business seeks to lease the existing storage space located in the rear of 463 Franklin Street. According to the Applicant, this storage space is appropriate in size and is more convenient than space currently used in Saugus. Throughout the year, and specifically during the holiday season, LCM Plus installs seasonal lighting for events and many clients rent the lighting for the entire season. LCM Plus plans to store lighting and holiday decorations in the space at 463 Franklin Street.

Mr. Guarino explained that the proposed use recently received a variance from the Board of Appeals. The use category "warehouse/ storage facility" is a prohibited use in the zoning district. Mr. Guarino explained the Planning Board reviewed his Variance request during an earlier meeting, and found that since the space lacks ADA access, the particular use proposed Mr. Guarino is appropriate for the particular location. LCM Plus received relief from the Board of Appeals on July 8, 2015.

Mr. Guarino explained there will be no exterior alterations to the building and the only signage that is proposed is interior window lettering.

Ms. DeSouza-Ward noted that the Applicant has requested waivers from nearly all of the application requirements. Ms. Zwirko noted that this is one of those projects captured by Site Plan Review for a change of use.

Mr. Cassavoy MADE a MOTION to open the public hearing. Mr. Welch SECONDED the MOTION. All members voted in favor. None were opposed.

Robert Curry explained that he owns a four-unit apartment building at 10 Chipman Avenue. Mr. Curry explained that he wants to be sure what will be taking place in the space that LCM Plus intends to occupy and that it is not detrimental to his tenants, particularly any noise impacts. Mr. Curry noted that he has concerns with the driveway that runs from Chipman Avenue to Marvin Road, and between the building to be occupied by LCM Plus and the parking lot owned by the Garniss family. Mr. Curry explained that it is not a public road, but has been used as such in the past. It is intended to be for the benefit of the abutting property owners, but he does not see any reason why LCM Plus will need to access the leased space from Chipman Avenue.

Ms. Morelli asked if there have been issues with other tenants at the property. Mr. Curry indicated that in the past there have been issues but nothing recently.

Ms. Morelli asked Mr. Guarino if he intends to utilize this driveway. Mr. Guarino indicated he does not intend to use the driveway, and will only be accessing the property via Marvin Road.

Ms. DeSouza-Ward indicated that LCM Plus' loading and unloading operations will only take place during normal business hours Monday through Saturday, so there should be no noise impacts. Ms. DeSouza-Ward suggested a condition be added that prevents using the driveway.

Mr. Mercado asked if loading and unloading will block access via the driveway. Mr. Guarino suggested that there was enough room for vehicles to maneuver past his trucks.

Mr. Cassidy asked if the parking spaces are accessed via Marvin Road. They are.

Ms. DeSouza-Ward asked if the lease indicates any conditions regarding the driveway. Mr. Guarino noted that the lease prevents access via the driveway and blocking the driveway. Ms. DeSouza-Ward suggested adding a condition to that effect.

Mr. Cassidy asked what type of vehicles would occupy their parking spaces. Mr. Guarino explained that it could be a van or a box truck.

Mr. Mercado MADE a MOTION to close the public hearing. Mr. Cassavoy SECONDED the MOTION. All members voted in favor. None were opposed.

The Planning Board had a short discussion to understand which waivers were being requested. Mr. Mercado MADE a MOTION to grant the proposed waivers with the exception of the Executive Summary, the Site Plan, and Signage. Ms. DeSouza-Ward SECONDED the MOTION. All members voted in favor. None were opposed.

Ms. Morelli read the proposed conditions aloud. Ms. DeSouza-Ward suggested that condition 3 be revised to indicate normal business hours Monday through Saturday.

Ms. Morelli suggested that a sixth condition be added to address the driveway: "Access to the tenant space and parking lot shall be via Marvin Road. LCM Plus' operations shall not obstruct access to the Chipman Avenue driveway."

Mr. Cassidy MADE a MOTION to approve the Site Plan subject to the conditions as modified. Mr. Mercado SECONDED the MOTION. All members voted in favor. None were opposed.

Documents: Site Plan Review Case 15-004

## **DEFINITIVE SUBDIVISION PLAN AND SLOPE PROTECTION SPECIAL PERMIT**

### Case 15-005, 53-55 Dexter Road, Brookstone Realty Trust (public hearing)

Attorney James Mitchell introduced the developer, Angus Bruce of Brookstone Realty Trust, and the engineer, Richard Williams of Williams & Sparages. Attorney Mitchell noted that the proposed project is a 13-lot subdivision on an 8.7 acre property. The project requires Definitive Subdivision Approval and a Slope Protection Special Permit. Attorney Mitchell explained that Mr. Bruce would give an overview of the project and Mr. Williams would provide more technical information.

Mr. Bruce stated that the proposed subdivision has been reduced from 15 lots to 13 lots. Mr. Bruce indicated that he and his consultant team looked at alternate roadway layouts during the review of the Preliminary Plan. He noted that the proposed project has a second means of egress via Hillside Park.

Mr. Bruce explained that the site is dominated by ledge; however, the site is a balanced site meaning that the cuts and fills are approximately equal. Therefore, the proposed project would not require significant trucking because no material would need to be removed. As for rock crushing operations, all the material will be processed to be used onsite and would not require a lengthy amount of time.

Because there is significant amount of ledge on the property, the primary means of rock removal would be by blasting. As required when blasting occurs, a pre-blast survey would be completed at each abutter's property to understand whether there are resulting impacts from the blasting work. Seismograph machines would be employed to understand the strength of each blast. Mr. Bruce indicated that he prefers that blasting operations occur in small, manageable portions rather than a large uncontrollable blast.

Mr. Bruce explained that the proposed project would not add any stormwater to the abutters. He indicated that the City suggested that the proposed project be peer-reviewed, and he is agreeable to that. Mr. Bruce did indicate that if any abutter has water issues, it should be relayed to him.

Mr. Bruce suggested that the economics of the proposed project would allow him to improve Dexter Road.

Mr. Bruce also explained that the proposed project will require a permit from the Melrose Conservation Commission due to a small area of Buffer Zone on the project site.

Mr. Williams provided additional technical information. Mr. Williams reiterated that the proposed project was reduced from 15 lots to 13 lots during the earlier review. He noted that the two lots that were removed now comprise Lot B, which is an open space area.

Mr. Williams explained that the road is 859 feet. He noted that the Applicant requested a waiver from the maximum length of a dead end roadway, which is 500 feet in the Subdivision Rules and Regulations. A roadway profile was provided in the plan set. The slope of the road reaches a maximum of 10 percent. Mr. Williams explained that at the intersection with Dexter Road, the roadway is fairly flat. The slope then increases to 10 percent at the crest flattens for a distance and then slopes downward.

Mr. Williams indicated that the cuts and fills have been minimized in order to minimize the need for removal of rock by truck.

Mr. Williams explained the water and sewer connections. A proposed 8-inch sewer line will be in the proposed roadway. It will connect to the existing 8-inch gravity sewer in Dexter Road. Mr. Williams indicated that a camera inspection will be completed during the week of July 27. The proposed water line is also an 8-inch line which connects to the existing 8-inch water line in Dexter Road. There is a hydrant near 55 Dexter Road. Mr. Williams explained that a flow test was completed in early July. There was adequate flow for firefighting. However, some the proposed homes at the higher elevations may need boosters for adequate pressure on the upper floors.

As for stormwater management, Mr. Williams explained that it will be controlled in three locations. Behind Lot 2 and in the northwest corner of the site are detention ponds. The third location is a subsurface system at the base of the proposed roadway. There was a small area that had good infiltration based on soil test pits. The subsurface system would provide stormwater quality control. The proposed project would not increase flow toward Dexter Road, but as was pointed out during the Department Heads Meeting, there is a slight increase in flow from the lower detention pond. Mr. Williams was confident that he would be able to adjust the configuration to reduce this flow as well.

Mr. Williams explained that they have made an attempt to minimize the disturbance. The house lots would likely have terraced lawns and walk out basements to match the topography and reduce the need for grading.

Mr. Williams reiterated the three waivers being requested: the length of the dead end, the width of the paved portion of the roadway, and sidewalks. As noted earlier, the length of the dead end is 859 feet whereas the requirement is 500 feet. Mr. Williams proposes a width of 24 feet where the requirement is 32 feet. And, a sidewalk is only proposed on one side of the street although the requirement is for sidewalks on both sides.

Mr. Williams noted that the Conservation Commission filing will include documentation on how the project is consistent with the Massachusetts Stormwater Standards as it relates to water quality, infiltration, etc.

Attorney Mitchell concluded the presentation by providing some comments. Attorney Mitchell stated that the proposed road is in the best location and is away from properties on Dexter Road. The maximum slope of the roadway is at 10 percent. A steeper roadway at 12 percent is not desirable. The majority of the roadway has a slope of 8 percent. Attorney Mitchell stated that there is no visual impact to neighbors due to the alteration of the slope. Attorney Mitchell stated that the proposed layout minimizes the need for retaining walls, and any retaining walls used would be aesthetically pleasing. Finally, Attorney Mitchell explained that the economics of the project allow for improvements to Dexter Road.

Mr. Mercado MADE a MOTION to open the public hearing. Mr. Welch SECONDED the MOTION. All members voted in favor. None were opposed.

Susan Murphy, Chairwoman of the Melrose Conservation Commission, explained that the next meeting of the Melrose Conservation Commission is on August 20, 2015. The Commission has yet to receive an application. She noted that the Commission has a dual role due to its jurisdiction over the project and as an abutter. Ms. Murphy indicated that her comments are from the point of the view of an abutter rather than as the Conservation Commission which will have an opportunity to review the project at one of its meetings. As the Chair of the Conservation Commission, Ms. Murphy stated that the project should be peer reviewed.

Ms. Murphy indicated that it is difficult to believe that the site cannot be developed consistent with the goals of the Slope Protection Ordinance. Ms. Murphy stated that she reviewed the alternative concept plans and did not think that the presented Definitive Plan is the best effort. She believed that the road could be laid out in less steep locations, and she would like to see that explored. Ms. Murphy also suggested that there may be the opportunity to reduce grading of the full right-of-way and the impacts associated with that to sloped areas. Ms. Murphy stated that she sees a lack of appreciation of the sloped areas and ledge outcroppings that are distinctive in Melrose. The character of the community includes dramatic ledges with homes tucked into the slope.

Monica DiLuca, 21 Dexter Road, stated that her home is one of the newer ones on Dexter Road being built 19 years ago. She stated that she is opposed to blasting at the project. She stated that there were issues on Boston Rock Road when blasting occurred on Sylvan Street. Ms. DiLuca participated in the development of the Slope Protection Ordinance, and has worked hard to protect the steeply sloped areas on her property with vegetation and mulch. She stated that her driveway is not supported by a retaining wall and is concerned whether the blasting and vibration will have an effect on her driveway. Ms. DiLuca recounted a story about a woman and child who were trapped in their home in Malden following blasting. She also indicated that she is concerned about the condition of Dexter Road.

Paul DiLuca, 21 Dexter Road, indicated that he is concerned with water entering the fractures in the rock following blasting. Mr. DiLuca did not support the waiver for the reduced width of the paved roadway. He stated Dexter Road is very narrow to the point where cars have trouble passing each other, and there will certainly be difficulty when construction vehicles are on Dexter Road. Mr. DiLuca noted that there is sheet flow down Dexter Road during heavier rainstorms. Mr. DiLuca was also concerned with the timeframe of the project. The smaller subdivision on Patriot Way has taken a very long time and is not yet completed. Finally, Mr. DiLuca explained that there are many animals in the area that will be displaced, particularly turtles.

Ralph Moore, 39 Dexter Road, stated that this project is nothing new; time and again there are proposals for large subdivisions in this area of the City. This is a tough piece of land. Mr. Moore indicated that he is not against development, but he wants to see the project done right. Mr. Moore stated that the last time the City touched Dexter Road was in the 1970s when the water and sewer lines were replaced and blasting was necessary for the trenches. Mr. Moore indicated that the water pressure declines in the area where the new roadway would intersect with Dexter Road. Mr. Moore thought that the width of the roadway may be too narrow, especially during the winter months. Mr. Moore indicated that there is about a 20 foot drop from the project limits to his patio, and he sees a lot of water runoff come down the hill in that area. Mr. Moore explained that blasting is hard to control even with the required oversight.

John McGilley, 44 Dexter Road, stated he has water pressure issues at his home now. He also has issues with water in his home.

Joe Kaulenas, 35 Dexter Road, stated that blasting surveys are good for the short term, but what about 15 years later. Mr. Kaulenas stated he currently has no concerns now, but is uncertain about the future should the project move forward. He stated that the blasting would reduce his quality of life. Mr. Kaulenas indicated that ice typically forms during the winter at the rear of his property evidence of runoff from the subject property. Rocks have fallen into his backyard. Mr. Kaulenas stated that the 20 foot roadway is too narrow, especially with the introduction of trucks. Today, the trash removal truck and fire trucks have to reverse down Dexter Road. Mr. Kaulenas stated that this project does not benefit the Dexter Road neighborhood and should be stopped.

Robert Forshay, 55 Dexter Road, stated that he has lived in the neighborhood for a long time and has seen a lot of changes. There have been 7 new houses constructed since the 1980s. Mr. Forshay stated that if the development makes sense, it should not be prohibited. He is in favor of local control, rather than away from zoning control. Mr. Forshay has been approached by many developers over the years, and has only been impressed by Mr. Bruce. Mr. Forshay has stated that Mr. Bruce has been very responsive to his requests. The project needs to be done right, and Mr. Forshay stated that the onus is on the Planning Board and Conservation Commission to do the right thing. Mr. Forshay stated that everything should be in writing.

Jean Murray, 25 Dexter Road, shares the concerns of the DiLucas. She does not have a basement, so her home will flood if there are subsequent water issues.

William Doe, 8 Ireson Court, indicated that in 2007 he received a letter from the City expressing interest in buying a portion of his land. Mr. Doe suggested that the City should buy the subject property. Mr. Doe asked if Mr. Forshay was referring to a 40B development in his comments. Mr. Forshay, 55 Dexter Road, responded to Mr. Doe indicating there are other routes that could be taken to develop the property.

Charlie Bennett, 48 Dexter Road, asked whether the Planning Board or the Conservation Commission has the final say. Ms. Morelli responded to Mr. Bennett stating that the two Boards provide different relief for the proposed project.

Mr. Doe, 8 Ireson Court, noted that the Applicant indicated that water from the upper detention pond would discharge to the adjacent property. He wanted to know if it was City property or Conservation Commission property. Ms. Murphy responded to Mr. Doe and stated that it is Conservation Commission property, and this condition would be discussed during the Conservation Commission's hearing on the project.

Mr. Forshay, 55 Dexter Road, suggested that the Planning Board should recommend that no sidewalks be constructed along the proposed roadway because Dexter Road does not have any sidewalks.

Mr. Kaulenas, 35 Dexter Road, stated that walking on Dexter Road is unsafe without sidewalks. A sidewalk is needed.

Mr. DiLuca, 21 Dexter Road, suggested that a traffic study should be completed.

Anne Bennett, 48 Dexter Road, indicated that a 40B project would have significantly more traffic impacts than the proposed subdivision.

Regina O'Callahan, 25 Dexter Road, stated that she would rather see single family homes than apartments on the property.

Seeing no other members of the public who wish to speak, Ms. DeSouza-Ward asked if Dexter Road could be widened. Ms. Gaffey stated that the Dexter Road right-of-way is too narrow to accommodate widening.

Mr. Mercado asked about the water pressure. He asked for the results of the flow tests. Mr. Williams indicated that some of the homes may need boosters. Mr. Cassavoy asked for the numbers. Mr. Williams

explained that the pressure was 48/43, and flowed 870 gallons per minute. Mr. Cassavoy asked for the elevation of the hydrant. It is approximately 168.

Ms. Morelli asked if the project would be constructed in phases. Mr. Bruce stated that it would be completed in one phase. To the roadway binder, it would take 5 to 6 months, weather dependent. The homes would be constructed within a period of time not to exceed 18 months, but hopefully 12 months, in addition to the 5 to 6 months for the site preparation work.

Mr. Cassavoy asked if a bond is required for blasting. Ms. Gaffey stated that a performance bond is required but no bond is required for blasting. Mr. Bruce indicated that the blaster has to carry insurance. The minimum requirement is 5 million dollars. Mr. Bruce explained that based on the results of the pre-blast survey, the blaster is required to repair any damage in full which is covered by insurance. Mr. Cassavoy asked who requires the insurance. Mr. Bruce indicated that he will carry insurance that meets the requirements of the Fire Department. In the long term, if there is proof that damage is the result of blasting, insurance covers the repairs. Mr. Bruce explained that there is no incentive to over blast. Ms. Morelli noted that evidence that blasting caused the damage may be difficult to show in the long term. Mr. Bruce reiterated that if there is evidence that blasting caused the damage, the insurance will continue to be available. Mr. Bruce noted that problems typically appear within the first 12 months.

Ms. DeSouza-Ward asked about water seeping into the rock fractures. Mr. Bruce stated that blasting often relieves problems with water. Of course, there is some diversion of water, which is another advantage of having the proposed roadway further from Dexter Road.

Mr. Mercado asked for the cut and fill calculations. Mr. Williams did not have it available, but will provide the data. Mr. Williams stated that it is a balanced site.

Ms. DeSouza-Ward wondered if the fill created onsite is good fill. Mr. Bruce stated that he will not crush the rock to use for back fill. His goal is to blast the rock into small enough pieces to be used as back fill.

Mr. Cassavoy asked about a traffic report. Mr. Bruce indicated that a traffic study was not anticipated. Mr. Williams stated that he could provide traffic generation data.

Ms. DeSouza-Ward stated that trash trucks and fire apparatus reversing down Dexter Road is problematic. Mr. Bruce stated that his proposed roadway would enable these trucks to turn around. The vehicles travel in reverse because there is no turn around. Mr. Bruce stated that the 10 percent grade should not be problematic for these larger vehicles.

Ms. Morelli stated that the Planning Board needs more information. She suggested that a peer review should be completed. Mr. Williams offered to provide two firms. Ms. Gaffey stated that the peer review must be independent, but that Mr. Williams should send those names along and she will confer with the City Engineer on a short list of firms.

Mr. Mercado asked about a fiscal impact study. Ms. Gaffey stated that there is no clear understanding of the impact of the proposed development to the City. There will likely be school age children, and the location would likely require busing to the schools. On the other hand, there would be property tax revenue. Ms. Gaffey stated that it is something for the Board to consider.

Mr. King asked what the specific purpose of the peer review would include. Mr. King thought that the scope should be extended to include the drainage study and methodology as well as the water system

based on the water pressure issues noted during the hearing. Mr. Mercado suggested that the sewer system should also be included. Mr. Williams noted that he will provide notice to the City Engineer when the sewer inspection is scheduled.

Ms. Morelli noted that there are logistical issues the applicant should consider. If the Applicant continues to August, only 7 members of the Board will be eligible to vote on the subdivision and special permit. In September, 8 members would be eligible. Mr. Gaffey explained the Board of Aldermen has not accepted the rule allowing absent members to review the case material in order to become eligible to vote.

Ms. DeSouza-Ward stated she has serious concerns about the slope protection special permit application. She suggested that it may not be wise to start the peer review if there are others that have concerns about the special permit as well. Attorney Mitchell stated that he would be happy to respond to any questions at the next meeting. He also suggested that the peer review may help in the review of the special permit application.

Mr. King stated that there is minimal information provided to address the criteria of review under the Slope Protection Ordinance. This information is an important piece of the discussion.

Ms. Morelli stated that it appears the Applicant will not consider specific refinements without direction. She is unsure of whether the Applicant would delve further into refining his project. Attorney Mitchell stated that is difficult to respond if the developer does not know the concerns. Ms. Morelli suggested that the Applicant begin the next meeting by discussing the Slope Protection Ordinance. Ms. DeSouza-Ward agreed, and stated that the Slope Protection Ordinance should be driving the roadway and lot layout.

Mr. Mercado stated that the subdivision could be reduced to 7 or 8 lots.

Ms. Gaffey reminded the Applicant that they could consider not grading out the full right-of-way. Mr. Williams stated that it would not have an appreciable difference.

Ms. DeSouza-Ward asked how the roadway length was reduced from the Preliminary Plan. Mr. Williams indicated longer driveways and slight adjustments. Ms. DeSouza-Ward thought the roadway could still be shifted toward the right slightly.

Ms. Morelli is not satisfied that the presented plan is the best point of departure.

Mr. Mercado MADE a MOTION to continue the public hearing to September 28, 2015 and to authorize the Planning Director to begin the peer review process. Mr. Cassavoy SECONDED the MOTION. All members voted in favor. None were opposed.

## **NEXT MEETINGS**

The next Regular Meetings are scheduled for Monday, August 24 and Monday, September 28, 2015

A Special Meeting and Public Hearing is scheduled for Monday, September 21, 2015

The meeting adjourned at 11:05 PM.