

**MELROSE PLANNING BOARD
MEETING MINUTES
Regular Meeting and Public Hearing
Monday, September 28, 2015**

8:15 PM

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

PRESENT: Carla Morelli, Mike Cassavoy, Anne DeSouza-Ward, Paul King, Robert Mercado, Sharon Petrillo, John Sadowski, and Jack Welch

ABSENT: None

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

The meeting was called to order at 8:20 PM by Ms. Morelli. The Planning Board took a moment of silence to remember Ed Cassidy, a Planning Board member for 37 years.

MINUTES

Planning Board Regular Meeting and Public Hearing, July 27, 2015

Ms. DeSouza-Ward offered clarifying revisions to the minutes.

Mr. Mercado MADE a MOTION to accept the Planning Board minutes of July 27, 2015 as corrected. Ms. DeSouza-Ward SECONDED the MOTION. Mr. Sadowski abstained. All members voted in favor. None were opposed.

BOARD OF APPEALS

Case 15-031, 860 Main Street, GTY MA/NH Leasing Inc. (September 30, 2015)

Steven Pedro, Ayoub Engineering Inc., represented the Applicant at the meeting. Mr. Pedro indicated that the Shell station would like to upgrade their existing signage. The existing standing sign was recently altered with permission from the Building Commissioner, who also denied the changes to the canopy signage. The canopy signage change includes removing the word "Shell" and replacing it with the company's logo, which would also extend higher than the canopy.

Mr. Sadowski noted that the Planning Board reworked the Melrose Sign Ordinance recently. He appreciated the use of the logo rather than wording. Mr. Sadowski noted that he would prefer that the shell logo not extend over the top of the canopy.

Mr. King questioned the approval of the changes to the standing sign. Mr. Pedro explained that the changes were to the colors only.

Mr. Sadowski noted that the previous Variances requested by the Applicant were to conform to the corporate requirements and the Variances have always been granted. Mr. Sadowski stated that he is against approving a Variance to exceed the height of the canopy. He stated that it would set a precedent for the other service stations in Melrose.

Mr. Welch asked how far above the canopy the logo would extend. It would extend a foot above the canopy. Mr. Welch agreed with Mr. Sadowski, noting that the white background around the logo would make it even more noticeable.

Mr. Mercado asked if it could extend below the canopy. For safety reasons, it cannot.

Ms. Morelli asked if the logo could be made to be in compliance with the Sign Ordinance. Mr. Pedro indicated that it would be the will of the Board of Appeals.

Ms. DeSouza-Ward also stated that she would not support the requested Variance.

Mr. Sadowski asked about the color changes to the canopy. Mr. Pedro indicated that it would provide more continuous coloring. Mr. Sadowski indicated that he had no objections to the color changes.

Mr. Sadowski MADE a MOTION to recommend that the Applicant reduce the size of the logo to fit within the extent of the canopy. Mr. Cassavoy SECONDED the MOTION. All members voted in favor. None were opposed.

Document: ZBA Application Case 15-031

Case 15-032, 286 Lebanon Street, Jaime Dovale (September 30, 2015)

Attorney Gerard Marino and Jaime Dovale discussed the proposed project with the Planning Board. Attorney Marino explained that his client has opened a new business on Lebanon Street in the former Sparks location. There is an existing pole sign on the property that Mr. Dovale would like to install new signage on. The proposal will not relocate the existing pole sign nor change the form of illumination which is internal illumination.

Ms. Gaffey noted that on a few occasions over the past six months, Attorney Marino and Mr. Dovale stopped in the Planning Office where they were advised that new signage would require a Variance from the Board of Appeals. She noted that in July, it appeared that signage was installed. Attorney Marino indicated that only temporary signage was installed, and that the Sparks signage could be seen through the temporary sign when it was illuminated. Mr. Dovale indicated that the sign has already been fabricated. The Building Commissioner notified Mr. Dovale of the error in not seeking a permit.

Ms. Gaffey explained that the existing signage was not grandfathered and does not allow the Applicant to install new signage under any grandfathering. She explained that the proposed signage is not consistent because of its location in a residential district. Ms. DeSouza-Ward noted that businesses in residential districts are allowed very limited signage per the Sign Ordinance. Attorney Marino noted that there are two other businesses close by with similar signage.

Mr. Mercado asked about the internal illumination. Attorney Marino noted that Mr. Dovale spoke with a neighbor who requested that the illumination be extinguished by 10pm daily. As such, the illumination is on a timer.

Mr. Sadowski noted that the signage proposed is for a permanent sign. He asked about the material. It is Lexan. Mr. Sadowski asked if the sign must be internally illuminated. Attorney Marino indicated that it is designed to be internally illuminated.

Mr. Sadowski noted that if the Planning Board were to restrict the Applicant to no signage, it would be inappropriate. He would rather not have it back lit or on the pole. Ms. DeSouza-Ward noted that she is sympathetic to the Applicant's businesses though. She asked how what the pole height is. It is 12 feet to the top of the sign. Attorney Marino noted that lowering the sign height may obstruct the sidewalk.

Ms. Petrillo noted that the building is set back a distance, and a wall or awning sign would be difficult to see.

Mr. Welch asked about evening business hours. Mr. Dovale indicated that the business closes at 5pm. Mr. Welch suggested that the sign illumination could be limited further than the suggested 10pm.

Ms. Gaffey noted that the provision for identification signs for community facilities, clubs, etc, that may be located in residential areas is a useful model for this case. These identification signs can be 10 square feet in area and stand no taller than 6 feet. Identification signs are to be externally illumination and must be set back half of the required front yard.

Mr. Cassavoy noted that the Metro Credit Union was in a similar predicament, and has installed a nice sign. Mr. DeSouza-Ward noted that the conditions at the bank are different because there is a lawn at that property. There is no lawn in this case.

Ms. Morelli noted that the standards for an identification sign would require the sign to be half the height and half the size. Mr. King thought that requiring those standards would cause the sign to interfere with the sidewalk. Mr. King explained that he has no objection to the proposal other than the illumination. Mr. King asked if the sign was fabricated to fit into the existing frame on the pole. It was.

Ms. Morelli stated that she hears two sentiments from the Planning Board members. There is a desire to bring the sign into conformance, but members are sympathetic to the business owner, with the biggest concern being the illumination. Mr. Sadowski thought that a reasonable compromise would be to allow the sign to be remounted on the existing pole and restrict the sign to external illumination from above only.

Ms. DeSouza-Ward stated that the Sign Ordinance requires that signs be brought into compliance if businesses change hands. She stated that she is sympathetic to the Applicant due to the absence of provisions for business signage in residential districts in the Ordinance. Mr. Sadowski agreed, and stated that it is impracticable to install a more conforming sign due to the property layout and the building setback. It is a unique case being a business in a residential district. Mr. Sadowski suggested that the Planning Board indicate that they do not object to the standing sign at this particular location, but that there should be certain conditions including external illumination from above, which would be extinguished by 7pm daily and that the sign be mounted to the existing pole and the overall height shall be no greater than 12 feet. Further, the sign should be no greater than 20 square feet per side.

Ms. DeSouza-Ward MADE a MOTION to recommend that the Board of Appeals grant approval of the sign with conditions as discussed. Mr. Welch SECONDED the MOTION. All members voted in favor. None were opposed.

APPROVAL NOT REQUIRED

PB 15-01, 0, 116, 158, 148-164 Essex Street (LCB Senior Living)

Scott Cameron of The Morin-Cameron Group, the civil engineer for LCB Senior Living, presented the proposed ANR plan to the Planning Board. Mr. Cameron explained that LCB Senior Living is required to clean up the lot lines prior to closing as conditioned in the Site Plan Review Decision. Mr. Cameron explained that four lots would be consolidated into two lots. He noted that the ANR meets the zoning requirements.

Ms. DeSouza-Ward asked why two lots would be created and not just one. Mr. Cameron explained that LCB Senior Living is acquiring one lot from the property owner, where the assisted living facility will be constructed. The other lot will continue to be owned by the current property owner, where hospital parking currently occurs. Ms. DeSouza-Ward confirmed that no Variances were necessary. None are needed. All existing buildings will be demolished.

Ms. DeSouza-Ward MADE a MOTION to endorse the Approval Not Required Plan for 0, 116, 158, 148-164 Essex Street. Mr. Mercado SECONDED the MOTION. All members voted in favor. None were opposed.

DEFINITIVE SUBDIVISION PLAN/SLOPE PROTECTION SPECIAL PERMIT

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

Ms. Gaffey explained that the Applicant requested a continuance. Ms. Morelli noted that the Applicant is present to discuss the Preliminary Plan for Blueberry Hill Lane, and it may make sense to wait until that discussion occurs to set a continued hearing date.

Mr. Sadowski MADE a MOTION to discuss the Preliminary Plan for Blueberry Hill Lane prior to setting a continued hearing date. Mr. Welch SECONDED the MOTION. All members voted in favor. None were opposed.

PRELIMINARY SUBDIVISION PLAN

Blueberry Hill Lane

Ms. Gaffey explained that the Planning Board discussed a modified plan in April 2015 with the developer, Angus Bruce. At the time, Mr. Bruce had proposed to reduce the number of units to 13 or 14. Ms. Gaffey explained that Mr. Bruce is back to 19 units, and has made some other modifications as explained in the letter provided. At this time, the waivers requested are unknown.

Mr. Bruce explained that he will be modifying the pre-existing Decisions. The reason why Mr. Bruce has returned to the originally approved plan was due to the zoning relief required with the 14-unit plan. Mr. Bruce indicated that there are minor changes from the originally approved plan. He proposes the same number of units, but they are repositioned and the units themselves are slightly larger. The roadway is about 50 feet shorter. Mr. Bruce explained that he has maintained the setbacks. A new drainage study would be completed.

Mr. Bruce explained that he is moving the lot lines. He represented that no waivers or variances are needed. He has eliminated parking behind the units. All units will be set back further from the lot lines.

Mr. Bruce stated that he adjusted the location of the units to reduce the amount of blasting necessary. He estimates that he has reduced the amount of blasting by 16 percent.

Mr. Bruce stated that his biggest problem with the approved plan was the rock face at the rear of the property. He stated that it was not desirable. Mr. Bruce stated that there will still be a rock face, but it will be smaller due to adjusting the location of units. He also indicated that there would be a change to the catchment area. The original catchment area was designed as a "V" similar to what is used on highways. Mr. Bruce will eliminate that and protect the area with a black rubber chain link fence. Units 1 through 5 will abut the rock wall, but he proposes landscape to soften the area.

On the north side of the roadway at the intersection with Forest Street, the original plan was to use a vegetated mat. Mr. Bruce proposes to construct a rock wall to hold back the top soil and plantings. On the other side of the road, where it is flatter, Mr. Bruce proposes a public amenity with trees, benches, and a connection to the sidewalk.

Mr. Bruce explained that he has changed the parking layout. The same number of parking spaces is proposed, but now there are only 7 off-site parking spaces. The rest are inside garages or in driveways.

Mr. Bruce stated that the buildings have not increased in height, as he did not want the units towering over the residences on Forest Street. The existing tree line parallel to Forest Street will be preserved.

Mr. Bruce stated that he has improved the plan without starting over. It will not impact the abutters more than the original plan.

Ms. Morelli asked if the three house lots on Forest Street were related to the proposed townhouse project. Mr. Bruce indicated that the residences were built by the same builder. Ms. Gaffey pointed out that the three house lots were subject to the Slope Protection Ordinance.

Mr. Bruce stated that the project developer is required to pave to the city line. He does not think it is well spent money and suggested that he would repave half the road from the city line to Lebanon Street.

Mr. Cassavoy asked if the topography is current. Richard Williams, the project engineer, indicated that the altered topography has been combined with the original topography to show current conditions. Mr. Sadowski stated that it appeared the roadway slope is at the correct final elevation, but the end of the cul-de-sac needs to be brought to a lower elevation still. Mr. Williams indicated that that is correct.

Mr. Cassavoy noted that there was discussion during the original project about drainage around Hunts Terrace. Mr. Bruce indicated that the drainage work was done when the three houses on Forest Street were constructed.

Mr. Cassavoy stated that he would like to review the original definitive plan with the proposed plan.

Mr. Mercado asked about the proposed garages. They will be in front of the house and enter into the kitchen area. Mr. Bruce indicated that some of the units are drive-under.

Mr. Sadowski asked if there are changes to the roadway profile. Mr. Williams indicated that there are no changes to the profile.

Mr. Sadowski confirmed that two affordable units would still be provided. Mr. Bruce stated that they would be provided.

Mr. Bruce indicated that he is waiting on input from the Building Commissioner regarding zoning. Ms. Gaffey stated that the Planning Staff will get input from the Building Commissioner for the next meeting, including whether the Slope Protection Ordinance applies. Mr. Bruce stated that the Slope Protection Ordinance does not apply. Ms. Gaffey did not believe she has seen anything definitive on whether it does or does not. Ms. Morelli noted that the Board has not received anything from the Board of Health or Engineering.

Mr. Mercado asked about parking reductions. Ms. Gaffey stated that the Board of Appeals had granted the original developer a parking reduction. Ms. DeSouza-Ward asked if some of the driveways are shared. Mr. Williams indicated that the driveways are side-by-side and would be delineated in some fashion. Ms. DeSouza-Ward asked if extra spaces are available in the driveways. They are.

Mr. Mercado asked if there would be more bedrooms. The approved mix of units is 2 bedrooms and 3 bedrooms. Mr. Bruce is flexible about the mix of bedrooms. Ms. Morelli indicated that relative to the Affordable Housing Special Permit, the Board requires comparable units. If there were a change to the approved mix, the special permit should be modified. Ms. Gaffey indicated that Site Plan Review would also have to be modified.

Mr. Mercado asked if a calculation regarding rock removal was completed. Mr. Bruce reiterated that there would be a reduction of 16 percent.

Ms. Morelli stated that the Board has discussed everything that they are able to without input from the other departments. There was some discussion on whether the proposed modifications trigger a requirement for a public hearing. Ms. Gaffey stated that she believes a public hearing will be required but she will confirm this prior to the next meeting.

Ms. DeSouza-Ward MADE a MOTION to continue the discussion on the Preliminary Plan for Blueberry Hill to November 2, 2015. Mr. Welch SECONDED the MOTION. All members voted in favor. None were opposed

Documents: Form B
Preliminary Plan and Profile, Blueberry Hill Lane, Melrose, MA, prepared by Williams & Sparages, dated September 11, 2015
Letter to Denise Gaffey, City Planner, Regarding Plan Modifications from Richard Williams, dated September 24, 2015

DESIGN REVIEW SUBCOMMITTEE REPORT

Report on LCB Senior Living Design Review Subcommittee Meeting

Mr. Cassavoy explained to the Planning Board members that the Design Review Subcommittee met on September 15, 2015 to discuss the proposed assisted living facility. The architect made some design changes that the Subcommittee members believed were in the right direction. The Subcommittee members allowed the Applicant to seek a Building Permit. There will also be a mock up completed at a later date. The Applicant also provided samples which were brought to the meeting for the Planning Board members to review.

Mr. Cassavoy noted that the Applicant recommended an elongated brick style. The Planning Board members believed it to be too commercial and preferred the standard size brick. Members also indicated that more color variation between the bricks would be preferable.

Ms. Morelli noted that the warm and cool gray tones are confusing. The standing seam metal roof is a lighter gray and the blue-gray metal panels seem to conflict. Mr. Cassavoy noted that the fifth floor will not be seen from the street, so at completion, there may not be a conflict.

Ms. Zwirko indicated that she will let the architect know that a preference was expressed for standard size bricks and more color variation. A few samples could be presented during the mock up.

Documents: The Residence at Melrose Station, Elevations, prepared by The Architectural Team, dated September 23, 2015

OTHER

Endorse 17 Forest Street/ 6 Hunts Terrace Subdivision Mylars

The mylar plans were endorsed by a majority of the Planning Board members.

NEXT MEETING

The next Regular Meeting is scheduled for Monday, October 26, 2015.

A Special Meeting is scheduled for Monday, November 2, 2015.

The meeting adjourned at 10:30 PM.