

**MELROSE PLANNING BOARD
DESIGN REVIEW SUBCOMMITTEE
MEETING MINUTES
Monday, July 15, 2013**

7:15 PM

Mayor's Conference Room, 2nd Floor, City Hall, 562 Main Street

PRESENT: Ed Cassidy, Michael Cassavoy, Robert Mercado, and Jack Welch

ABSENT: John Sadowski

Denise Gaffey, Director and City Planner, and Adam Duchesneau, Assistant Planning Director, were present.

The meeting was called to order at 7:20 PM by Mr. Cassidy.

Case # 11-002, 185 Essex Street, Tom McGrath – McGrath Enterprises

Pat McGrath was in attendance on behalf of the Applicant along with his attorney, Robert L. Bell, Jr., Esq., to present the proposed alterations to the site plan. Mr. Duchesneau gave a brief summary of the current status of the situation at 185 Essex Street. Mr. Bell indicated that the developer was closing in on the final approvals for the project and they are also close to beginning the marketing of the affordable units. Mr. Bell then stated that they are looking to revise two items on the finalized Site Plan. One is in regard to the fence along the front of the property at the corner of Essex Street and Vine Street. The originally approved plans called for a wooden split rail fence. A fence of this style has been installed but is wrapped in vinyl for protection from the elements and for aesthetic reasons. The other item is in regard to the lighting of the parking area at the rear of the property. On the originally approved Site Plan, only one 20 foot high light pole was called for adjacent to the dumpster at the back corner of the property. However, the Applicant has installed two 18 foot high light fixtures along the rear property line. Mr. Bell indicated that the parking area was simply too dark to have only one light fixture installed. Mr. Bell went on to state that the light fixture closest to the street has become a problem for the adjacent neighbor at 39 Vine Street when it is turned on, as it overly illuminates his entire living room.

Mr. Welch inquired if the Vine Street neighbor was in attendance at the meeting and Dennis Sawyer, the neighbor, indicated that he was present. Mr. Cassidy asked how many light poles were on the approved Site Plan. Mr. McGrath indicated that the approved Site Plan only called for one light pole to be located by the dumpster. He went on to state that he would like to retain the location of the two light poles but would like to shield the light fixture that is causing issues for Mr. Sawyer. Mr. McGrath felt that shielding the light fixture to direct all of its light toward the 185 Essex Street development would eliminate Mr. Sawyer's problems. Mr. Sawyer indicated that he has darkening shades in his bedroom at the rear of his dwelling unit which block out the radiant light from the fixture by the dumpster. He went on to add that his brother is an electrician and his brother did not believe it was possible to shield the other light in a manner that would eliminate the radiant light that was flowing into his living room.

Mr. Cassidy asked what the size of the light fixtures is as they appear to be 18 feet off of the ground. A review of the approved plans indicated that the specifications called for a 9 inch by 9 inch by 20 foot high light fixture. Mr. McGrath stated that the light fixtures were approximately 18 feet in height. He also added that he has not been able to see the impact that the fixture in question has created for Mr. Sawyer because his contract team was requested to shut it off while he was away on vacation and the light has not been turned on since that time. Mr. McGrath indicated that he would like to attempt to shield the light first and if that does not work then he would try to find a new fixture. Mr. Sawyer reiterated that he felt that attempting to shield the existing light fixture would not be successful.

Mr. Cassavoy indicated that for a project of this size, zero light spill onto other properties should be the standard. A box light, such as the one that has been installed, will not have zero light spill at the edge of the property. Mr. Cassavoy went on to indicate that he did not see a specified solution to the problem and he would like to know for a fact that the shielding would work before he approved anything. Mr. Cassidy indicated that there are light fixtures that can be installed that will have zero light spill onto adjacent properties. Mr. Cassavoy added that sometimes light fixtures will actually exceed their shielding factor. He went on to add that in this particular instance, a good solution would be to come back to the Design Review Subcommittee with a different light fixture. Mr. Sawyer then asked if he could show the Design Review Subcommittee some photographs that he had to display the impact the light fixture had on his living room lighting, which Mr. Cassidy permitted. Mr. Sawyer added that he felt the project at 185 Essex Street was a good project, it helped the value of his home, and that Mr. McGrath did a great job with the construction. However, Mr. Sawyer also added that he felt a different light fixture for the light pole by his home would be more appropriate.

Mr. Cassidy indicated that he would prefer to have the fixture in question taken down and to have two lower light fixtures installed. He went on to indicate that bollard light fixtures would not work as they would be too low, but perhaps two 12 foot high light fixtures that were shielded to direct light towards the 185 Essex Street building would be more appropriate. Mr. Cassavoy stated that he would like to see a sample or brochure of the proposed new light fixture that would be used. Mr. Mercado inquired if a 12 foot high light fixture would be below the windows in Mr. Sawyer's building. Mr. Cassidy indicated that they would not be but they would be lower and therefore have less of an impact. Mr. Sawyer noted that his neighbor upstairs is selling her unit and has not been around to see the impact of this new light fixture. Mr. Cassidy indicated that a single, lower light fixture would have a less severe glare but two fixtures, as opposed to one, would likely be needed. Mr. Cassidy then asked the Applicant to return to the Design Review Subcommittee with a photometric plan for this area of the property and catalogue cuts on proposed replacement fixtures.

Mr. Bell confirmed that the Design Review Subcommittee was asking the Applicant to install two new light poles that were lower with new light fixtures. Mr. Cassidy indicated this was correct because he felt it would be difficult to find an 18-20 foot high light fixture with a 100% cutoff. Mr. Bell then asked when the Applicant could meet again with the Design Review Subcommittee. Mr. Cassidy indicated that the Subcommittee could do an on-site visit or a drive by viewing, however, the Subcommittee would need to see a photometric plan and sample of the proposed light fixture before either of those things could occur. Mr. Bell indicated that he or the Applicant would submit a photometric plan and light fixture sample via email and then take the next steps. Mr. Cassidy also pointed out that there is a street light across Vine Street directly across from the driveway to 185 Essex Street. The problem is that this light fixture is totally obscured by the street tree that is growing next to it. Mr. Cassidy also noted that the Subcommittee is not trying to create a situation in the parking lot where there is inadequate light or where it is unsafe.

Mr. Bell then asked how the vinyl fence at the front of the property should be addressed. Mr. McGrath added that the vinyl material actually wraps around the pressure treated wood fence rails and that without the vinyl wrap the wooden rails will check and splinter. Mr. Cassavoy stated that the Subcommittee could take a look at the fence when they visit the site to view the new light fixtures. Mr. Cassidy added that the Design Review Subcommittee will make a commitment to look at the light fixture and the vinyl fence once they have received the requested materials. Mr. Bell then asked if his client should install one light pole or two. Mr. Cassavoy responded by saying that he felt the project team would really have to look at the photometrics for this area of the site to determine if one or two light fixtures would be required.

Case # 12-003, 42 Sylvan Street, Eric Kenworthy

The Applicant, Eric Kenworthy, was in attendance to present the materials he had brought regarding the proposed stone and mortar walls he would like to erect at the 42 Sylvan Street project site. However, before he could begin his presentation, Alderman Gail Infurna was permitted to speak on behalf of the Cohan's, neighbors to the project, about some concerns they had about the project site. Alderman Infurna indicated that during drilling for the foundation of the project, a light fixture had cracked in the Cohan's basement. Additionally, the Cohan's have concerns about the drainage at the property, specifically in regard to the retaining wall that will be supporting the drainage. Alderman Infurna also indicated that the Cohan's would like to have the propane tanks on site that were unearthed as part of the pouring of the foundation removed from the site now that the foundation has been poured. Lastly, the Cohan's are concerned that there is no construction fence around the property to prevent people from wandering onto the site. Alderman Infurna closed by saying that the Cohan's have been supportive of this project but they would like to have these items addressed, particularly the drainage/retaining wall issue. Mr. Cassidy pointed out that the Design Review Subcommittee and the Planning Board had discussed these matters a great length at previous Subcommittee and Planning Board meetings. He went on to note that the Subcommittee will reconsider the issues the Alderman raised in light of the construction at the site.

Mr. Kenworthy then began to describe his request to the Design Review Subcommittee. Mr. Kenworthy indicated that he has a substantial amount of stone at the site and he would like to reuse this stone to possibly create natural stone walls at the property instead of the originally proposed modular block walls. He specifically noted that he would like to do this in the left rear portion of the site near the Cohan's property. Mr. Kenworthy stated that the vegetation in this area is very thick which would screen the visibility of whatever type of material was used to construct a wall in this area. Mr. Cassidy asked whose property the vegetation was located on and Mr. Kenworthy indicated that the vegetation was actually on Mr. Yip's land.

Mr. Kenworthy then noted that he is seeking the flexibility to construct either modular block walls or stone and mortar walls. He would like to have the option to do either because in certain instances one style of wall may be more appropriate than the other. Mr. Cassavoy asked what the height of the wall is along the left side property line. Mr. Kenworthy indicated that the wall is 6 feet high at the rear of the property and then reduces to 2 feet towards the front of the site. Mr. Cassidy asked if the proposed stone and mortar style walls would be constructed out of boulders or blasted rock. Mr. Kenworthy indicated that the walls would actually be constructed out of chipped rock. Mr. Welch noted that some of the pieces of rock currently on the site were quite large and asked if the Applicant was proposing to break them down. Mr. Kenworthy indicated that he would like to actually reuse some of the large pieces of stone for the base of a wall.

Mr. Cassidy noted that the sample drawing that was submitted shows a wall with no mortar and asked if the proposed walls at 42 Sylvan Street would have mortar in them. Mr. Kenworthy indicated that he would be using mortar in his proposed walls. Mr. Cassavoy indicated that he would like to see a constructed sample in the field of the proposed wall style. Mr. Mercado agreed and indicated that he would really need to see something in person to make a determination as to whether or not the stone and mortar wall would be appropriate. Mr. Cassidy recommended that Mr. Kenworthy contact three different masons and ask them if they had constructed a stone and mortar wall recently. Mr. Kenworthy could then refer the Subcommittee members to these walls as samples of what his proposed walls would look like. Mr. Kenworthy indicated that the rear wall at the site would be stone and mortar as shown on the approved Site Plan so he would finish constructing this wall and then invite the Design Review Subcommittee to view it as a sample. Mr. Cassidy agreed with this approach.

Mr. Kenworthy closed by indicating that he had spoken to the Cohan's before the meeting and he would be addressing their concerns. Mr. Kenworthy went on to say that he would be removing the propane tanks at the site and be constructing the retaining wall as shown on the approved plans, drainage and all. He also noted that the Building Commissioner stated the original fence at the property was sufficient but that he would be erecting a 6 foot high construction fence around the site. Lastly, Mr. Kenworthy stated that he would be sending an electrician over to the Cohan's property to fix their light in the basement that had been damaged during the on-site drilling.

Documents: - MassDOT Construction Standards Cemented Stone Masonry Wall Section dated March 2012 - E 302.2.0 (OPCD date stamp of July 15, 2013)
 - Image of Proposed Stone Wall (OPCD date stamp of July 15, 2013)

Meeting adjourned at 8:00 PM.