

MELROSE PLANNING BOARD
Regular Meeting & Public Hearing
Monday, February 25, 2008
7:50 p.m.
Mayor's Conference Room

PRESENT: Mike Cassavoy, Ed Cassidy, Richard Connolly, Bob Mercado, John Sadowski, Gerry Marcus, Anne DeSouza-Ward, Tom Pawlina and Carla Francazio

Denise Gaffey (in part), Planner, and Matt Hennigan, Assistant Planner, were present.

The meeting was called to order at 7:50 p.m. by Mr. Cassavoy.

MINUTES

a) Regular Meeting & Public Hearing, January 28, 2008 & Special Meeting February 4, 2008

Mr. Mercado MADE a MOTION to make a minor edit to the February 4, 2008 minutes and then to accept both sets of minutes. Mr. Connolly SECONDED the MOTION. All voted in favor. None opposed.

BOARD OF APPEALS

Case 08-004, 128 East Emerson Street, Ricupero

Mr. Pawlina requested the application be taken off the Assent Calendar. The Applicant's representative, Robert Bell, was present. Mr. Bell stated that the Applicant has owned the house since the 1970s. The homeowners would like to connect the garage and the house. Mr. Bell stated that this improvement would be beneficial to the Applicants as they get older. Mr. Bell explained that because the house is situated on a corner lot, once the structures are connected the garage will no longer be an accessory structure and will violate the rear setback. Mr. Sadowski MADE a MOTION to send standard letter to the Board of Appeals that notes as with similar variance requests of this nature, the Board expressed caution that future changes in the use of the garage may occur. Mr. Sadowski also advised the Applicant to show the proposed connection on the plan. Ms. Marcus SECONDED the MOTION. All voted in favor. None opposed.

Case 08-003, 112 Highview Avenue, Lavasseur

The Applicant was present and stated he wishes to put an addition on his home to accommodate his growing family. Mr. Sadowski inquired whether the deck shown in the floor plan and elevation is included in his application. The Applicant indicated the deck is not included. Mr. Sadowski stated that the Board has seen similar additions proposed for single-family homes. To reduce an elongated appearance, he suggested that the Applicant may want to consider offsetting the addition a foot or two to create architectural interest. Mr. Cassidy agreed with Mr. Sadowski's suggestion and added that he thought it would not seem to interfere with the utility of the space. The Applicant noted that the proposed deck shown on the plan is not going to be built at this time. Mr. Cassidy stated the matter of the deck should be left to the Board of Appeal's discretion as to whether or not they wish to permit or exclude the deck being constructed. Mr. Cassidy MADE a MOTION to send a standard letter that notes for architectural reasons, the Board suggests that the Applicant shift the addition two (2) feet to the north away from the side property line to avoid the construction of a long and continuous south wall and to allow for safe access to the side wall of the newly constructed addition. Mr. Sadowski SECONDED the MOTION. All voted in favor. None opposed.

Case 08-005, 98 Lynn Fells Parkway, Dillon

The Applicants, along with their representative, Robert Bell, were present. Mr. Bell indicated to the Board that a conventional garage in this location would be cost prohibitive based on the terrain. Mr. Bell pointed out there is a garage on the adjacent lot. Mr. Bell explained that the proposal will not require a lot of maintenance to the storm drain and described the drainage improvements included in the Applicant's plan. Mr. Bell indicated that the Applicants have been in contact with the Public Works Department. Mr. Cassavoy spoke about the safety issues involved with backing out onto the Fellsway and inquired regarding the sight lines at the proposed structure. The Applicant explained that the garage is necessary because currently they do not have enough parking spaces. Mr. Cassavoy asked whether any discussion has taken place with the Building Commissioner regarding whether a Slope Protection Special Permit would be required. Mr. Bell indicated that he understands the Building Commissioner feels that the Slope Protection applies and asked the Board for their feelings on the matter. Ms. DeSouza-Ward asked how close the proposed structure would be to the sidewalk and front lot line. Mr. Bell explained that DCR did not construct the sidewalks to the authorized width. Mr. Mercado clarified whether the garage would be large enough to house two or three cars. Mr. Mercado pointed out that widening of the curb would be required. Mr. Bell indicated that the application includes a three car garage. Mr. Sadowski questioned whether a three car garage is necessary and explored whether the proposed office space addition could be situated on a different part of the lot. Mr. Cassidy expressed that adding occupied space within the front yard setback over a garage is going a bit far. Mr. Cassidy shared his concerns from a safety perspective and indicated that he was not aware of any precedent of locating a structure of this nature along the sidewalk of a high speed boulevard. Mr. Pawlina stated that he felt that the slope protection issue is di minimis and that the structure is oversized. Ms. DeSouza-Ward added that she did not feel that the proposed location was the best spot for such a project. Mr. Pawlina MADE A MOTION to send a letter to the ZBA that notes that the Planning Board does not recommend the application as proposed because the three car garage with occupied rooms above would be located on the front lot line and would block the driver's sight distance when exiting onto the Parkway. Its proposed location, on a curve and on a 30 MPH road where speeds often exceed the limit will create a dangerous situation. The Board views the proposal as too intense of a use for this location; however the Board may support a smaller project that could include parking for two cars in a garage with open sides without occupied space above. The Board defers to the Building Commissioner regarding whether the Slope Protection Special Permit is required. The Board compliments the application for the inclusion of mitigation work associated with a drainage problem for which the Applicants' property is not the source. Mr. Cassidy SECONDED the MOTION. All voted in favor. None opposed.

Case 08-006, 25 Willard Street, Long

The Applicant, Brian Long, was present. He stated he wishes to construct an in-law apartment within the existing space above his garage for his mother. Mr. Long explained that his application also includes a request for a variance to construct egress stairs that encroach 3' 8" on the Dana Street setback. Mr. Sadowski reviewed the conditions of the City's in-law apartment requirements with the Applicant. Mr. Pawlina MADE a MOTION to send the standard letter to the Board of Appeals that notes that it appears that the Applicant is aware of the City's in-law apartment requirements and has met the necessary criteria. Mr. Mercado SECONDED the MOTION. All voted in favor. None opposed.

Case 08-007, 60 Meridian Street, Tarquinio

The Applicant, Richard Tarquinio, was present. He stated that he is in the process of constructing an addition onto his home to accommodate a handicapped relative, which does not require a variance. Mr. Tarquinio explained that his application involves a request for a variance to build a deck. Mr. Tarquinio shared that he has communicated with his neighbors regarding the project and they have expressed no problem with it. Mr. Sadowski MADE a MOTION to send the standard letter to Board of Appeals. Ms. DeSouza-Ward SECONDED the MOTION. All voted in favor. None opposed.

SITE PLAN REVIEW

560 Lebanon Street: Request for Extension

Patrick McAvoy was present on behalf of the Applicant. Mr. McAvoy explained that the Applicant received Site Plan Review approval from the Planning Board two years ago for 10 units to be built on 560 Lebanon Street. The Planning Board approved the Application on February 27, 2006. Mr. McAvoy indicated he is before the Planning Board on behalf of the Applicant to request a one-year extension. Mr. Sadowski stated that the Applicant's letter presents valid reasons for the proposed extension. Mr. Sadowski MADE a MOTION to extend the site plan review approval one year from today. Mr. Mercado SECONDED the MOTION. All voted in favor. None opposed.

APPROVAL NOT REQUIRED

Carlida Road/Cranmore Lane/Boardman Avenue, Green Morningside Nominee Trust

The Applicant's Representative, Louis P. Izzi, was present as well as the Engineer, Richard Williams, from Hayes Engineering. Mr. Izzi requested the ANR be withdrawn. Ms. DeSouza-Ward MADE a MOTION to allow the withdrawal of the ANR. Mr. Cassidy SECONDED the MOTION. All voted in favor. None opposed.

SUBDIVISION – SLOPE PROTECTION SPECIAL PERMIT

SP 08-001, Boardman Avenue, Green Morningside Nominee Trust

The Applicant, Linda Bulman, was present along with her Representative, Louis Izzi and Engineer, Richard Williams from Hayes Engineering. Mr. Izzi opened his presentation by recognizing the Applicant and describing the location of the proposed subdivision. Mr. Izzi explained that the Applicant's father, Brad Hutchinson, and grandfather bought the undeveloped parcel as an approved 23 lot subdivision in 1961. Mr. Izzi shared that the family came forward with a development proposal in the 1980s. Mr. Izzi highlighted the drainage issues in the area. Mr. Izzi explained that the City was granted a drainage easement at approximately the midpoint of Cranmore Lane by the previous owner at around the time of the original subdivision approval. A drainage pipe was installed but never connected. The Applicant's father was advised that the pipe would be connected for discharge to Howard Street upon the determination of the lay-out of the subdivision. Mr. Izzi also shared that some years later the City directed additional drainage onto the Applicant's land at the terminus of Boardman Avenue. Mr. Izzi expressed that the Applicant plans to raise her family in one of the homes in the proposed subdivision. Mr. Izzi stated that the Applicant has the best interests of the neighbors at heart and wishes to develop this site in a manner the neighborhood will appreciate. Mr. Izzi expressed that the Applicant has sought out the neighbors' input. Mr. Izzi explained that the Definitive Plan that has been submitted meets all the technical requirements of the City's Subdivision Rules and Regulations and that the Applicant will defer to the Board regarding the waivers it deems to be appropriate.

In terms of Slope Protection Special Permit, the proposed plan preserves the natural topography of the site and will not have a negative impact.

Mr. Izzi turned the meeting over to Mr. Williams, the Engineer, who detailed the proposed access off of Boardman Avenue. Mr. Williams indicated the current road has sidewalks on both sides. Mr. Williams stated the land contains a large wetlands system that has been delineated by the Conservation Commission. He said the wetlands are at the low point of the property. Mr. Williams explained that the proposed subdivision is zoned SR-B, which requires 10,000 square foot lots with 80 feet of frontage. Mr. Williams showed the proposed 50 foot road layout of the Boardman Extension that includes sidewalks on each side and a cul-de-sac of 118 feet. Mr. Williams spoke about connecting the subdivision to the City's water main, in addition to tying in the subdivision's 8" sewer line into the Boardman line. In terms of drainage, Mr. Williams explained that he has evaluated the existing conditions of the flows in the area and has tried to mimic these flows. Mr. Williams stated that the project is designed to meet storm water management guidelines in all storms for every one, two, ten, 100-year models. Mr. Williams highlighted the two stormwater management systems included in the plan. Mr. Williams explained that a swale is proposed to intercept groundwater and divert it to the first stormwater management system located behind Lot 5. The second stormwater management system features a level spreader and rip rap area at the end of Boardman Avenue. Mr. Williams stated that the project will not increase the rate of runoff into the wetlands system. He said while the proposal does not fix the drainage problems in the neighborhood, it also does not exacerbate them. Mr. Williams explained that the watershed in the area is huge. Mr. Williams concluded by informing the Board that several locations on the site meet the Slope Protection requirements and that the Applicant will be meeting with the Conservation Commission. Mr. Hennigan read a letter from a resident of Cranmore Lane, Sanford Monsein, into the record. Mr. Cassavoy opened the meeting up for public comment.

Leonore Monsein, 31 Cranmore Lane. Mrs. Monsein shared that her family has lived in their home on Cranmore Lane for 40 years. For the past three or four years, they have experienced flooding, which has required them to shovel sewage out of their home.

Fred O'Brien, 27 Arlington Road. Mr. O'Brien asked if there would be any blasting. Mr. Izzi replied that there could be blasting and it would be done under the purview of the Fire Department in a manner that would be respectful to the neighbors.

Jan Crafts, 171 Boardman Avenue. Mrs. Crafts stated her house is the last house on Boardman Avenue that abuts the proposed subdivision. Mrs. Crafts said there is a huge flooding problem in this area and that the City of Melrose has to address this before they can approve the proposed subdivision. She stated that the proposed mitigation field is larger than her home and will have a negative impact to her property.

Louis Crafts, 171 Boardman Avenue. Mr. Crafts stated he is very concerned about the mitigation field. Mr. Crafts asked what the depth of the mitigation field would be and whether there would be water in it at all times. He stated that the mitigation field would be ten feet away from his house and questioned what this would do to his property value. Mr. Williams responded that the mitigation field would be two feet deep and explained that it probably would be full in the spring months. According to Mr. Williams, the mitigation field proposed at this location is at the low point on the property.

Paul Ormand, 25 Arlington Road. Mr. Ormand stated he is a civil engineer, who feels that there is fundamentally inadequate drainage problem in the area. Mr. Ormand compared the drainage basin at the end of Boardman Avenue to something one might see at a suburban office park, which is not typical for a community like Melrose. Mr. Ormand explained that the Applicant is not at fault, but rather doing what needs to be done to reduce the velocity of the water. Mr. Ormand stated that the real solution involves reworking the drainage system on Cranmore Lane.

Jim Fanikos, 37 Carlida St.

Mr. Fanikos stated that he has lived at his home for 42 years. This past year was the first year the sump pump activated. Mr. Fanikos stated his home is at the low point and the area constantly floods. They are concerned with the drainage problem.

Kathleen Driscoll, 23 Cranmore Lane

Ms. Driscoll stated her concern for the condition of the wetlands and expressed that she feels that the water table has risen higher each spring in recent years.

Kevin Hegarty, 11 Cranmore Lane

Mr. Hegarty indicated he has also has noticed a rise in the water table. He asked City authorities to include Cranmore and Carlida within the scope of the City's drainage mitigation project for the area and emphasized need for help with this neighborhood's drainage issues. Mr. Hegarty asked exactly what 1, 2 or 100-year flood is able to tell the engineers.

Leonore Monsein, 31 Cranmore Lane

Mrs. Monsein spoke about a recent article in the Free Press that described water from a project at the Colonial in Lynnfield flowing towards Melrose. She said this is going to cost the City of Melrose a lot of money. She stated that the Army Corps of Engineers should be alerted that wetlands are being tampered with.

Robert Callahan, 211 Bay State Road

Mr. Callahan stated he and his neighbors have lived through the construction on Mount Zion Road and spoke about the effects of blasting. He mentioned blasting as the possible cause of fissures that may have contributed to the change in drainage patterns in the area and the destruction of his neighbor's lawn.

Elin Agustsson, 17 Arlington Road

Ms. Agustsson inquired about the size of the proposed homes. She commented that she would not like to see large homes built near small homes.

Kevin Hegarty, 11 Cranmore Lane

Mr. Hegarty asked for the estimated percentage of the property that would be covered with impervious surfaces. He inquired where the water flows after it leaves the proposed mitigation field near the Crafts' home. He expressed support for the Applicant's right to develop the land as well as concerns regarding the impact of this proposed development on the neighborhood.

Mr. Cassavoy asked for Planning Board members' questions and comments. Mr. Sadowski asked why the Applicant chose not to submit a Preliminary Plan. Mr. Izzi responded that a lot of time and care was taken to put the plan together and that all of the City's subdivision requirements

have been met. Mr. Izzi highlighted that the input of the neighbors was also sought. Mr. Williams added there were not a lot of options based on the terrain. When asked the elevation of the wetlands, Mr. Williams indicated 65 to 68 feet. Mr. Williams explained the wetlands run along the property line of the Applicant and the homes along Cranmore Lane. Mr. Izzi added that much of the growth of the wetlands can be attributed to the discharge by the City. Mr. Cassidy asked Mr. Williams to explain the function of the level spreader. Mr. Williams stated that the Definitive Plan calls for the addition of two catch basins at the end of Boardman Avenue. The level spreader includes a stone buffer, which is the last stop for the storm water before it flows into the wetlands. Mr. Pawlina asked about City easement for the pipe that discharges into the Applicant's property and the location of the proposed drainage systems. Mr. Williams explained the drainage systems are positioned at the low point and that level spreader at the end of Boardman is designed to serve the 15 acre watershed in the area. Mr. Pawlina commented that a surface system is necessary and inquired whether there is a stream within the wetlands. Mr. Williams responded that no stream is mapped. Mr. Pawlina expressed that this area definitely has a bigger drainage problem than this small development proposal. Ms. Marcus asked whether the subdivision would have any effect on the properties and was told by Mr. Williams there would be none. Mr. Cassavoy asked about any waiver requests for the width of the roadway. Mr. Izzi responded that the Applicant is not requesting waivers and added that if the neighbors have requests, the Applicant is open to them. Mr. Cassavoy commented on how reducing the volume of pavement would reduce runoff. Mr. Williams agreed. Mr. Cassidy recognized the contention in the room and stated it might be exacerbated due to the lack of a preliminary plan. While Mr. Cassidy expressed sympathy for the Hutchinson family, he showed uncertainty as to whether this will be win-win situation for all involved. Mr. Cassidy emphasized the need to seek common ground as the land will be developed. Mr. Cassidy cautioned that this will be a long process and speculated if the City needs to do something to resolve the drainage issues in the area. Mr. Mercado suggested the use of porous pavement. Mr. Connolly confirmed whether Lot 10 will ever be built upon. Mr. Izzi indicated that Lot 10 is not buildable due to the presence of the wetlands. Ms. DeSouza-Ward inquired whether a reduction in the roadway width could offer the ability to move the drainage system further away from the Crafts' home. Mr. Williams suggested that there might be an opportunity to look at the drainage systems differently depending on road width and sidewalks. Ms. DeSouza-Ward asked for additional information regarding the size and location of the homes. Mr. Williams indicated that the size of the homes reflected on the Definitive Plan are about as big as they can be. Mr. Izzi stated that the Applicants wish to live in the subdivision and that the appearance of the homes is important to them. Ms. DeSouza-Ward questioned whether covenants would be involved. Mr. Izzi replied affirmatively, but exact verbiage has yet to be discussed. Mr. Pawlina questioned if the Applicants have spoken to DPW about additional sewer capacity for the subdivision and Inflow/Infiltration situation on Cranmore Lane. Mr. Williams stated the Definitive Plan was submitted to the DPW. Mr. Mercado questioned the location of the swale. Mr. Williams explained that the swale will cut off the flow of run-off onto the abutters' properties. Mr. Sadowski commented that the preliminary plan is useful because it provides a greater context regarding the surrounding properties and he expressed topography and sections of the abutting lots are helpful. Mr. Williams explained that he did not have access to enter the abutting properties. Mr. Cassavoy said perhaps USGS maps could be utilized so the surveyors would not have to go on abutters' properties. Mr. Cassidy stated he would like a better understanding of the locus of utilities and the characteristics of sewer system on Cranmore Lane.

A question was asked by a member of the public regarding whether the need for the detention pond would be reduced if the City drainage pipe was connected to Howard Street. Another member of the public supported the reduction of the roadway width.

Mr. Williams addressed the issue of continuing a more narrow width of Boardman Avenue into the cul-de-sac as far as possible. Mr. Connolly reminded the members of the timelines associated with Subdivision and Slope Protection special permit applications. Mr. Connolly MADE a MOTION to continue the public hearing until the next scheduled meeting. Ms. Marcus SECONDED the MOTION. All voted in favor. None opposed. The Planning Board agreed to provide a list of additional information to be supplied for the next meeting.

Ms. Francazio left the meeting for the evening.

SMART GROWTH DISTRICT ZONING AMENDMENT

Ms. Gaffey shared and reviewed with the members some changes to the draft amendment that have been made since the Special Planning Board Meeting held on February 4, 2008. Ms. Gaffey also presented new language pertaining to signage. Favorable discussion took place regarding standing signs and blade signs. Mr. Cassidy inquired whether any language is included that allows for signs to be shaped as objects. Ms. DeSouza-Ward raised the issue of signs that can be viewed through windows.

Ms. Marcus MADE a MOTION to adjourn. Mr. Connolly SECONDED the MOTION. All voted in favor. None opposed.

Meeting adjourned at 11:00 p.m.