

MELROSE PLANNING BOARD
Regular Meeting & Public Hearing
Monday, June 2, 2008
7:50 p.m.
Basement Conference Room

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

ABSENT: Ed Cassidy

Denise Gaffey, 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, May 19, 2008

Mr. Pawlina MADE a MOTION to accept the minutes of May 19, 2008 with a minor edit by Mr. Connolly. Mr. Mercado SECONDED the MOTION. All voted in favor. None opposed.

BOARD OF APPEALS

Case 08-015, 340 Main Street, Sprint

The Applicant would like to request a continuance. Ms. Desouza-Ward MADE a MOTION to continue the hearing until June 23, 2008. Mr. Connolly SECONDED the MOTION. All voted in favor. None opposed.

SITE PLAN REVIEW

Sp 08-004, 786 Main Street, Nogueira

The Applicant, Angela Nogueira, was present along with her contractor, and her representative, Patrick McAvoy. The Chairman of the Planning Board, Mr. Cassavoy, informed the Applicant that a member of the Planning Board was absent tonight and reminded Mr. McAvoy that another member had not attended the May 19, 2008 meeting. Mr. McAvoy consulted with the Applicant and then indicated to the Planning Board that the Applicant decided to proceed with the public hearing. Mr. McAvoy submitted an updated site plan that provided more information on the following requirements: signage, lighting, and landscaping. Mr. Cassavoy asked if the members had any questions for the Applicant. Mr. Sadowski inquired regarding the re-stripping of the parking lot and how the entry and egress into parking lot would be marked. Ms. Desouza-Ward suggested that arrows be painted on the ground. Mr. Pawlina felt that because the driveway drops off quickly, a driver might not be able to easily see arrows painted on the ground. The members discussed the possibility of installing signage in lieu the painted arrows on the pavement. It was determined that there might be a problem with requiring an exit sign as the driveway is shared with an abutting building. Ms. Desouza-Ward added that it is not a very large site so she felt reluctant to require an exit sign. Mr. Sadowski questioned the Applicant concerning the signage for her business as well as any future tenants. Mr. Mercado asked how the signage for the building would be illuminated. The contractor for the Applicant presented to the Board a free-standing wooden hanging sign externally illuminated from the ground that could have removable name plate inserts or additional hanging name plates for future tenants. Mr. Mercado asked about the height of the shrubs that are proposed to screen the air conditioning units. Mr. McAvoy stated the landscaping will be appropriate to screen the units. Mr. Sadowski asked if there will be flood lights on the property. The contractor indicated that flood lights are not proposed but rather motion sensor activated lighting in the front and the rear of the structure that could also be

controlled manually. Mr. Sadowski commented about the area for snow storage adjacent to the north side of the structure. He suggested that the cross-hatching for the snow storage area be extended up to the sidewalk to discourage parking next to the building. Mr. Connolly MADE a MOTION to close the public hearing. Mr. Mercado SECONDED the MOTION. All voted in favor. None opposed.

Mr. Connolly MADE a MOTION to approve the Site Plan Review as shown on the May 28, 2008 plan submitted for SP 08-004, 786 Main Street subject to the following conditions:

1. All new exterior construction and changes to site shall be consistent with the information delineated on the Site Plan dated April 22, 2008 and revised May 28, 2008 and as presented at the public hearings on May 19, 2008 and June 2, 2008.
2. Shrubs adequate to screen the two air conditioning units on concrete pads at the front of the building shall be planted.
3. The parking area in the rear shall be re-stripped in accordance with the plans submitted. Access and egress to the parking area shall be marked with directional indicators in the form of arrows painted on the pavement as shown on the plans submitted. The cross-hatching that designates the proposed snow storage area along the north side of the building shall be extended east up to the sidewalk.
4. The lighting to be installed in the front and rear of the building shall be of a type that will protect the abutters from light pollution in conformance with the Zoning Ordinance.
5. Only one sign shall be installed as specified in the plans submitted and as presented at the public hearings, subject to adherence with the signage requirements in the Zoning Ordinance.

Mr. Pawlina SECONDED the MOTION. A roll call taken. There were seven affirmative, one abstained and one absent. Mr. Cassavoy – Yes; Mr. Connolly – Yes; Mr. Mercado – Yes; Mr. Sadowski – Yes; Mr. Pawlina – Yes; Ms. Desouza-Ward – Yes; Ms. Francazio – Yes; Mr. Cassidy – absent, Ms. Marcus – abstained.

SITE PLAN REVIEW-AFFORDABLE HOUSING SPECIAL PERMIT

SP 08-002, 42-44 Grove Street, 42-44 Grove Street Realty Trust (continued public hearing)

The Applicants, Matt and Tara Philbin, were present as well as their representative, Bob Bell, their engineer, Rick Salvo, and their architect, Niles Sutphin. Mr. Bell introduced the developers to the Planning Board members. He shared with the members that the Applicants are excited to be developing this parcel on the southern gateway to downtown Melrose. Mr. Bell also shared that he is happy to be involved with this project and with these developers whom he described as investors with a long-term point-of-view, not speculators. Mr. Bell said the Applicants are planning to install an elevator within the building even though they are not required to do so by any regulation. The Applicants plan to have retail on the first floor with three bays, possibly four. The second and third floors will have twelve (12) one-bedroom units that will be served by an elevator. There will be full handicap accessibility. Mr. Bell stated one of the units will be

affordable. Mr. Bell indicated that the site development team has been in discussions with city officials mainly regarding the engineering for the project.

Mr. Bell introduced Niles Sutphin of Sutphin Architects. Mr. Sutphin has worked on a condominium complex in Medford for the Applicant. Mr. Sutphin stated there are very unique engineering issues with this site in regard to the culvert that runs along the entire rear of the site. The ten foot wide culvert necessitates the building form to be long and narrow. Mr. Sutphin stated Mr. Philbin would like to open an office branch in the commercial unit on the corner of Grove Street and Main Street. Mr. Sutphin described the building as 32 feet in height, wood frame construction with a hardiplank exterior. Mr. Sutphin explained that the bay windows will help to break up the long building.

Mr. Sutphin turned the presentation over to Mr. Salvo, the engineer. Mr. Salvo informed the Board that the culvert is five feet high and ten feet wide. He added that the culvert has stone masonry walls. Mr. Salvo indicated that the structure will be supported by helical piles to avoid disturbance to the culvert walls. He said the soils lend themselves to that method. The structure will be built slab on grade, no basement. Mr. Salvo described the height of the proposed building to be identical to the adjacent building. Mr. Salvo stated that some landscaping is planned for the rear in the area along the walkway. Mr. Salvo indicated that zero lot line construction will be necessary and require the replacement of the concrete sidewalks. Mr. Salvo explained that the proposed building is not subject to the City's parking requirements and pointed out the municipal parking lot that is adjacent to the building. Mr. Salvo also made the members aware of the five parking spaces planned on site.

Ms. Gaffey reviewed with the Planning Board the staff report put together by the Office of Planning & Community Development. She stated that the report consolidates all comments from city department heads. Ms. Gaffey highlighted the major issues that include:

- *Ell Pond Brook culvert*
- *Culvert easement* - Ms. Gaffey explained that the application shows that the proposed building will be partially constructed on the City easement for the Ell Pond Brook culvert. Ms. Gaffey shared that according to the Building Commissioner the Applicant would require approval from the Board of Aldermen in order to build upon easement.
- *Potential Site Contamination* - Ms. Gaffey pointed out that the City Engineer shared with the Applicant that contaminated soil was discovered under the roadway on Grove Street adjacent to the subject property during the Grove Street Reconstruction Project and added that the City Engineer advised the Applicant to take the appropriate measures to ensure that the site does not suffer from contamination.
- *Streetscape Improvements and Public Access* – Ms. Gaffey highlighted that the Applicant proposes to replace all sidewalks surrounding the property; street trees and Victorian lighting have been encouraged by OPCD and Public Works. Ms. Gaffey shared that the Applicant expressed a willingness to allow the Planning Board to determine whether public access between the proposed building and the adjacent building on Main Street, 406 Main Street, is appropriate.
- *Construction Management Plan* - There was discussion concerning the safety measures to be taken during construction and the proximity of the project to St. Mary's School.

- *Parking requirements* – Ms. Gaffey confirmed that the subject building is located within the area bounded by Essex, Grove and Myrtle Streets and is therefore permitted to substitute spaces in municipal parking lots in lieu of meeting the on-site parking requirement.
- *Trash disposal*
- *Snow Removal* - Ms. Gaffey pointed out that the plans currently show no provisions for snow storage.
- *Utilities* – Ms. Gaffey indicated that the Applicant will be required to make a contribution to the City's Inflow and Infiltration Fund.
- *Drainage* – Ms. Gaffey highlighted that consideration should be given to using pervious materials for parking area and walkway to promote additional ground water recharge. The City Engineer expressed a preference for drainage to be mitigated on site.

The Applicant requested six waivers from the application requirements.

1. *Height and use of all buildings abutting the proposed project.*
2. *Existing and proposed topography and location of all natural features.*
3. *Areas subject to a 100-year flood.*
4. *Proposed landscaping.*
5. *Location, material, and size of all signs.*
6. *Traffic Impact Statement.* - Ms. Gaffey indicated that this proposal is similar to other projects that have been developed downtown. Ms. Gaffey stated the traffic generated will probably be minimal on adjacent roadways, therefore, it appears a traffic study will be unnecessary.

Ms. Gaffey expressed her opinion that it is important that the Planning Board look carefully at the parking situation and architectural details involved with this proposal. She shared with the members the City's support for the project. Ms. Gaffey indicated to the Planning Board that there is interest in extending the boundary of the downtown historic district, which would encompass this site. The Historic District Commission has been informed of the project and encouraged to weigh in. Regarding the waivers, Ms. Gaffey suggested that the Board not waive the requirement for *Height and use of all buildings abutting the proposed project* and *Proposed landscaping*. The Applicant requested waiver for signage, but this information has been provided so the waiver is unnecessary.

Mr. Connolly MADE a MOTION to grant the waivers for topography, areas subject to the 100-year flood, and the traffic impact statement. Ms. Marcus SECONDED the MOTION. All voted in favor. None opposed. The Board stated that they will require an elevation of the adjacent building and more information about landscaping including street trees as well as additional information regarding the lighting including lighting for the signage.

Ms. Francazio questioned the number of residential units proposed. Mr. Bell stated the application originally had included seven (7) two bedroom townhouse style units, but based on market conditions the Applicant decided to change the number of proposed units to twelve (12) one-bedroom units. Mr. Connolly wondered about the exact address of this site. Mr. Bell stated that the exact address is unclear at this point and the Applicant plans to pursue this issue further. The Assessors Department has the address as 44-48 Grove Street. In answer to Mr. Connolly's question, the Applicant stated there will be laundry facilities for the tenants. Mr. Connolly asked

to whom the five parking spaces would be designated. Mr. Bell said it has not been determined as of yet. Mr. Connolly wondered if the soil was not right for helical pilings, what the plan would be. The Engineer indicated that the Applicant is working with a geotech engineer from Goffstown, New Hampshire. Test borings were done. The results are anticipated shortly. The Engineer explained that the results will provide better sense for how deep the piles would need to be drilled. Mr. Mercado expressed concern regarding excavating too close to the walls of the culvert. Discussion took place regarding the issue of the contaminated soil in the area. Ms. Gaffey indicated that the Mobil station has taken the responsibility for the Grove Street mitigation, although the source of the contamination has not officially been determined. The Applicant explained that an Environmental Site Assessment was performed in 2005 that did not find any contamination in the groundwater. Mr. Hennigan shared that the Health Department suggests that new soil samples be taken when the building is razed.

Mr. Connolly asked about the maintenance team for the building. The Applicant explained that the tenants will be required to bring their own trash down to the interior trash area. Mr. Pawlina suggested that the Applicant look into a sub-surface leaching system to capture the runoff from the roof and consider pervious pavement in the parking area. Mr. Mercado inquired about snow removal and was told by the Applicant that snow removal is part of the duties of the maintenance team; snow will be taken off site. Mr. Mercado asked about the existing water pressure. Mr. Salvo stated they have not done a flow test yet.

Mr. Cassavoy commented about the height of the abutting building at 406 Main Street and requested that the Applicant provide a front and rear elevation that shows both structures as well as the materials that will be used. Mr. Cassavoy requested that the Applicant clarify the information about the culvert - this would help the Planning Board in their deliberations. The Architect assured the Board that they will have that information for the next meeting. Mr. Cassavoy added that the Board would also be interested in seeing a roof plan that shows how the Applicant plans to screen the equipment that will be positioned on the roof. The Architect described a slight parapet to screen mechanical equipment and condenser units. The Architect stated they plan to 'bring everything up through the roof to eliminate louvers on the building.

Mr. Mercado requested a cross-section of the windows. Mr. Cassavoy asked to see more information about the space between the proposed building and 406 Main Street at the next meeting. The Architect informed the Board that the site will have lighting that will be sensitive to abutters. Mr. Bell suggested that the Planning Board consider the alleyway public and allow access, but recommended the decision be flexible to allow for a gate in the future if the public access becomes a nuisance. Mr. Sadowski requested the addresses of other properties that the Applicant has developed/managed so he can take a look at them. Mr. Sadowski asked for clarification about the curb cut that provides access to the five parking spaces. Mr. Sadowski also requested that the Applicant better define the section of the walkway that 'comes around' the building past the parking spaces. Mr. Sadowski inquired about the depth of the culvert as well as how much of the building encroaches on City easement. He added that the City needs to consider this issue carefully. The members discussed the relationship between the culvert and the proposed structure and the assurance that work to either one would not undermine the other. Mr. Sadowski asked how the Board of Appeals would view the overhang created by the proposed bays.

Ms. Marcus MADE a MOTION to continue the public hearing to June 23, 2008. Mr. Connolly SECONDED the MOTION. All voted in favor. None opposed.

OTHER

Ms. Desouza-Ward informed the Planning Board members that the Zoning Subcommittee and Denise Gaffey, Director & City Planner, and Holly Regan, Housing Planner, had met before tonight's Planning Board meeting to discuss an amendment to the Affordable Housing Ordinance. The Zoning Subcommittee plans to meet before the Planning Board's June 23rd meeting to finalize the proposed amendment.

Ms. Gaffey shared with the Planning Board members the “special municipal employee” designation that is before the Aldermen that would allow Planning Board members to perform work for the City.

Ms. Marcus MADE a MOTION to adjourn. Mr. Mercado SECONDED the MOTION. All voted in favor. None opposed.
Meeting adjourned at 10:00 p.m.