

MELROSE PLANNING BOARD
Regular Meeting & Public Hearing
Monday, July 28, 2008
7:50 p.m.
Mayor's Conference Room

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

ABSENT:

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, June 23, 2008

Mr. Mercado MADE a MOTION to accept the minutes of June 23, 2008. Mr. Connolly SECONDED the MOTION. All voted in favor. None opposed.

b) Design Review Subcommittee Meeting, July 14, 2008

Mr. Cassidy MADE a MOTION to accept the minutes of July 14, 2008. Mr. Mercado SECONDED the MOTION. All voted in favor. None opposed.

BOARD OF APPEALS

Mr. Pawlina MADE a MOTION to move Case 08-019 and Case 08-023 to Assent Calendar and to send standard letters to the Board of Appeals. Mr. Connolly SECONDED the MOTION. All voted in favor. None opposed.

Case 08-020, 585 Lebanon Street, MetroPCS

The Applicant's representative, Peter Cooke of Wellman Associates, Inc., was present along with the Applicant's engineer. Mr. Cooke provided background information concerning the Applicant, MetroPCS, and reviewed the application with the Board. Mr. Cooke explained that the application involves the installation of wireless communications equipment including six façade mounted panel-style antennas, equipment cabinets within an existing rooftop mounted shelter, and associated cabling and utilities. Mr. Cooke indicated that the antennas would be 51" in height and 12" wide and installed in three groups of two. Mr. Cooke explained that the tree cover on the north side of the building requires the antennas on that side of the building to be positioned on the roof. Mr. Cooke presented a map of the City that showed the areas of coverage. Mr. Connolly pointed out an inconsistency on the page 2 of the application. Mr. Cooke stated that the application should read two "monthly" visits. Mr. Cooke explained that the antennas need to be separated either vertically or horizontally for reception purposes. Mr. Cooke indicated that the antennas will be off-white in color. Mr. Cassidy inquired as to whether the equipment is screenable. Mr. Cooke indicated that screening often draws more attention rather than less. Mr. Cassidy asked whether there is a limit to how many antennas could be installed on the roof. Ms. Gaffey responded that the City does not have a limit in the Ordinance and expressed that the City encourages the co-mingling of equipment. Ms. DeSouza-Ward suggested that the Applicant address Section 235-73 prior to the ZBA hearing. Mr. Cassavoy confirmed with the Applicant that the antennas would be painted to match the building. Mr. Sadowski voiced his concern regarding how the rooftops in the City are becoming increasingly more cluttered with equipment of this nature and suggested that the Planning Board invite the associated landlord for discussion

the next time a wireless communications service facilities case comes up. Mr. Sadowski MADE a MOTION to send a letter to the Board of Appeals that indicates that the Applicant agreed to paint the new antennas to blend with the background color and texture of the building to minimize their appearance and encourages the Applicant to address in writing the conditions required within Section 235-73 and Section 235-86 of the Zoning Ordinance specific to Wireless Communication Service Facilities as an amendment to their application. Ms. Marcus SECONDED the MOTION. All voted in favor. None opposed.

Case 08-021, 27 Carlida Road, Hom

The Applicant, Cynthia Hom, described her proposal. Ms. Hom explained that her application involves the construction of a two car garage in the location of the existing one car garage. Ms. Hom indicated that two car garages are not uncommon in her neighborhood. Ms. Hom confirmed that the New England Power Company owns the land that abuts her lot to the rear. Ms. Francazio pointed out the garage on the plot plan does not appear to be drawn by the surveyor and questioned whether the location and size of the proposed garage is accurately represented. The Board advised the Applicant to ask her surveyor to show the garage on the plot plan prior to the ZBA hearing. Mr. Cassavoy suggested that the Applicant check the height of the proposed garage and look into location of the stairs in relation to the structural beam. Ms. DeSouza-Ward expressed that she had lived in the neighborhood for 10 years and viewed no problem with the proposal. Mr. Sadowski MADE a MOTION to send a letter to the Board of Appeals that noted that the Applicant's lot abuts property owned by New England Power Company in the rear and recommended that the Applicant's surveyor prepare an updated plot plan that locates the existing garage and the proposed garage. Mr. Mercado SECONDED the MOTION. All voted in favor. None opposed.

Case 08-024, 40 Batchelder Street, Giangregorio

The Applicant, Larry Giangregorio, reviewed his proposal with the Board. Mr. Giangregorio indicated that he applied for similar relief in 1990 to construct a one-story addition. Mr. Giangregorio explained that this proposal requests relief to remove the deck above the one-story addition and replace it with a second-story addition to better accommodate his family. Mr. Cassavoy inquired regarding how the addition would be structurally constructed. Mr. Connolly MADE a MOTION to send standard letter to the Board of Appeals. Ms. DeSouza-Ward SECONDED the MOTION. All voted in favor. None opposed.

SUBDIVISION – SLOPE PROTECTION SPECIAL PERMIT

SP 08-001, Boardman Avenue, Green Morningside Nominee Trust (continued public hearing)

A letter was received by the Planning Office from the Applicant requesting a continuance until September 22, 2008. The Applicant has agreed to the extension of all statutes of limitation to December 22, 2008. Mr. Connolly MADE a MOTION to continue the public hearing until September 22, 2008. Ms. DeSouza-Ward SECONDED the MOTION. All voted in favor. None opposed.

SLOPE PROTECTION SPECIAL PERMIT

SP 08-005, Forest Street (Lot 2 & Lot 3), Delta Fairfield Corporation

The Representative for the Applicant, Patrick McAvoy, was present with the Applicant, Mr. Gianquitto. Mr. McAvoy explained the application in context with the approved Blueberry Hill Subdivision. Mr. McAvoy passed out to the Board architectural drawings for the proposed dwellings. Mr. McAvoy reviewed the Purposes of the Slope Protection Ordinance and requested that the members drive by the site and observe the dwelling on the adjacent lot that was

constructed by the Applicant and use it as a model for the purposed dwellings. Mr. McAvoy pointed out that the proposal attempts to minimize the invasion of the protected areas and explained that the rip rap slope will assist to preserve the natural features of the site. Mr. McAvoy stated that the post-development run-off will not exceed the pre-development run-off. Mr. McAvoy suggested that the site does not offer a lot of opportunities for innovative architecture or landscaping.

Mr. Pawlina stated that he visited the site and was unable to locate the presence of any natural slope. Mr. Pawlina inquired whether the Slope Protection Ordinance was applicable in this instance. Ms. Gaffey responded that a special permit is required for the construction of the proposed dwellings. Mr. Pawlina expressed that the drainage plan was adequate for the proposed two dwellings. Mr. Pawlina expressed interest in how the contours of site relate to the subdivision in the rear. Mr. Cassidy expressed disappointment with the lack of follow through by the Applicant in regards to the subdivision and expressed concern that the two lots were not included in the subdivision plan. Mr. McAvoy explained that the two lots were grandfathered lots. Mr. McAvoy offered some background information concerning the chronology of the development of the subdivision in connection with the two adjacent lots associated with the present application. Mr. McAvoy shared that additional permits and financing are necessary for the subdivision to move forward and expressed that the Applicant is hopeful that the necessary funds can be raised from the construction of the proposed dwellings to make the subdivision more feasible. Mr. McAvoy explained that the site was graded to be in its present condition six years ago to perform work on the top of the hill. Ms. Francazio expressed that the grading for the proposed dwellings do not appear to take into consideration the future subdivision. The members voiced concern over the steepness of the proposed riprap slope. Mr. Cassavoy suggested that the Board plan a site visit, which was scheduled for August 6, 2008 at 7 PM. Ms. DeSouza-Ward MADE a MOTION to continue the public hearing until August 25, 2008. Ms. Francazio SECONDED the MOTION. All voted in favor. None opposed. The Planning Board requested that the Applicant provide the following information in preparation for the upcoming meeting.

- Sections through both dwellings (from the street to 40 feet beyond the rear property line)
- Section of the slope between the dwellings (from the street to 40 feet beyond the rear property line)
- Details of the proposed stone retaining walls/rip-rap/landscaping
- Architectural Elevation that shows details of both dwellings (different styles of architecture advised)
- Site Plan with topography that shows the relationship between the proposal (lots 2 & 3) and the subdivision.

SITE PLAN REVIEW-AFFORDABLE HOUSING SPECIAL PERMIT

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

Bob Bell, representative for the Applicant, introduced the Development Team: the Philbin family, Rick Salvo, the Engineer, Niles Sutphin, the Architect, Nick Scenna and Mitchell Keamy, the Structural Engineers, and Glen Zoladz, the Geotechnical Engineer. Mr. Bell explained that the helical pile foundation system would be used to construct the proposed building in order to protect the Ell Pond Brook Culvert. Ms. Gaffey distributed comments prepared by the City Engineer. Mr. Bell introduced Mr. Salvo who described the revisions that were made to the site plan. Mr. Salvo presented that landscape plan. Mr. Salvo pointed out the water and sewer connections that would be made on Grove Street as well as the four on site parking spaces in the rear of the building. Mr. Salvo explained the proposed roof infiltration system that was no longer required

by the City Engineer. Mr. Salvo highlighted that the site will feature more pervious surface than existed previously. Mr. Keamy explained the helical pile foundation system and its benefits given its close proximity to the culvert. Mr. Cassavoy asked whether the Applicant has considered cleaning up the boundaries of the Ell Pond Brook easement. Mr. Bell stated that changing the boundary lines would require Aldermanic approval. Mr. Bell explained that this action has been considered and that he would have a conversation with the City Solicitor. Mr. Connolly inquired regarding the approval needed for the overhanging bays. Mr. Bell responded that the overhanging bays create an air rights issue that also requires Aldermanic approval. Mr. Connolly inquired regarding the issue of any contamination on site. Mr. Bell replied that the environmental evaluation that was conducted for the site in 2005 was given to the Health Department. Mr. Bell indicated that the Health Department raised the issue of potential contamination involving the tanks for the hydraulic lifts. Thus far these tanks have not turned up; should they be discovered during demolition Mr. Bell indicated that they would be taken out. Ms Gaffey added that the Health Department supports the described approach. Ms. Marcus expressed concern regarding the lack of on-site parking incorporated in the proposal. Mr. Cassidy pointed out that the pervious material (loose gravel) specified for the walkway adjacent to 406 Main Street might not be appropriate for a downtown location. Mr. Salvo indicated an alternative paver could be used. Mr. Cassidy expressed concern that the plantings proposed for the walkway would not be durable enough to withstand winter conditions. Mr. Salvo stated that alternative plantings could be selected that take into consideration all weather conditions as well as the limited natural light experienced at the site. Mr. Salvo introduced Mr. Sutphin.

Mr. Sutphin briefly described the architectural elements of the proposal. Mr. Sutphin pointed out that the bay projections will offer adequate shadow line. Mr. Sutphin stated that the three story wood frame structure will include four retail units on the ground level and feature an elevator. Mr. Sutphin stated that the decorative pattern along the top edge of the building will extend around the entire building and completely surround the three rear windows. Mr. Sutphin explained that a metal trellis system will be installed on the ground level along the north side of the structure, facing the walkway. The trellis system will provide texture for the building as well as offer space for vegetation to grow during the spring, summer, and fall. Mr. Sutphin described two types of parapet walls on the roof of the structure: the 3' parapets formed by the bay projections and the 11" parapets that direct stormwater to the center of the building. Mr. Cassavoy and Mr. Sutphin agreed that the screening for the HVAC equipment on the roof shall extend six inches above the top of the equipment. Mr. Connolly inquired whether the trellis system would require maintenance. Mr. Sutphin indicated that the trellis system would be made of metal and require no maintenance. Mr. Cassidy asked for more information regarding the windows that will be installed. Mr. Sutphin replied that Anderson windows (400 Series) or an equivalent would be used. Mr. Cassidy indicated that he would like to see a catalog cut of the window selected. Ms. Francazio asked whether the residential units would face the walkway. Mr. Sutphin stated that the second and third floor corridors (each corridor includes three windows) run along the north side of the building to provide access to the residential units. Mr. Pawlina raised the issue of lighting along the walkway and concern regarding vandalism of the proposed trellis system. Mr. Sutphin explained that a reasonable amount of lighting is planned in an effort to minimize security concerns. Mr. Sutphin expressed that the intention is not to overly light the area in consideration to the residential occupants in the area. Mr. Sadowski expressed interest in the shade of blue that would be used on the roof features and how it fits into the context of the downtown. Mr. Sutphin indicated that in addition to two accent colors in the blue range the body of the building would be gray/white in color with white windows. Ms Gaffey reported that the Planning staff investigated the feasibility of planting street trees on Main and

Grove in consultation with the City Engineer and found that the street trees would be able to be accommodated. 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 application for SP 08-002, 42-44 Grove Street with the following conditions:

1. All new construction and changes to the site shall be consistent with the information delineated on the final set of plans. Any deviation from the approved Site Plan and Architectural Drawings must be approved by the Planning Board in advance of construction.
2. The Petitioner shall be required to make a payment to the City's Inflow and Infiltration Fund to offset the amount of inflow that the additional residential units will contribute into the municipal sewer system. The payment shall be based on DEP Title V equal to 150 gallons per day per bedroom at \$1.40 per gallon. The final amount shall be determined by the City Engineer.
3. A fire flow test at a hydrant approved by the City shall be required in coordination with the Public Works Department. This test must be witnessed by the Engineering Division.
4. The Petitioner shall return before the Planning Board for the selection of exterior paint colors at which time the Petitioner shall also provide a catalog cut of the windows proposed for installation.
5. Street trees shall be planted along the perimeter of the site in the following configuration: two trees on Main Street and four trees on Grove Street. Tree selection shall be approved by the Superintendent of Public Works.
6. The Petitioner shall utilize more resilient pervious materials and plantings along the walkway adjacent to 406 Main Street that will better withstand all weather conditions.
7. The proposed roof infiltration system included on the final approved plans is not required and shall not be installed.
8. The mechanical equipment to be installed on the roof shall be screened six inches above the top of the HVAC units.
9. Trash shall be picked up privately and snow shall be removed off site by the Petitioner's maintenance staff.

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

Mr. Connolly MADE a MOTION to approve the Special Permit for the Affordable Housing Incentive Program with the following condition:

1. One of the residential units in the development shall be an affordable unit, which meets the requirements of the Affordable Housing Incentive Program under the Melrose Zoning Ordinance Section 235-73.1.

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

APPROVAL NOT REQUIRED

Patriot Way, Penney Road Realty Trust

The Representative for the Applicant, Bob Bell, was present. Mr. Bell explained the history of the subdivision application that is associated with the ANR application. Mr. Bell indicated that one of the lots included in the subdivision did not meet the definition of lot width, which led the Applicant to purchase adjacent land so that the lot would conform to the City's requirement for a "buildable" lot in the SR-A zone. Mr. Bell stated that the Applicant has worked out a solution with the adjoining owner which resulted in several boundary adjustments of the lots within the subdivision. Mr. Bell explained that the result is four "buildable" lots instead of three "buildable" lots. Each lot will have the required frontage and access. Mr. Bell informed the Board that it is not the intention to access Lot C from Patriot Way, but rather Penney Road. Mr. Cassavoy inquired whether a corner lot would have to meet the frontage requirement on both "fronts" and was made aware that it must only meet the requirement on one of its "fronts". Ms. DeSouza-Ward pointed out that the ANR affects the approved Subdivision Plan and requires modification of the Subdivision Plan as many of the conditions will not be able to be met. Ms. Gaffey stated that the fence lines and retaining walls will change as a result of the ANR application. Mr. Pawlina added that landscaping will also have to be re-engineered. Ms. Gaffey indicated that a letter to the Applicant would also be appropriate to require modification of the Subdivision Plan. Ms. DeSouza-Ward MADE a MOTION to approve the ANR. Mr. Connolly SECONDED the MOTION. All in favor. None opposed. Mr. Connolly MADE a MOTION to instruct the Planning Office to send a letter to require the Applicant to submit a modified Subdivision Plan. Mr. Pawlina SECONDED the MOTION. All in favor. None opposed.

The meeting was adjourned at 10:55 PM.