



TOWN OF
STONEHAM
MASSACHUSETTS

PLANNING BOARD
781-279-2695

STONEHAM PLANNING BOARD MINUTES

(in accordance with provision of M.G.L. c.30A, §§ 18-25)

Wednesday, June 11, 2025

Town Hall Hearing Room

7:00 PM

Members Present: Chair Frank Vallarelli, Marcia Wengen, Brianna Kelly and Associate member Ellen McBride.

Also present at the meeting: Town Clerk Maria Sagarino acting as Clerk for the Planning Board, DPW Director Brett Gonsalves, Attorney William Heney, Attorney Charles Houghton and William McDonald of McDonald Funeral Homes.

The Chair brought the meeting to order at 7:01PM and introduced the members of the Board that were present. He explained that Associate member Ellen McBride would sit in on the public hearing due to Mr. Moynihan and Mr. Dolan's absence.

Mr. Vallarelli entertained a motion to move the scheduled ANR up in order. Ms. Wengen made the motion which was seconded by Ms. Kelly. All members voted to move up the ANR 3-0.

Endorsement of Approval Not Required Plan (ANR) for 0 Stonecroft Rd & 14 Brackett Ave

Mr. Vallarelli invited Attorney William Heney to speak on his application for the board to endorse the Approval Not Required (ANR) plan for 0 Stonecroft and 14 Brackett Ave. Mr. Heney explained that his client was subdividing his lot at 14 Brackett Ave to create a second lot as 0 Stonecroft. There would be over 12,000 square feet and 100 feet of frontage.

Mr. Vallarelli stated that Town Counsel Robert Galvin had been communicating with Vice Chairman Dolan on the matter. In Mr. Dolan's absence, Mr. Vallarelli read an email from Attorney Galvin into the record as follows:

"If both lots are in common ownership now and the resultant lots after a proposed division will not meet the minimum lot area and frontage requirements of the zoning district, then ANR approval is not permitted.

The merger doctrine provides that when two nonconforming lots come into common ownership, the two lots will "merge" to eliminate or reduce the zoning nonconformities.

Section 10 of Chapter 150 of the Acts of 2024 preserves the buildable status of certain lots owned in common. Section 10 of the Act amends G.L. c. 40A, § 6 by prohibiting the merger,

for zoning purposes, of adjacent lots under common ownership if, at the time of recording or endorsement, the lots:

- (1) **conformed to then existing (time of merger) requirements of area, frontage, width, yard or depth,**
- (2) **where each such lot has not less than 10,000 square feet of area and 75 feet of frontage; and**
- (3) are located in a zoning district that allows for single-family residential use.

I do not see how this applies since Lot 1 will not have the required minimum zoning”.

Mr. Vallarelli asked Mr. Heney if he would like to continue this matter to the next meeting on July 9th and take the opportunity to confer with Town Counsel before bringing the plan back before the Board. Mr. Heney agreed that would be best. Ms. Wengen made a motion to continue the matter to July 9th which Ms. Kelly seconded. All members voted in favor 3-0.

Approval of Minutes

Mr. Vallarelli asked Ms. Wengen and Ms. Kelly if they were comfortable approving the minutes without Mr. Dolan and Mr. Moynihan adding that Ms. McBride was present for the meeting on May 28th. They indicated that they had read the minutes and were comfortable approving.

Ms. Wengen made a motion to approve the minutes for May 14, 2025. Ms. Kelly seconded the motion. All members present voted in favor 3-0.

Ms. Wengen made a motion to approve the minutes for May 28, 2025. Ms. Kelly seconded the motion. All members present, including Ms. McBride, voted in favor 4-0.

Meeting Schedule July-December 2025

Next the Board confirmed the meeting schedule for the next six months. The Board would continue to meet on the second Wednesday of the month until the end of the year. The dates being:

- July 9
- August 13
- September 10
- October 8
- November 12
- December 10

Bond reduction for 62 High St/Isola Lane

The Board was presented once again with a request to reduce the bond being held for Isola Lane. Mr. Rhuda of Symes Associates was present and updated the Board on the progress. They will add a finish coat to the pavement next year along with landscaping which had been discussed with DPW Director Brett Gonsalves. He indicated that they have sold five of the thirteen houses being built. The closing for the first house has been held up because Eversource has been delayed in connecting electricity to the property. Mr. Gonsalves was present to acknowledge the memo he had presented the Board recommending that \$166,614.64, which holds back a 10% contingency, be released back to the developer. Ms. Wengen made a motion to approve the release which was seconded by Ms. Kelly. All members voted in favor 3-0. Although the Chair has been recused from the matter, Mr. Vallarelli chose to vote with only three members present so as not to hold up the developer.

Mitigation Rules & Regulations

Mr. Gonsalves was invited to speak on the proposed mitigation rules and regulations which had previously been discussed. Ms. Wengen had submitted some questions and comments after the last meeting. Mr. Gonsalves thought it would be a good idea to begin with touching upon them. He also indicated that he made two additions and provided the Board with a clean copy.

Mr. Gonsalves reminded the Board that subdivisions would be excluded as they have their own set of rules and regulations. Ms. Wengen had caught a few typos. He would change the word ordinance to zoning code where indicated. Ms. Wengen also noticed some conflict with the voting thresholds which Mr. Gonsalves agreed to update.

Mr. Gonsalves explained the thought process around making these rules and regulations within the Planning Board Chapter 17 instead of adding them to the Zoning bylaws in Chapter 15. They would be easier to implement and amend with a vote by the Planning Board as opposed to a Town Meeting vote and Attorney General approval.

Mr. Gonsalves further explained that the mitigation conversation would take place as part of the Special Permit hearing process.

Mr. Gonsalves continued to move page by page, addressing most of Ms. Wengen's questions and concerns. Mr. Gonsalves agreed to make any adjustments recommended.

Ms. Kelly had a question about the revocation language on page 9. "The Applicant is expected to complete/implement any and all required mitigation construction/improvements as conditions of any Special Permit or plan approval prior to the issuance of a final occupancy permit for the project. In the event that all required mitigation construction/improvements are not completed by the time a final occupancy permit is issued for the project, then the SPGA **may revoke** the Special Permit or plan approval". She preferred to see it rephrased to say "the applicant may not receive the certificate of occupancy" rather than "the SPGA may revoke".

Ms. Wengen needed some clarity on page 10 item b. She loved item c but also felt item d was not clear.

Ms. Wengen had a question as to what a significant number is on page 11. “If a proposed project generates a **significant** number of additional residents and/or employees and such participation is warranted and required by the SPGA, the Applicant shall participate in the regional or local transportation management association (TMA) and implement a transportation demand management program that includes the assignment of an Employee/Resident Transportation Coordinator to work with the TMA, residents and employees to encourage ridesharing and the use of public transportation”. Mr. Gonsalves would look into what a significant number is considered to be.

Ms. Kelly pointed out that on the same page 11, item 3 was missing some words and one of the sentences was incomplete. Mr. Gonsalves would check on that as well.

Mr. Gonsalves explained that he had also added leeway for the Planning Board to return unused mitigation funds. They would also be given the authority to grant waivers for all or part of these rules and regulations as the Board finds necessary.

Ms. Wengen asked if the language regarding the development impact statement could be clarified a bit.

Having gone through the entire document, Mr. Gonsalves thanked the Board and stated that he would go back and make adjustments based on the conversation. He would come back to the Board at an upcoming meeting for further review and discussion.

Public Hearing

4-6 Common Street *Represented by Attorney Charles Houghton*

Mr. Vallarelli moved on to the only public hearing for the evening and read the legal notice into the record as follows:

“You are hereby notified that the Stoneham Planning Board, acting as Special Permit Granting Authority, will hold a Public Hearing Wednesday evening, June 11, 2025 in the Hearing Room, Town Hall at 7:00 p.m. to hear all persons interested in a petition for a special permit by William T. McDonald, Jr., Trustee 4-6 Common Street Realty Trust, 19 Yale Avenue, Wakefield, MA for a special permit pursuant to Section 4.6.3.1 of Chapter 15, Town of Stoneham Zoning By-laws to convert the existing building at 4 Common Street to one residential apartment above the first floor and professional office use on the first floor and to demolish the existing garage on site and add required parking on site. A plan by Benchmark Survey dated May 19, 2025 entitled “Plan of Land of 4-6 Common Street Stoneham, Mass.” may be seen daily except Friday afternoon in the office of the Town Clerk”. The notice ran in the Stoneham Independent on May 22 and May 29.

Attorney Houghton appeared before the Board and explained that Bill McDonald of McDonald-Finnegan Funeral Home had purchased the Anderson-Bryant Funeral Home after Jack Anderson’s passing. They are seeking approval to convert the first floor of the former funeral home building to professional office space with a residence above. There is presently a two

family house behind at 6 Common Street which would remain, but they intend on taking the garage in the back down to create more parking on the site.

Ms. Wengen asked about spaces 8, 9 and 10 on the plan. Mr. Houghton indicated that they are new parking spaces in the front. He explained that spaces 1-7 would be where the garage was.

Ms. Wengen asked if the space on the first floor would be rented. Mr. Houghton responded that they would rent it. If it were to be used even as office space for the funeral home there are strict regulations that you need to follow for funeral homes that would need to be met. It's smarter to just rent out the space instead of using it for their own purposes.

Mr. Houghton continued to explain that seven parking spaces are required but they would have ten. Mr. Vallarelli asked if there were any variances. Mr. Houghton stated that they did not need variances. Ms. Wengen asked what was upstairs now. Mr. Houghton stated that Jack Anderson's office had been upstairs. It is vacant now so they are getting a lot of push back from the insurance company. Mr. McDonald stated that nothing is rented right now as the former occupant of the two family went to senior housing.

Ms. McBride asked how the second floor is accessed. Mr. Houghton indicated that there is a set of stairs off the driveway. Ms. Kelly asked for clarification that to access parking you would go through the driveway to the left. Mr. Houghton indicated that the plan shows the driveway access easement.

Mr. Vallarelli read the comments into the record from Fire, the Director of Planning and Building. The building Commissioner had asked about dumpster placement in her comment. Mr. Houghton indicated they'd pay a trash fee and have curbside pickup.

Mr. Houghton went through the criteria under 7.4.3.1 (a)-(e) stating they have satisfied all requirements.

Ms. Wengen asked if the basement where the embalming was done would be demolished. Mr. McDonald indicated that it would be. He also described the unit on the top floor as having a large living room, kitchen full bath and a bedroom on the second floor with two more bedrooms, a full bath and laundry room on the third floor. Mr. Houghton stated that had already been there but not utilized as Anderson-Bryant used it for office space.

With no members of the public present for comment, Ms. Wengen made a motion to close the public hearing which was seconded by Ms. Kelly. All members present, including Ms. McBride, voted in favor 4-0.

Mr. Vallarelli indicated this was pretty straight forward. They will be taking the garage down to create parking and the unit already existed upstairs. Ms. Wengen was thrilled that the garage was the only thing coming down. Mr. McDonald indicated that it's a lovely old building that they were interested in preserving.

Ms. Wengen made a motion to approve the Special Permit under 7.4.3.1 (a) – (e) and section 4.6.3.1, incorporating all department comments. Ms. Kelly seconded the motion. A roll call vote was taken. All members voted in favor 4-0.

Ms. Kelly made a motion to adjourn which was seconded by Ms. McBride. All members voted in favor 4-0.

The Planning Board meeting adjourned at 8:07 PM.

Respectfully submitted:

Maria Sagarino
Town Clerk

Documents and other exhibits used by the Planning Board during this meeting to be made part of the official record but not attached to these minutes:

Approval Not Required (ANR) plan for 0 Stonecroft and 14 Brackett Ave.
Copy of bond reduction memo presented by DPW Director Brett Gonsalves.

Copy of draft mitigation rules and regulations as presented by Brett Gonsalves.

A plan by Benchmark Survey dated May 19, 2025 entitled “Plan of Land of 4-6 be seen daily except Friday afternoon in the office of the Town Clerk.