



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, December 15, 2021

Town Hall
Hearing Room
7:00 P.M.

Members present: Chairman August Niewenhous, Vice-Chair Kevin Dolan, Daniel Moynihan, Jr., Terrence Dolan and Frank Vallarelli

Also present: Attorney Charles Houghton, Dana Marek, 12 Keene St, Marcia Wengen, Co-Chair of the Historical Commission, 56 Washington St; Ellen McBride, Co-Chair of the Conservation Commission, 30 Butler Ave; Raymie Parker, Select Board member; Scott Weiss of the Gutierrez Company and several residents from 7 & 11 Executive Drive and 3 Woodland Road.

The Chairman brought the meeting to order at 7:06 PM in the Town Hall Hearing Room and made introduction of all members present.

First order of business was to schedule the next meeting for January 12, 2022.

Next, Mr. Vallarelli made a motion to approve the minutes dated October 13, 2021. Mr. T. Dolan seconded. Four members voted in favor with Mr. Moynihan abstaining. (4-0-1)

An A/N/R (Approval Not Required Plan) was presented by Attorney Charles Houghton to combine Lots 448 and 450 Main Street. He gives the history of the two lots and explains the EMS building that the board at previously approved. Mr. K. Dolan asks if they are just getting rid of the lot line. Mr. Houghton states that they are. Mr. Niewenhous asks Mr. Houghton if he has the plans. The Board then signs the mylar and several paper copies.

Mr. Niewenhous introduces the design review for 448-450 Main Street and mentions the previously submitted informal rendering. Mr. Niewenhous asks Mr. Houghton to identify what the final design will be. Mr. Houghton states that they have made a few changes to the color. The garage doors would now be white and the window trim will be white. He indicates that this is an EMS building that has to withstand winds up to 160 mph. It needs to be the last building standing. It will be a building standing long after other buildings should we have a catastrophe. Mr. K. Dolan appreciates the petitioner's efforts to soften the look of the building. He asks if there is a piece of material. The façade will be charcoal grey and black for the roof. Mr. K. Dolan asks about downward lighting and mentions that they will probably should the Select Board landscaping. Mr. Niewenhous asks if the sign will be above the two smaller doors and in compliance of the sign bylaw. Mr. Houghton agrees. Mr. Niewenhous states that the drawing had been distributed earlier without comment. No further comments. Mr. Niewenhous asks for a motion. Mr. T Dolan made a motion to accept the design presented. Mr. Moynihan seconded. Before taking a vote Mr. Niewenhous asks if they will get a final. Mr. Houghton states that it

will be what was presented but the doors and windows will be white. Mr. K. Dolan seconded the motion with that addition. All members present voted in favor. The plan was stamped in.

The Chairman acknowledges Mr. Houghton will be approaching for the record a bond reduction request to go to the DPW for the Birch Street Subdivision. Mr. Houghton states that his client has put the final coat of pavement down and is at the end of the road so to speak. Subject to what DPW says, you are holding \$133,000. Mr. K. Dolan asks if there is a letter from DPW. Mr. Niewenhous states that he will email Mr. Gonsalves requesting the reduction but that he had spoken to him briefly about the reduction. Mr. Vallarelli states that it is still a mess down there. Mr. Niewenhous states that it is a request, they do not take a vote on it. Ellen McBride, Co-Chair of the Conservation Commission, 30 Butler Ave. is recognized. She explains that Conservation is not through. There is still a lot to be done. Mr. Houghton issues that there are still Orders of Condition to be met and work to be done. Mr. Niewenhous will ask Mr. Gonsalves to have something in advance of the next meeting.

With a lot of new faces in the audience, the Chairman explained the procedure for the public hearing process.

Public Hearings:

5 Woodland Road

Represented by Charles Houghton

The Chairman read the legal notice into the record:

“You are hereby notified that the Stoneham Planning Board acting as a Special Permit Granting Authority will hold a Public Hearing WEDNESDAY EVENING, December 15, 2021, in the Hearing Room, Town Hall at 7:00 p.m. to hear all persons interested in the petition of Fellsway Development LLC, 200 Summit Drive, Suite 400, Burlington, MA for a Special Permit pursuant to Stoneham Town Code, Chapter 15 Section 4.15.4.4 to construct a two-story, 150,000 square foot Research and Development, Office, Life Science, Support and Production Facility at 5 Woodland Road, Stoneham, MA 02180. A plan by Allen & Major Associates, Inc. dated November 15, 2021 entitled, “R&D, Office, Life Science, Support and Production Facility 5 Woodland Road, Map 27 Lots 3 and 3E2 Stoneham, MA” may be seen mornings except Friday in the Planning Board office and daily except Friday afternoon in the office of the Town Clerk.”
[**Note:** The legal notice was supposed to run in the November 24, 2021 Stoneham Independent but did not. The public hearing date was changed from December 8th to December 15th and this legal notice ran December 1st and December 8th]

Mr. Niewenhous recognizes Attorney Charles Houghton representing Fellsway Development LLC. Mr. Houghton glosses over the history of the property over the last 20 years. The hospital closed and they worked on a bunch of designs. There were originally four office buildings. In 2011 it went to Town Meeting which created the Residential/Medical/Office. Chapter 15, section 4.15 was passed allowing research facilities up to 225,000 square feet by a mitigation agreement with the town. This building would replace the existing hospital which hasn't been torn down but will be. The office market has been holding that back but this type of research and development is a strong market right now. The Gutierrez Company has owned the property for over 20 years. They do not have a current tenant but there is a lot of interest. It will be a two story building for research and development with 300 parking spaces that we probably won't need. It requires a Special Permit and Site Plan. Nothing fancy. No hazardous uses. We would stipulate no high hazardous uses. It's research but we are unsure what type. It wouldn't be COVID related. They look for larger facilities. It would be more like cancer research. There is

no trucking in and out. It's about 48 feet high. Scott Weiss from the Gutierrez Company and the engineering firm Allen & Major are present. They've been to Stormwater Management and they are waiting for the formal comment. There would be tax revenue with no municipal services. Snow plowing is done internally. No school age children. Mr. Niewenhaus asks about the low end use for taxes presently. He asks if Mr. Houghton has a figure. Without having a number from the Assessor. The building will be \$40-\$50 million to build. It will be a pretty good number. Mr. Moynihan asks if it will be one tenant. They believe one maybe two. Gutierrez won't build it until they have a tenant. They could have a tenant and build by late spring. Mr. Moynihan asks what companies might be prospective tenants. The proposed plan is shown. Scott Weiss from the Gutierrez Company is recognized. In answer to the question regarding proposed tenants, there are a lot of biotech companies out there that you may not be familiar with by name. A few years ago no one knew Moderna. Before COVID happened they had been doing research for years. Many companies like Bio Analytics, they are all doing research at some level and need room to grow and expand. There's some research, validation and production that goes on in these type of facilities. Mr. T. Dolan asks if this would be a virology lab. Would they study viruses? Mr. Weiss answers that there is a range of biosafety levels and Mr. Houghton alluded to staying below a hazardous level 4. They are fine with that. You wouldn't have anything dangerous at all but it would be at a lower level such as the flu. Mr. T. Dolan asks what the guarantee would be that the tenant would adhere to that. Do we do inspections? Mr. Weiss stated that it's typical to have inspections at the local level but there a number of regulation and oversight at the State and Federal levels. There are protections in place, plus the building itself is built differently for that higher level research. It would not be constructed to allow for Biosafety 4 level. Mr. Weiss goes on to say that there are a lot of rules and laws that you'd have to break to have that happen. There must be a protocol for materials going in and out. Mr. T. Dolan asks about cancer research or reproductive health research. Mr. Weiss states that Boston/Cambridge and Eastern Massachusetts is the epicenter of the biomedicine, life science research and development. There is a huge influx of companies. They all need to develop medicines. There is a push to have targeted medicine for different people with the same condition. There isn't a huge in and out activity. A whole range of disease research to the more cancer research of all types and Multiple Sclerosis research. T. Dolan asks about artificial intelligence. Mr. K. Dolan asks about the number of employees when the building is torn down. Mr. Weiss responds that the hospital has been vacant since 1999. There are no employees. Mr. K Dolan asks approximately how many employees this new building will house. Mr. Weiss believes about one hundred and fifty to maybe two hundred and fifty. They may work in shifts. There may be work around the clock but you will not have a third shift like a factory assembly line. It's most likely not an entire workforce. Mr. K. Dolan asks about members of the public visiting. Mr. Weiss responds there shouldn't be. There are no medical services. Mr. Houghton mentions the three hundred parking spaces which they do not intend to be fully utilized. Mr. K. Dolan asks if beyond this development, they anticipate any other building on this site. Mr. Houghton answers that this is it. The MEPA agreement allows for up to 225,000 square feet but we are below that at 150,000 square feet. Mr. T. Dolan asks if it has anything to do with Spot Pond. Mr. Houghton responds no and that it does not require Conservation. Mr. Niewenhaus adds that there is a development agreement recorded and in place. Mr. Houghton states that over the years, Mr. Gutierrez had paid mitigation fees for the apartment complex and the various improvements down there. He will go through them at some time to show they have all been paid. It started in 1999 and the last payment was when the apartment complex was finished. Mr. Niewenhaus asks if he envisions any revisions to that agreement. Mr. Houghton states that they are allowed up to 225,000 square feet of office or less. This was cleared by MEPA. A copy of the MEPA report was given to the Planner. Mr. Moynihan asks if this is characterized as an office building. Mr. Houghton states that it is both office and R & D. People will have offices. Mr. Houghton states that it fits into the bylaw. Mr. Weiss states that the zoning and the development agreement both recognize that a lab or life

science facility could be built. Mr. Weiss explains that they are here tonight because of the lab and life sciences needing the Special Permit. There were two separate agreements, a Mitigation Covenant and Development Agreement in 2011. They allowed for up to 225,000 square feet of office space or other use allowed under the zoning. At the time their history was office. They are now building three of these R & D or life science facilities. It's been much more active. Office world is not so robust. Mr. Houghton quotes some of the development agreement. Mr. Niewenhous asks for indulgence from Mr. Houghton to furnish a copy of the agreements in a reasonable time. Mr. T. Dolan asks if the standpipe is still up there. They respond that the water tower is gone.

Mr. Niewenhous asks if members of the public wish to speak. He acknowledges the first resident, Janet McKeone from 11 Executive Drive. She questions the care that will be taken with the residue left from razing the building so it doesn't create a hazardous condition. During the construction will there be adequate parking for the crews that have to be there. She states they were the first residents up there with the 48 condominiums and now over 200 residents in the apartments that have been added. Mr. Niewenhous acknowledges that it is a residential area and asks Mr. Houghton and Mr. Weiss if the parking area they already have would be prepared to accommodate the construction workforce. Mr. Weiss indicates the parking that exists today provides parking off of Executive Drive. Mr. K. Dolan asks what happens if they park on Executive Drive? Ms. McKeone knows that those lots exist, she wanted to hear them say they would use those lots. Mr. Vallarelli states they could make that a condition. She asks about clean removal of waste. Mr. Niewenhous explains the demolition permit process, the monitoring that happens and the details by the Fire Department. The Town has full control. There will be no encroaching. Mr. Houghton talks about the expense of the demolition and the asbestos in the building. It will be well more than \$5 million just to demo. Mr. Niewenhous explains that asbestos is removed before the building is taken down.

Eugene Amico, 7 Executive Drive was also concerned about asbestos and soot from taking it down. He also mentions the easement in front of their property that they maintain. They cannot put anything on it. Mr. Amico said that Gutierrez mentioned using it for parking. The easement is pointed out on the left hand side of the plan as the grassy area in front of Executive Drive. Mr. Weiss explained the previous office park required more parking. They would not need it with the proposed use of a life science building. There are not as many workers on site. Mr. Amico asks if that would be put in writing. Mr. Weiss indicates that would be separately done. Mr. Weiss also indicated a shared parking situation with Lifecare. Mr. K. Dolan asks if they can have a copy of those easements. Mr. T. Dolan asks if they would work this easement out with Mr. Amico. Mr. T. Dolan indicates that there was a telecommunications easement at one point. Mr. Amico questions the parking spaces and whether there would be green space. Mr. Houghton states there will be more green after they are done.

Mr. K. Dolan said it might not be a bad idea to do a site visit. Mr. Niewenhous indicates that may be in order but he'd like to read the department comments.

Mr. Amico asks one more questions about 24 hour operation. Mr. Weiss explains that there may be a few people there at different times of the day. Mr. Amico asks about security. Mr. Weiss explains the security in the building they are currently building is substantial during construction. They are very secure. Mr. K. Dolan asks about security. Doors are locked, security through cameras, possibly patrols or even 24/7 security on site. Mr. K. Dolan asks what the security will be after it is built. Will there be barriers? Mr. Houghton says they will drive in and be below Executive Drive. Mr. Niewenhous reads the comments submitted by the departments-Police, Fire, Community Development and the Public Works Department including the Stormwater Board.

Marcia Wengen, 56 Washington Street asks about where the 99 bus that pulls in. She also asked if something on the tower uses something on the hospital. Mr. Niewenhou indicates that it's a repeater. She asks about the Chapel being demolished. The minister at the church on Maple Street was interested in having the doors saved. Can we contact the minister and ask? They agree to do so. They also say that the repeater has been removed and relocated. Mr. Niewenhou reserves the right to request more. As for the bus route, Mr. Niewenhou indicates that it will still be in place.

Raymie Parker, 111 Franklin Street expresses concern that the Board of Health does not have biomedical safety regulations in place. Her second concern is the bus continuing to use the lower parking. She would also like to see the mitigation agreement. Ten years is a long time ago.

Mr. Moynihan asks where the bus currently stops. The answer is in front of the medical building. Mr. Weiss will get in front of the MBTA before construction. They will work with them and coordinate if it's the end of the line.

Brian O'Leary, 11 Executive Drive asks if there is an artist's rendering. Mr. Weiss indicates that the building isn't designed yet but they can provide a picture of similar buildings. Mr. Niewenhou indicates they would like to see the design before it goes into execution.

Rosemary Galasso, 11 Executive Drive has a concern given the amount of time the building has been vacant. Prior to demolition do they happen to bait the building? Mr. Niewenhou states there is pest control mitigation prior to demolition.

Ellen McBride, 30 Butler Ave discloses that she sits on the Stormwater Board as Co-Chair of Conservation. At stormwater it was presented as life sciences. Tonight it seems more like R & D. She wonders if we should hire someone. She mentions Cambridge, Somerville, Watertown and Burlington. A peer reviewer would be good to hire. Mr. Niewenhou states it's a good idea, but until such time as there is a proposal, until there's a tenant we would be a little too in specific now. Mr. K. Dolan says that once we allow it, we allow it. It could be a condition along with design review. Ms. McBride states we should be smarter. Mr. Niewenhou inquires about comments from the Board of Health. None were submitted. Mr. Moynihan questions what Cambridge, Somerville, Watertown and Burlington have. Mr. Weiss indicates in other suburban communities they work with it is the local Board of Health that has an RDNA or a biological safety permit process. Mr. Weiss states that they have a desire to have a project that is ready to go and be delivered. Most companies have a long process to go through to get validation. They need building in place. Mr. Niewenhou reiterates that we have not received anything from the Board of Health. Raymie Parker speaking as a Select Board member indicates that she spoke to Erin Hull, the Health Director who indicated that they do not have anything in place but it is something that they are discussing. It's not done but it is something that should be in the works. Mrs. Parker says no offense to developer but they have to think of 24,000 residents. We need to slow down and take a look at it. Mr. Niewenhou asks if there are any other questions. Mindful that they are asked to approve a building where we do not know the occupants. Mr. K. Dolan says it is a good concept, a good use but a lot of moving parts. He'd like to see easements and shared parking agreements. It's not a bad idea for a short site visit. It's a big project. It's the first time putting out toe in the life science water. He suggests at minimum continuing until January 12th with a site visit beforehand. Mr. Niewenhou indicates that we would like to see and review what will go in there. Mr. Moynihan indicates he'd like to hear from the Board of Health. Mr. Niewenhou asks if we can find out where they are going to go. Mr. K. Dolan asks about correspondence from the Stormwater Board. Mr. Niewenhou lets him know they are

waiting for Mr. Parsons comments and then something will be forwarded. Mr. Moynihan wants to know what State Agency or Federal Agency regulates. Mr. Weiss stated they can provide a list. DPH, FDA and EPA are mentioned.

Mr. Niewenhous states the appetite is to look at the site. Mr. Vallarelli states they need to be given time to get the information that's been asked for but the site visit should be before the 12th. The Board chose January 8th at 10AM in front of the smaller building.

Mr. K Dolan made a motion to continue the public hearing to January 12, 2022 at 7PM. Mr. T. Dolan seconded. All members present voted in favor (5-0).

Mr. Vallarelli asks if the abutters will be welcome at the site visit. Mr. Weiss indicates that the public is welcome.

Mr. Niewenhous moved to the Downtown Parking Study that was handed out to the Board. Mr. K. Dolan appreciates their work. Mr. Niewenhous agrees that Stantec did a good job. The Board agrees to discuss in January.

Motion to adjourn made by Mr. K. Dolan. Seconded by Mr. T. Dolan. All members present voted in favor. Meeting adjourned at 8:31PM.

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:

Planning Board minutes dated October 13, 2021

Plan of Land 448-450 Main Street Stoneham, Mass. Dated December 8, 2021

Design Review computer images submitted for 448-450 Main Street (now known as 450 Main Street).

Legal Notice for 5 Woodland Road

A plan by Allen & Major Associates, Inc. dated November 15, 2021 entitled, "R&D, Office, Life Science, Support and Production Facility 5 Woodland Road, Map 27 Lots 3 and 3E2 Stoneham, MA"

Comments submitted by the Police, Fire, Community Development as submitted to the Select Board, Public Works Department including the Stormwater Board and the Building Commissioner.

Stoneham Downtown Parking Study as presented to the Select Board on November 9, 2021.

Respectfully submitted:

Maria Sagarino
Town Clerk