



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, September 14, 2022

Town Hall
Hearing Room
7:00 PM

Members Present: Chair Frank Vallarelli, Vice Chair Kevin Dolan, Daniel Moynihan Jr., Terence Dolan and Marcia Wengen.

Also present at the meeting: Attorney Charles Houghton, Town Clerk Maria Sagarino acting as Planning Board Clerk, resident Christine Kergaravat, Adam Rodgers, Anthony Guardia

The Chair brought the meeting to order at 7:03PM.

The first item of business was approval of minutes. Mr. K. Dolan made a motion to approve the minutes dated June 15, 2022 which was seconded by Mr. T. Dolan. All members present voted in favor. (5-0)

Mr. K. Dolan then made a motion to approve the minutes for the August 9, 2022 Bi-Board meeting with the Select Board which was seconded by Ms. Wengen. Ms. Wengen, Mr. K. Dolan and Mr. Vallarelli voted in favor (3-0) with Mr. T. Dolan and Mr. Moynihan abstaining.

Mr. K. Dolan made a motion to accept the minutes dated August 17, 2022 which was seconded by Mr. T. Dolan. All members present voted in favor (5-0).

Mr. Vallarelli then explained that the Board was going to provide clarification of the vote taken on August 17, 2022 regarding the Special Permit for 371 Main Street. Mr. Vallarelli invited Attorney Houghton to speak. Mr. Houghton explains that after the vote, he asked Town Counsel for an opinion. Town Counsel stated that due to the amendment to G.L. c. 40A §9 under the Housing Choice Act, the Special Permit for 371 Main Street required a majority vote instead of a supermajority. Mr. Vallarelli adds that the Board voted 3-1 in favor therefore the Special Permit was granted. Mr. Vallarelli asked Mr. Houghton for an additional week to write the decision which was agreed to.

Ms. Wengen asked about the motion on page eight of the minutes. She wanted a condition for design jurisdiction. Mr. Moynihan mentions that Mr. Houghton had agreed to allow that condition.

Mr. Vallarelli introduced the High Street subdivision as the next item for discussion. Mr. Houghton explained that the new subdivision regulations recently adopted by the Board state on page 14 that the application may be delivered to a meeting of the Planning Board. Mr. Houghton tells the Board that he will be submitting the application for the subdivision this evening with the

plan and drainage report. Mr. Houghton asked about the regulations stating that he would need to notice abutters within 300 feet. He cites pages 14 and 17. Mr. K. Dolan and Mr. Moynihan asked if the Board could get an opinion from Town Counsel Bob Galvin as to what notice is required. The Board agrees to accept it and have everything stamped in at the end of the meeting. The Board moves on to the public hearing portion of the meeting.

The only public hearing had been continued from August 17, 2022. Mr. Vallarelli had previously read the legal notice for 79 Central Street 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, August 17, 2022 in the Hearing Room, Town Hall at 7:00 p.m. to hear all persons interested in a petition for a special permit by The Boys and Girls Club of Stoneham, Inc. of 15 Dale Court, Stoneham, MA to allow the conversion of an existing building to be used as a teen center at 79-81 Central Street, Stoneham, MA 02180, in accordance with Town of Stoneham Zoning By-law 4.3.4.5. A plan by Edward J. Farrell entitled “Plot Plan 79-81 Central Street, Stoneham, MA” dated July 13, 2022 may be seen daily in the Town Clerk’s office, except Friday afternoon.”

Mr. Moynihan once again recused himself from the matter as he is an abutter to the property.

At the public hearing on August 17, 2022 the Board had asked the Boys & Girls Club Director to meet with the neighbors that directly abutted the property to come up with a noise mitigation plan. Mr. Vallarelli invited Mr. Houghton to explain the noise migration plan. Mr. Houghton felt that the Boys & Girls Club Director Adam Rodgers would do a better job as he had personally met with the neighbors. Mr. Rodgers then explained to the Board what plan they had come up with. He explains the new fencing that will be put up sixteen feet off of current fence line, beefing up existing fence and the plantings they will put in place to create an acoustic barrier. He continued to say that they had hoped to have an acoustic fabric screen to act as a sound barrier but the cost was too prohibitive at \$15,000. They will see how it goes with the fencing and plantings and if there is still an issue they will take a look at that fabric again.

Ms. Wengen asked about the map that the Boys & Girls Club provided. Mr. Rodgers explained the fencing that they will be adding and the buffer zone it will create.

Mr. Houghton explains that they are trying to make it work for everybody. They are agreeable to do the two fences and Mr. Rodgers will check in with the neighbors. Mr. Rodgers mentions that they want to be good neighbors. Mr. K. Dolan asked about the 1:15 ratio of staff to children. Mr. Rodgers stated that that is in place.

Ms. Kergaravat from William St inquires about the letter the Antonellis had sent being read out loud. Mr. Vallarelli acknowledged that the Board received an email and he read the following into the record:

“Thanks for the email. We did meet with Adam Rogers and discussed some possible compromises. We agreed to trying a fence and then checking in again in 6 months. It's a start, but to be honest, still feels like a bit of lip service. My wife and I will definitely have some further comments and concerns

that we'll want read into the record. One or two of our neighbors will be in attendance on the 14th. Thanks again. Bob & Johanna Antonelli"

Ms. Kergaravat stated that they have worked in good faith. They've moved a play yard back and taken a game and moved it. She stated that the last two weeks have been quieter. She did hope that the arrangement could remain temporary.

Mr. T. Dolan acknowledges the thirty four emails of support received. He is confused about issuing something temporary. He stated there is a lot of support and it is good for the Town. What would we do if it was temporary? Revoke it in six months? Mr. K. Dolan believes that it's been a dry run for a couple of years which is a luxury the Board never has. He understands the feelings of the direct abutters. He acknowledges that kids make noise. He reminds that Board that a daycare center could come in tomorrow without regulations or noise mitigation by the Board. He believes that the petitioner has worked in good faith. Mr. K. Dolan continues to say that he and Mr. Vallarelli conducted a brief site visit. No location is perfect but they've made a good faith effort. He believes with the noise mitigation as a condition the request should be granted.

Ms. Kergaravat would still like the Board to grant it temporarily. It's a new era of working from home. Mr. T. Dolan heard what she was saying and he himself has had to work from home with construction on Elm Street and noise from children. He understands all of that but he agrees with Mr. K. Dolan and sees no need to grant anything temporarily or to revisit in six months.

Mr. Houghton explained that the Board doesn't have any leeway with the bylaw or the General Law 40A sec 9 He offers to meet with the neighbors and report back to the Board in six months to let them know how it's going if the Special Permit is granted. Mr. K. Dolan asked what would happen if they say it is terrible in six months. Ms. Wengen asked if we could approve it with a report. Mr. Vallarelli stated that it wouldn't matter, we wouldn't revoke the Special Permit. Mr. T. Dolan asked Mr. Rodgers if he'd be willing to check in with the neighbors.

Mr. Vallarelli stated that there is no temporary permit. They either have to grant the Special Permit or not. Mr. T. Dolan made a motion to close the public hearing which was seconded by Mr. K. Dolan. All members hearing the matter voted in favor (4-0). Mr. Moynihan abstained.

Mr. T. Dolan made a motion to approve under the zoning bylaws 4.3.4.5. It's a wonderful for the Town. He understands the abutters' situation. He does believe that the fencing will quiet things down. Mr. K. Dolan seconded the motion incorporating the emails from Mr. Rodgers dated September 12, 2022 and September 13, 2022 along with the plot plan dated March 31, 2020 which was recently marked up to show the noise mitigation measures. In support of Mr. T. Dolan's motion, Mr. K. Dolan believes it meets the criteria under 7.4.3.1 and the specific bylaw allowing for this Special Permit. It will also be subject to all department comments which were read into the record by Mr. Vallarelli. The Building Commissioner's Memo date August 16, 2022 and the Fire Chief's Memo dated August 8, 2022 as well as the Board of Appeals decision dated April 21, 2020 which granted a variance of section 6.3 to allow nine parking spaces when twenty are required for an occupant load of 80. A roll call vote was taken. All members present on the matter voted in favor (4-0) with Mr. Moynihan abstaining and Ms. Wengen voting affirmative but going on record to say she had wanted it to be revisited in six months.

Mr. Vallarelli brings back the High Street Subdivision application. Mr. Houghton again states he is just submitting the application but would hope to schedule the first hearing date. The Board's next meeting is October 12, 2022. The Board will be hearing the zoning articles that night. Mr. K. Dolan asked that the High Street Subdivision be added on October 12, 2022. Mr. Vallarelli asked if they should schedule a site visit. The Board decides that they can schedule a site visit after October 12, 2022.

Mr. K. Dolan made a motion to adjourn which was seconded by Mr. T. Dolan. All members voted in favor.

The meeting adjourned at 7:45 PM.

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:

A plan by Edward J. Farrell entitled "Plot Plan 79-81 Central Street, Stoneham, MA" dated July 13, 2022

Comments submitted by the Fire Dept and the Building Commissioner.

Board of Appeals decision for 79 Central Street dated April 21, 2020

Thirty four emails received in support of the Teen Center

Two emails from Boys & Girls Club Director Adam Rodgers dated September 12 and September 13 which included a noise mitigation plan

Email from Bob and Johanna Antonelli, 83 Central Street

Respectfully submitted:

Maria Sagarino
Town Clerk