



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, January 18, 2023**

Hearing Room

**7:00 PM**

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

Member present remotely: Terence Dolan

Also present at the meeting: Town Clerk Maria Sagarino acting as Planning Board Clerk, Attorney Charles Houghton, residents Gina & Timothy Elliot and Ellen McBride.

The Chair brought the meeting to order at 7:03PM and introduced the members of the Board.

Mr. Vallarelli began the meeting with approval of several sets of minutes.

Mr. K. Dolan made a motion to approve the minutes from October 12, 2022 which was seconded by Mr. Moynihan. All members present voted in favor (5-0).

Mr. Moynihan made a motion to approve the minutes from December 14, 2022 which was seconded by Ms. Wengen. Four members voted in favor with one abstention from Mr. K. Dolan as he was not present at the December meeting.

Mr. Moynihan made a motion to accept the minutes from September 14, 2022 which was seconded by Mr. K. Dolan. All members present voted in favor (5-0).

Mr. Vallarelli introduced the first public hearing for 62 High Street which had previously been continued from October 12, 2022, November 16, 2022 and December 14, 2022 with a site visit held on October 22, 2022.

Attorney Houghton updated the Board on the status of the Stormwater Board. They had asked for a peer review and there had been trouble finding an available engineering firm. Bob Griffin was too busy and there was a conflict with Hayes Engineering. On the recommendation of the DPW Director, Symes Development had recently arranged Linden Partners Engineering in Woburn to perform the peer review for the Stormwater Board. They would hope to have this done and comments from the Stormwater Board by the Board's next meeting on February 15<sup>th</sup>. He then asked for a continuance.

Mr. K. Dolan stated that they would like to have the Stormwater Board recommendations before moving forward. He then said that he had no objection with a continuance on the condition that

Mr. Houghton agree to waive all applicable time standards as far as the Board's requirement to act. Mr. Houghton agreed.

Mr. K. Dolan made a motion to continue 62 High Street until February 15, 2023 at 7PM in the Town Hall Hearing Room. The motion was seconded by Mr. Moynihan. A roll call vote was taken. All members present voted in favor (5-0).

Moving on to the next public hearing, Mr. Vallarelli read the legal notice for 43 Brookbridge Road into the record as follows:

“You are hereby notified that the Stoneham Planning Board acting as a Special Permit Granting Authority will hold a Public Hearing WEDNESDAY EVENING, January 18, 2023 at 7:00 pm in the Hearing Room, Town Hall, 35 Central Street, Stoneham, MA to hear all persons interested in the petition of Timothy R. Elliot and Gina M. Albanese, for a Special Permit pursuant to Stoneham Town Code, Chapter 15 Section 4.2.4.1, for an accessory dwelling (family apartment) in the lower level of a proposed addition at 43 Brookbridge Road, Stoneham, MA. A plan by Vineyard Engineering & Environmental Services, Inc. dated October 13, 2022 entitled, “Plan of Land Showing Proposed Improvements 43 Brookbridge Road, Stoneham, MA” shows the existing dwelling and proposed addition. Plan may be seen daily except Friday afternoon in the office of the Town Clerk.”

Mr. Vallarelli invited the petitioners, Gina and Timothy Elliot to speak on their behalf.

Mr. K. Dolan confirmed with the petitioners that they both own the property at 43 Brookbridge and that Mrs. Elliot's mother Diana Albanese would be the one person living in the accessory unit. The Elliots stated that they owned the house and that her mother would be living in the apartment.

Mr. K. Dolan explained to the petitioners that one of the important things to note, if this Special Permit were to be granted, is that the decision must be recorded at the Middlesex Registry of Deeds. He further explained that if the petitioner's mother were to move out then they would have to come back to the Board for a new Special Permit should they want someone else to live in the accessory unit. The Special Permit runs personal to the person living in the dwelling. Mr. Dolan also explained to them that if they sold the house, the new owner would need a Special Permit for the accessory dwelling. Mr. Vallarelli added that the use wouldn't extend to a new owner because then someone could just rent it out and it becomes like a two family which the Board tries to avoid. He continued to say that it runs with the owners and the person living there when the Special Permit is granted.

Mr. K. Dolan asked how many square feet the unit is. Mr. Vallarelli responded that it is 730 square feet. Mr. K. Dolan stated that the requirement is that it can't exceed 750 square feet, so it meets that requirement.

Mr. T. Dolan asked if this was registered or recorded land. He continued to say that he saw a reference to registered land. Mr. K. Dolan responded that by looking at the book and page number, it looks like registered land.

Mr. Vallarelli asked if they had started any work. The Elliots responded that they had not. They were still waiting for permits.

Mr. Moynihan asked if they bought the house in 2013. The petitioners responded that they had.

Mr. Vallarelli asked if they were building off of the back where the deck is now. The petitioners responded that they were and added that above the dwelling would be a family room and master bedroom.

Ms. Wengen asked about page A101 of the plans submitted. She wanted to know what the boxes shown are. Is it a window well? Mrs. Elliot explained that they are windows for a second means of egress. Ms. Wengen asked if the windows kicked out and it was answered that they do. Ms. Wengen asked if the windows were below grade and again it was answered that they are. Mr. Moynihan pointed out that it was better shown on page A200. Ms. Wengen then asked about the stairs when you come in the mudroom. Mrs. Elliot explained the path you'd take to get into the unit down four or five stairs from the mudroom. Ms. Wengen asked how they would get out if there were a problem. Mrs. Elliot shows her where the back door is and how her mother would go upstairs through that back door into the backyard.

Mr. K. Dolan acknowledged that it is under 750 square feet and looks like it will be a beautiful addition. It meets the requirements of 4.2.4.1 and it also meets our Special Permit requirements under 7.4.3.1. He went on to say that in-laws are common now in single family areas. It's a great alternative, particularly for an elderly parent. Housing is so expensive that it is a great alternative.

Mr. T. Dolan just wanted to point out that on the Special Permit application, the petitioner filled out the line for recorded land instead of the line below it for registered land. He doesn't know if that's important. He added that it's a wonderful addition and should fit in well with the neighborhood. Mr. K. Dolan responded that it was a good point as he explained that technically the book and page number were added on the line for recorded land instead of the line for registered land on the application. He then explained to the petitioners what the difference between recorded and registered land.

Mr. Moynihan mentioned the Fire Department comments at which time Mr. Vallarelli read the two department comments into the record. The Building Commissioner had no comments or concerns and the Fire Chief required smoke detectors and carbon monoxide detectors be interconnected with the primary dwelling. Mr. Vallarelli commented that the plan shows smoke detectors and carbon monoxide detectors.

Seeing no members of the public present for comment, Mr. K. Dolan made a motion to close the public hearing which was seconded by Mr. Moynihan. All members present voted in favor (5-0).

Mr. K. Dolan made a motion to approve the petition stating that it complies with the requirements of 4.2.4.1 and 7.4.3.1. He also stated that the department comments would be incorporated into the decision. Mr. Moynihan seconded the motion. Before taking the vote, Ms. Wengen asked that the timeline be explained to the petitioners. Mr. K. Dolan then explained the filing of the decision and appeal period before the decision is recorded at the Registry of Deeds. A roll call vote was taken. All members present voted in favor (5-0).

The board then discussed the Zoning Bylaw Review Committee. The Select Board had asked that they designate one Planning Board member to sit on this committee. Mr. K. Dolan stated that he'd be interested as did Ms. Wengen although she acknowledged that Mr. Dolan had more knowledge. Ms. Wengen then asked if she could apply to be on the committee as a resident. The clerk replied that the committee will have three to five residents appointed, so she certainly could send an email to the Select Board to seek appointment as a resident.

Mr. Moynihan made a motion nominating Mr. K. Dolan to sit on the Zoning Bylaw Review Committee which was seconded by Mr. T. Dolan. Mr. Vallarelli asked if there were any other nominations. Hearing none, Mr. Vallarelli took a vote for Mr. K. Dolan to represent the Planning Board on the Zoning Bylaw Review Committee. All members present voted in favor (4-0) with Mr. K. Dolan abstaining from voting for himself.

Before the meeting closed, Ms. Wengen asked about adding the item she had emailed Mr. Vallarelli about earlier in the week. Ms. Wengen wanted to see an agenda item titled "*Pending Future Items for Discussion*" but then realized that might not be a good idea given that the Board members could email the Chair ahead of each meeting asking for items to be added to the agenda. The clerk mentioned that she had cautioned Ms. Wengen against doing that because the Board would run the risk of then discussing the items proposed for the next meeting or adding their opinions which would be a problem and that simply emailing the Chair before the next meeting to ask that something be placed on the agenda should do it. The Chair most likely would entertain the request as a courtesy to his fellow Board members. Assuming Berrywood is concluded at the February meeting, Ms. Wengen indicates that she has some items that she'd love to talk about in March. Mr. K. Dolan indicated that she should email the Chair and he'd do the same.

A motion to adjourn was made by Mr. K. Dolan and seconded by Mr. T. Dolan. All members present voted in favor (5-0).

The meeting adjourned at 7:30PM.

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 Vineyard Engineering & Environmental Services, Inc. dated October 13, 2022 entitled, "Plan of Land Showing Proposed Improvements 43 Brookbridge Road, Stoneham, MA"

Respectfully submitted:

Maria Sagarino  
Town Clerk