



TOWN OF
STONEHAM
MASSACHUSETTS
Town Hall
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BOARD OF APPEALS
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Stoneham Board of Appeals Minutes
Wednesday, March 20, 2024
Town Hall Hearing Room
6:00 PM

Members of the Board present: Chair Tobin Shulman, Vice Chair Robert Saltzman, Eric Rubin, Kevin McLaughlin, R. Michael Dufour and Associate Members William Sullivan and Mark Russell.

Also present: Town Administrator Dennis Sheehan, Town Clerk Maria Sagarino acting as Clerk to the Board of Appeals, Attorney Charles Houghton, Scott Weiss representing Fellsway Development LLC/The Gutierrez Co., Town Counsel Attorney Robert Galvin. Peer reviewers Jeffrey Dirk, Susan Spratt and Cliff Broehmer who was present remotely via GoToMeeting. Many residents of the area and members of the Friends of the Fells were also present.

The meeting was called to order at 6:04 PM by Chair Tobin Shulman. Mr. McLaughlin led the Pledge of Allegiance. Mr. Shulman introduced the Board. He explained the procedure for the public hearing on the Residences at Spot Pond which had begun on January 18, 2024 and was continued to February 28th and this evening. Tonight, the developer would give a brief update followed by a public comment period.

Mr. Shulman invited Attorney Houghton to make some brief comments. Mr. Houghton explained that they had listened to what the experts had to say and realize that there are comments to be addressed. The test pits Ms. Spratt asked for were done yesterday and will be analyzed. They were pleased with the peer review. It seems the size and scope they are looking for is not a problem. He is interested in hearing from the abutters tonight.

Before opening the meeting to the public, Mr. Shulman mentions all of the correspondence that the Board has received. He indicated that the Board has received the peer review reports which summarized their presentations, comments from a couple of Town departments including Police, Fire and Planning & Community Development and a number of letters from members of the public which he mentions by name. All of the documents are included in the record and are available for public viewing on the Board of Appeals dedicated Residences at Spot Pond page on the Town's web site. In the interest of time Mr. Shulman states that he will not read the correspondence but indicates that the Board has it, has read it and the public may avail themselves of that information on the web site should they choose to do so.

Mr. Shulman opened the meeting up to the public. Jeff Adams of 93 Pond Street is the first to speak. He is a thirty year resident of Stoneham that spends time hiking in the Fells. His main comment was to reinforce the comments submitted by the Friends of the Fells pertaining to the need for native plantings.

Marie Larcom, a resident at the Sterling Hill condominiums on Executive Drive has no problem with them doing away with the old hospital building. She knows they need to make money. They already have the renters at Alta Clara. How will this benefit the condo owners? The number of people they want to add is astronomical. It's a lot of people and a lot of cars. She doesn't care what the expert said. You can predict all you want. She doesn't agree with the number of cars. This will impact them drastically. It went from an office to research and development to 378 people renting. She questions the easement they currently have. If there's enough parking without it, why take that easement to make more parking. She also mentions they didn't say anything about a dog park. What happens with the dogs in this development? These are concerns we have. She understands making money but this is too many people. There should be more privacy between them and the condos at Sterling Hill.

Alana Anderson, 7 Executive Drive first clarified that her and her husband sent in a letter on behalf of the Sterling Hill condominiums and they shouldn't have signed it that way. They did not represent Sterling Hill but had spoken with many of the residents about their concerns. After their first letter was sent, the peer review reports were given, so her husband drafted a second letter with a few new points. He could not attend that evening so she read the letter written which the Board has been given a copy of.

Elaine Foley of Marble Street has been a Stoneham resident her whole life. She stated that the Fells is a gem for the Town. It is home to a number of plant species. She mentions rodenticides and cautions against using rat poison.

Chris Redfern, President of the Friends of the Fells organization spoke about sustainable enjoyment of the Fells. He mentioned the rare and endangered plant communities. The Fells surrounds this property and would like to see mitigation measures. He points to the letter submitted to the Board on January 11th which provided nine recommendations. They would like to see access to the Fells from this property which is currently accessed through a hole in the fence. The Friends of the Fells is looking for a legal way to access and Alta Clara Apartments is in support. He believes that the DCR is interested in supporting.

Louisa Dixon of 25 Executive Drive is a renter at Alta Clara, not an owner. She has lived there for two years and joined the Friends of the Fells. She helps with their trail adoption program and spends time clearing trails and cleaning up trash, pet waste and broken bottles. She states that the Fells is a fragile environment. Vigilant stewardship is critical. She is in favor of more housing but this development will have a significant impact on the Fells. The larger the complex the bigger the impact. It'll be 30 units per acre which exceeds what is allowed. You need to keep size and density in mind.

Marina Jokic of Highland Avenue in Malden read a few excerpts of the letter she submitted to the Board on March 20th. Mark Terchak of 32 Waverly Street moved here eight years ago. He is a member of the Friends of the Fells and volunteered to collect data. There are a lot of things to consider, people in the area, pets and bicycles. He hopes that people arriving can enjoy the Fells as much as he does. He mentions when there isn't something designating a trail head. People make their own. He would like the developer to work with DCR to create access to the Fells. He has collected data on Native plantings. He would like to see native plants and Pollinator friendly

plants. It is a quiet spot to go to reset and rebalance. It is an area that needs constant maintenance.

Diane DeMarco of 225 Fallon Road is a member of the Friends of the Fells. She used to live on Washington Street in Melrose. She is concerned about the scale of the project. The impact on the environment. She has a concern about the water and drainage. She mentioned that erosion has increased since Alta Clara Apartments were built. For years it had been fields where the Seventh Day Adventists grew food. People forget about after affects.

Mr. Houghton said that they will take all of the input and digest the information given to them. He is aware of the Friends of the Fells and their concerns. They will try to incorporate a lot of what they have heard in the revisions. The pesticide issue is an obvious issue to fix. A lot of stuff makes sense. He states that everything fits up there. You heard the experts. He mentions that a lot of questions can be answered but economics do need to be factored in. They have to work. He also stated that he didn't like the word greed being used. They will address all of the comments at a future meeting.

Mr. Shulman asked if the Board had any questions. Attorney Galvin states that the Board should get a sense of how long the applicant feels will be needed to make revisions. He also heard people mention dogs. Maybe the developer could explain to the Board what their projected policy might be on dogs if it is available. Mr. Weiss stated that they have a meeting scheduled for next week and hope to respond to as much as they can at that meeting, targeting a full response with plan revisions to follow.

Mr. Shulman believes the concept is working and there might be more response to the response provided next week and we will move forward as need be. Mr. Saltzman asked a question about traffic to Mr. Dirk. The hospital is closed. In terms of traffic how does this project look in comparison to the traffic generated by a hospital? Mr. Dirk responded that a hospital would generate the most traffic of any use. The volume would easily be 2-3 times what this project would generate. With a hospital it would be more concentrated with shift changes. Residential traffic is more dispersed. Reactivation of a hospital would be more impactful. Mr. Dirk references the letter Alana Anderson read on behalf of her husband and appreciated the traffic analysis. Mr. Dirk talks about the amount of traffic generated and clarified the 150 vehicles during the one peak hour. You need to look at the daily number of about 1,800 vehicles. It talks about the peaks and the dropping down not falling off a cliff. They analyze peak amount of traffic by the project and the peak of the roadway. It looks like a bell shaped curve.

Mr. Saltzman mentions that even when this was a hospital there was no traffic light. With less traffic with this use it would not rise to the level of a traffic light being considered. Mr. Dirk clearly states that a traffic light would not be allowed by the State. Both state and Federal require certain thresholds be met and you have to hit them continuously for eight hours during the day. Mr. Dirk explained that is not even a consideration with this project as you cannot hit the thresholds necessary to support the traffic light. Mr. Saltzman agreed that they are not even close to having a signal.

Susan Spratt from McKenzie Engineering asked about the test pits done yesterday. She wanted to make sure they did more than one in each location. Generally you do three for each

infiltration system. Mr. Weiss clarifies that test pits were done in two locations where the infiltration basins are proposed. Two were done in one location and three in the other. Ms. Spratt stated that is fine for now, but with approval it would be recommended that a condition provide for additional test pits during final design if you don't do them now.

Mr. Shulman believed this was a good session. Mr. Saltzman made a motion to continue the hearing until March 27, 2024 at 6PM in the Town Hall Hearing Room which was seconded by Mr. McLaughlin. A roll call vote was taken and the regular members all voted in favor 5-0.

The meeting adjourned at 6:58PM.

Respectfully submitted:

Maria Sagarino
Town Clerk

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

The Residences at Spot Pond Comprehensive Permit application and exhibits submitted by Fellsway Development LLC

Any and all comments/letters/emails submitted to the Board by Town departments and/or the public

Written comment letters submitted by the three peer reviewers engaged by the Board of Appeals

Written response by The Gutierrez Company/Fellsway Development LLC to peer review comments