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S T O N E H A M
M A S S A C H U S E T T S
Town Hall
35 Central Street
Stoneham, Massachusetts 02180
BOARD OF APPEALS
781-279-2695

Stoneham Board of Appeals Minutes
Thursday, June 6, 2024
Town Hall Hearing Room
6:00 PM

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

Also present: Town Counsel Attorney Robert Galvin, Town Clerk Maria Sagarino acting as Clerk to the Board of Appeals, DPW Director Brett Gonsalves, Attorney Charles Houghton, Scott Weiss of the Gutierrez Company/Fellsway Development LLC and residents of Executive Drive and Ravine Road.

The meeting was called to order at 6:03 PM by Chair Tobin Shulman. Mr. Shulman introduced the Board. Mr. McLaughlin led the Pledge of Allegiance. Mr. Shulman explained that the public hearing on the Residences at Spot Pond which had begun on January 18, 2024 and was previously continued February 28th, March 20th, March 27th, May 1st, May 21st and May 30th was also continued to this evening.

Mr. Shulman asked DPW Brett Gonsalves to speak to the questions from the last meeting regarding water pressure. Mr. Gonsalves explained that the DPW and Fire Department require a hydrant flow test before the building permit can be issued. The data from the test would be examined to come up with the proper pressures needed. Mr. Gonsalves also mentioned that he recently had his men check the pressures up at the site and everything was as expected. He also added that if the water pressure was an issue, a hydrant booster pump may be necessary. Mr. Gonsalves stated that he had gone over Susan Spratt's peer review and he is completely satisfied with the stormwater.

Mr. Rubin wanted clarification for the public that the fire suppression pressure is separate from the domestic water pressure. He wanted residents to understand that the pressure for the hydrants is different than the water supplied to all of the units up to the top floor of the building.

Mr. Saltzman stated that this is the eighth meeting for this application. The Board has heard from the peer reviewers and the abutters. He suggested they close the public hearing with the exception of reviewing conditions. He also suggested that the Board consult with Town Counsel, DPW and the applicant during deliberation. They need to see what if any areas of agreement or disagreement exist.

Mr. Saltzman made a motion to close the public hearing which was seconded by Mr. Rubin. A roll call vote was taken. All members voted in favor 5-0.

Mr. Shulman alluded to a draft decision they Board might issue which was provided by Town Counsel. Attorney Galvin had created a working draft to use as a guide during deliberations. Mr. Shulman wants to make sure everything that the Board has heard and discussed is captured.

Mr. Saltzman questions page 20 of the draft. Item 3 is incorrect on the draft. Mr. Dirk had indicated that the intersection of Pond and Woodland be reviewed and there was an expectation that any remedies might be financed to the tune of approximately \$30,000. The remaining money would be used to address a crosswalk across Woodland Road to benefit the people residing on Executive Drive. This would promote pedestrian access to both sides of Woodland Road including the Fells. He also alludes to Ravine Road being an existing problem. This development is not causing that problem. He believes the Town of Stoneham and the City of Melrose need to solve that problem. This Board should make Woodland and Pond safer and provide the recommended pedestrian access across Woodland Road. The traffic engineer recommended these two items specifically in his report.

Attorney Houghton agreed that they would provide \$100,000 for traffic and other issues the Board feels warrant attention. The Board would have funds to deal with it. Mr. Rubin asked if the specific intersection be spelled out as a condition. Mr. Saltzman thinks it should since it was specified by Mr. Dirk. Mr. Rubin believes the Board should look over the draft and redline and comment as needed.

Mr. McLaughlin brings up the demolition of the former hospital. He'd like clarification on how the building with safely come down. Mr. Weiss responded. He explained that the demolition will be subject to DEP and Town requirements including those of the Stoneham Fire Department. Their intent with the demolition is not to implode the building but to dismantle it in sections and pieces.

Mr. Saltzman stated that the Board has heard that drainage has been satisfied, traffic is satisfied as well as architecture. He stated that if the renderings give any validity to what they are putting up, the structures are pleasing to the eye. They seem much better than what is currently being built on Maple Street and Franklin Streets. This looks like a 1st rate building project.

Mr. Saltzman mentions the architectural condition that a playground be included. There seems to be an area added to the plan. Mr. Shulman stated that the playground area has been scoped to be functional. Mr. Shulman also mentioned that screening has been incorporated. Mr. Rubin added that they also rectified the issues brought up with the layout of the entrance to the back building. Mr. Dufour pointed out that everything that came up seems to have been addressed by the applicant.

Mr. Sullivan asked about seeing a final rendering before decision is rendered. Mr. Shulman doesn't believe that they would have final plans. The plans and architectural are considered final. Mr. Saltzman asked about seeing a final elevation. Mr. Shulman explained that any deviation would come back before the Board for a ruling on a substantive change.

Mr. Houghton explained that the revised plans provided are the plans for now. If it changes they would come back before the Board for approval. The revised plan is the plan in the record right now. Mr. Houghton mentioned the playground and explained that there are not a lot of kids in

Stoneham right now, particularly in the apartments and condos. He doesn't believe this development will attract a lot of kids. He restated that the drainage peer reviewer was satisfied. He wants to make sure that the Board is assuming the authority over Stormwater management. Mr. Shulman indicated that they would be with the stated approvals of Susan Spratt of McKenzie Engineering and the DPW Director. Mr. Dufour pointed out that aesthetics are under review too.

Mr. Saltzman asked if the Board might see a more finalized draft from Attorney Galvin at least a week before the next meeting. Attorney Galvin stated that was possible. He asked the Board members direct any comments only to him. He would provide the Board with incorporated changes by June 13th if the matter would be continued to June 20th.

Attorney Galvin reminded the Board that with closing the public hearing this evening, they must render their decision. The deadline to file the decision will be forty days from tonight.

Mr. Dufour made a motion to continue this matter to June 20th at 6PM in the Town Hall Hearing Room. Mr. Saltzman seconded the motion. A roll call vote was taken. All members present voted in favor 5-0.

Mr. Saltzman made a motion to adjourn. Mr. Rubin seconded the motion. All members voted in favor 5-0.

The meeting adjourned at 6:34PM.

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