



TOWN OF  
**STONEHAM**  
MASSACHUSETTS  
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**BOARD OF APPEALS**  
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**Stoneham Board of Appeals Minutes**  
**Wednesday, May 1, 2024, 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 Counsel Attorney Robert Galvin, Town Clerk Maria Sagarino acting as Clerk to the Board of Appeals, Peter Mahoney & Ian Gasco-Wiggins from JM Corcoran & Company, Attorney Charles Houghton, Scott Weiss representing Fellsway Development LLC/The Gutierrez Co and Traffic Consultant Jeffrey Dirk with Vanasse & Associates. Many residents of the area and members of the Friends of the Fells were also present.

Present remotely: Susan Spratt of McKenzie Engineering Group

The meeting was called to order at 6:05 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 28<sup>th</sup>, March 20<sup>th</sup>, March 27<sup>th</sup> and again this evening. He explained that the Board would hear a brief update from the developer on the previously approved 40B application known as Weiss Farm Apartments LLC before continuing the Residences at Sport Pond.

Peter Mahoney and Ian Gasco-Wiggin from John M. Corcoran & Company appeared before the Board. Mr. Gasco-Wiggin gave an update on the progress to date for the Weiss Farm Apartments project. He mentioned that the pump and the Weir were complete. They have begun testing and are waiting for data.

Mr. Saltzman asked what happened when the pump was turned on. Mr. Gasco-Wiggin responded that they did a ten minute test to begin with. Their engineers would examine the data. On April 30<sup>th</sup> the pump was turned on for 1 hour and the flow across the street was checked. Again the data would be examined.

Mr. Saltzman mentioned that any future communications with the Town must include the Board of Appeals. He then asked if there were any surprises. Mr. Gasco-Wiggin said that it went as expected. The ledge is gone and that was the biggest hurdle.

Mr. Saltzman stated that it makes sense to have a representative come in for 10-15 minutes at the beginning of their regular monthly meeting to give a brief update.

Mr. Shulman asked if there was an approximate schedule of when the pump might be operational. Mr. Gasco-Wiggin responded that the pump is operational. They are just trying to determine what they will set the floats at. He then explained to the public that the floats turn the pump on and off at a certain level. He added that they want to avoid putting off too much water across the street.

Mr. Sullivan asked about the concrete structure near the pump. He wanted to know if it was permitted. Mr. Gasco-Wiggin answered that it is permitted through a DEP permit.

Mr. Sullivan then raised some concerns about communication. Everything that is happening falls under the Comprehensive Permit issued by the Board of Appeals who hold the authority. Mr. Saltzman added that they appreciate them coming in for the update.

Mr. Shulman recognizes Gerald Road resident Martin Wantman. Mr. Wantman applauded the developer for donating \$30,000 for stream maintenance. Mr. Wantman then asked if all the stream maintenance had been done as he hadn't seen an excavator in there. Mr. Wantman tries to engage the Board in a conversation regarding a Conservation document from 2005 that stated that his property would have water if Weiss Farm ceases operation of the pump. Mr. Saltzman explained that was not what the Board was here for tonight. He stated that they received the update and were now moving on to the Residences at Spot Pond.

Again the Board thanked Mr. Mahoney and Mr. Gasco-Wiggin for the update and hoped to see them at a meeting next month for another update.

Mr. Shulman moved on to the matter of the evening. He invited Mr. Weiss to give an update on what had transpired in the last month. Mr. Weiss stated that he plans had been provided and uploaded today so the peer reviewers haven't had time for review. He stated that the 378 units, amenities, quality and space hasn't really changed. There were significant modifications made. Although the buildings and the project are the same, they removed parking from the project in front of Sterling Hill at 7-11 Executive Drive. They were able to maintain the Town's 1.7 parking space per unit ratio. They modified the layout and reduced the stand alone garages.

For the bus stop, they were amenable to two stops on site. One on the corner between Sterling Hill and Alta Clara. They moved the layover and put a second stop near the Medical Office building. This allows for better MBTA access to the property.

There were comments to increase trees and create a buffer with plantings which are addressed. They would like to preserve all trees on the perimeter and will supplement as needed.

Mr. Weiss continued to say that there is bicycle storage inside both buildings as well as bike racks outside both buildings. There will be a dog park and future play area which was placed in an un-programmed part of the plan.

It was pointed out that the East side of Building B did not have a main entrance. They reconfigured that parking to create a drop off and delivery zone. They changed the location of the driveways. Mr. Dirk had commented about the slope so the driveway was moved up hill.

They reconfigured the parking lot. They reduced the parking garages and modified the parking in that area.

Mr. McLaughlin asked if the bus stops would be sheltered. Mr. Weiss stated that they would be.

Mr. Weiss addressed comments made by the Friends of the Fells. There will be a separate public access to the Fells trail system. MWRA and the Town are amenable to allowing the MWRA driveway to be used as a public access point to the trail system. Mr. Weiss will continue to work with the Planner & the Town to continue this work toward public trail access.

They have eliminated the parking that was previously shown in the easement. This will remain green space.

Mr. Sullivan questioned the access to the Fells. He asked who would be responsible for maintenance and upkeep. Mr. Weiss stated that it remains MWRA property and as such they will be responsible for keeping it up.

Jeffrey Dirk of Vanasse & Associates, the transportation consultant retained by the Town for an independent review had drafted an initial review letter and a response letter to the developer comments. He was present and stated that all changes have been made to address his comments. He said the bus stop had been addressed. The parking near the condo. He was glad to see they could reconfigure and still stay within the Town's zoning parking requirements. He had previously addressed the traffic, crash history and safety concerns. For the concerns surrounding Pond Street, the applicant indicated that it would take a formal crash analysis and develop remedial measures and provide some funding to the Town. Mr. Dirk would recommend monetizing and providing a cost estimate for something that would effectuate pedestrian safety.

Mr. Dirk spoke about the operations of the site, best practices and a transportation demand management program. It is ideal to try to achieve a mode shift with the 99 bus route, walking trails and bicycle accommodations. Transit screens are to be provided to show when a bus is coming and where it is along the travel route so residents know when to leave the confines of the warm building.

Mr. Dirk was glad to see the driveway moved and the grade of access addressed.

Mr. Dirk then commented on the project itself put into context while analyzing the use. There had been 325,000 square feet of office space previously proposed, a 150,000 square foot Research & Development building. In relation to a hospital or an office building there is 50% less traffic and less peak travel. There would be 150 peak trips for an R & D building or this proposed use.

Mr. Saltzman asked about the number of peak trips for a hospital use. Mr. Dirk responded that would be about 350 peak hour trips. Mr. Saltzman believed that would be 2 ½ times and Mr. Dirk agreed. Mr. Dirk added that residential is more dispersed over peak hours. Mr. Saltzman stated that the school start hours are not all the same. Mr. Shulman asked about the number of school aged children. Mr. Dirk wouldn't be an expert on that. Mr. Saltzman asked if there would be an estimate of the amount of school aged children.

Mr. Shulman asked if there were any questions specifically related to traffic. He stated more comments would be coming after review of the revised plans.

Chris Redfern, President of the Friends of the Fells had questions on the traffic study. He wanted to know if it took into account safety for pedestrians and cyclists. He mentioned that in the permit application there was a reference to a circumferential trail study. He asked about a conceptual study and money to do that or future improvements to the roadway.

Mr. Dirk stated that the study is a transportation assessment and does look at all modes including pedestrian. Mr. Dirk states that they can monetize improvements. It could be for a certain intersection or connectivity.

Ann Payopolos of 31 Ravine Road in Melrose is concerned about the impact on their road. There are 24,000 vehicles per week, 3,500 per day. Has there been discussion about that.

Mr. Dirk responded that Ravine Road and Woodland Road were in the study. They looked at crashes at the Woodland Road intersection. He explains that looking at this project, peak hours of 7-9am and 4-6pm, 3% of the 150 peak hour trips are around 10 vehicles.

Mr. Saltzman asked about the additional 10 vehicles. Would they be Woodland Rd to Ravine Rd or just to get to the Fellsway. Mr. Dirk said the increase would be from Woodland.

Mr. Shulman asked if the high volume of existing traffic was taken into account. Mr. Dirk responded there were 500 cars per peak hours.

Alana Anderson of Executive Drive asked about the accidents over a ten year period on Woodland Road. She talked about traffic in nonpeak hours being looked at. She also commented on the lack of pedestrian accommodations and bike lanes.

Don Anderson then asked about the 150 additional cars on Executive Drive. Mr. Shulman asked Mr. Dirk to explain what he looks at to determine the traffic impact a development will have on the neighborhood.

Mr. Dirk explains traffic engineering and how they proceed. They go out to Alta Clara. They go out to several other residential communities. They look at numbers. Numbers are baked into the study for parents driving children to school, traffic to work, school buses, FedEx, UPS, Amazon, Uber and Lyft. Going back to school aged children, the number is built in. He explains what peak hour trips means. He explains that when cars are arriving at Executive Drive some are also leaving. The amount of cars as you get to each intersection are minimizing due to disbursement which is captured in the analysis.

Joanne Trocki of Executive Drive asked if traffic lights or crosswalks were considered on Woodland Road. Mr. Dirk said lights were not considered as the State and Federal requirements are not even close to being met. Mr. Dirk suggested crosswalks may be added with money that the developer provides. Mr. Saltzman asked if there might be some consideration for a pedestrian light. Mr. Dirk again said the applicant will look at the safety analysis at the intersection. There

are opportunities. Grant money from the State might also be available due to the multifamily housing. Maybe a Mass Works grant. Mr. McLaughlin asked what crosswalks are available near the zoo.

Susan Storella of Ravine Road asked Mr. Dirk if they include the already existing complex in the back in their study calculations. Mr. Dirk stated they included everything from September 2023 on. Ms. Storella then asked why they only look at traffic during peak hours when it's all day long. Why don't they look at traffic all day or on Saturdays and Sunday? She spoke about the Waze app. She spoke about the 15-20 tractor trailers on their road each day.

Brian O'Leary of 11 Executive Drive said that compared to Alta Clara this development will be more family friendly and include affordable three bedroom units. This would be most likely to accommodate a family. Mr. Shulman stated that the reference numbers Mr. Dirk used are an aggregate of multifamily developments all over the country, not specifically Alta Clara.

Marina Jokic of Highland Avenue in Malden asked if the traffic study looked at the impact on Highland Ave in Malden which is a busy street to begin with. Mr. Dirk responded that the study area included Highland Ave to Pond Street. In looking at Highland Ave, 60% of the traffic headed toward Highland Ave which added approximately 60 trips added to the existing traffic volumes. They also went down to Elm and Fulton. Mr. Saltzman added that all those people are turning left onto Woodland.

Mr. Shulman would like any other questions related to traffic. Sandra Pascal of Lynn Fells Parkway in Melrose commented about studying the intersection of Pond Street and Woodland. She wants to know about money going to Stoneham to fix that area if it is State road. Mr. Dirk stated the Town can apply for a permit to fix there roadway with our own money. The Town might want to improve this area for connectivity or safety.

Kathleen McGourthy of Ravine Road in Melrose brought up that she had been present for other iterations of the property development. Neighbors had a settlement agreement that included mitigation and a traffic plan. She is happy to hear that municipalities can work on State roadways. She has been trying to reach out to Scott Weiss about the agreement which at the time would have reduced the housing and the office park. This agreement didn't have an end date. The settlement agreement also included trailheads. Ms. Gerke then spoke about a construction committee in the settlement agreement. They had been promised money for the community and passes for boating. Communication has been lacking. She would like to see mitigation for Ravine and Fellsway East. She also spoke about a DCR traffic study done of the region. Mr. Sullivan asked Ms. Gerke if she could provide a copy of the settlement agreement to the Board.

John Begley of 11 Executive Drive stated that they have heard a lot about Pond Street. He wants to hear about the entrances and exits to Executive Drive. He mentions that there will be a lot of backup. Mr. Dirk stated that they did study 7 intersections and the reverse directions. In looking at actual numbers, in the morning there are 36 entering and 119 exiting. Not everyone is getting in their car at the same time in that hour. The trips are spread out over 60 minutes when they are leaving. They looked at the ability to store those vehicles and find a gap in traffic. Mary Duka of Executive Drive asked what month the study was done. Mr. Dirk stated it was September.

Ms. Payopolous of Ravine Road asked if lower Ravine could be analyzed. Mr. Dirk stated he wouldn't say it would cause no impact but how severe is the impact. How much more difficult will it become due to the project. The net increase is low enough that even MassDot wouldn't require a study of that area.

Margaret Connelly of Ravine Road asked about the analysis in general. She wanted them to look at traffic in general not just peak hours. Traffic impacts them all day. She mentioned an accident Friday and another four weeks before. She said it would be nice to be thought of. They have to silently sit here. She heard a comment that Ravine Road isn't even part of the project. As a resident of Ravine Road she didn't even know about this project. She doesn't know why they weren't informed. Mr. Shulman explained the noticing requirements were followed when the hearing began in January. Attorney Galvin explained that under MGL Chapter 40 A sections 11 and 15 relate to notice of meetings, abutters are contiguous to this property and the abutters to abutters within 300 feet. Beyond that you have to request to be given notice. Abutters are noticed by mail of the first public hearing. Mr. Shulman added that the notice was also published in the Stoneham Independent for two consecutive weeks prior to the first hearing date. Under the Open Meeting Law, each of the Board's meetings are noticed on the Town's web site main calendar at least 48 hours in advance of the meeting, excluding holidays and weekends. Mr. Shulman assured Ms. Storella that all of those procedures were followed.

Marge Powers of Ravine Road stated she's listened tonight and it has been very informative. She is disheartened because she is hearing so many valid concerns about residents of Stoneham. Ravine Rd is a problem and the Town represents us, this Board, she is pleased with some and disappointed with others. Do you care about us? Do you care about things you've said over the years? She doesn't understand the lack of caring and response. She understands residents need to be aware and that they can look to the Town's web site for information. She wanted to know how far along this project is. It's going boom, boom, boom and moving along.

Mr. Shulman appreciated the comments. He explained that the Board is made up of resident volunteers who are not compensated who are asked to represent the interests of the Town in certain matters. He further explained that they cannot fix everything that is wrong with Stoneham much as they may want to. They can only deal with the matters before them. That is where their authority lies. They are reviewing the application before them. Ms. Powers asked if there is a higher power. Mr. Shulman stated that there are higher powers. Mr. Rubin interjects to provide further clarifications. He tells her that this is the process. The developer is in front of them with their plans. The Town has hired experts to help review these plans and make comments and recommendations to the Board. Nothing has been decided yet.

Mr. Shulman once again asked if there were any more questions related to traffic. Ms. Pascal of Melrose asked again that any study of Pond St and Woodland Rd take into account Ravine Rd and the impacts there eve if not directly affected by this development. Ms. Payopolos agreed. The residents of Ravine Road are frustrated because they have been fighting this fight. It's been going on since 2013. Philips Road got their one way and Ravine didn't.

Mr. Dirk does mention that MassDot publishes crash data on their web site.

Mr. Shulman wanted to lay out a plan for future meetings. There will be additional information forthcoming including drainage and updated plan information received just that day.

Mr. Shulman asked Susan Spratt of McKenzie Engineering about her availability. Ms. Spratt stated that she received the revised plans today. She has three things that need addressing and if that can be addresses within a few days she can incorporate them into her comments. Mr. Shulman asked her about May 22<sup>nd</sup> but she may have a meeting. The Board agrees to meet on Tuesday, May 21<sup>st</sup> at 6PM and possibly May 29<sup>th</sup> at 6PM.

Before they adjourn, Mr. Shulman mentions all of the correspondence received by members of the Friends of the Fells including the memo submitted by Chris Redfern the President of the Friends of the Fells. Mr. Shulman wants to avoid going over the same points over and over. They just received all of this correspondence and they don't have responses to anything yet. There would be some response from the developer as we move forward.

In the interest of time, Mr. Shulman would appreciate not having the same questions/comments repeated as received in the correspondence. At this time he asked if there was anyone who wanted to speak.

Rosemary Galasso of 11 Executive Drive asked about the green space that will no longer be touched. Is that permanent that it won't be touched? She asked what happens to the easement. Attorney Galvin responded that it appears that they have changed the project so that they will not need it for parking but that doesn't mean that they are giving the easement up. The easement stays in place unless it is released. Marie Larcom of Executive Drive asked if that means they can't do anything with it. Sterling Hill wanted to put a sign up. So we wouldn't be able to do that. Does it mean it's ours but not really ours? Mr. Shulman doesn't know the details of the easement and Attorney Galvin stated that is a private issue, not a matter for the Town. Mr. Weiss clarified that the easement conditions are in everyone's deeds for their properties. If you don't have a copy it is recorded with Mass land records.

Marina Jokic asked what conditions would need to be in place for the Town to ask the developer to scale down the project. Is there any scenario. Mr. Shulman stated that they are still reviewing the project. They can add a condition to reduce the units if warranted.

Mr. Sullivan asked for a motion to adjourn. He then made a motion to continue to May 21, 2024 at 6PM in the Town Hall which room to be determined. Mr. Saltzman seconded the motion. All members voted in favor 5-0.

The meeting adjourned at 8:07PM

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