



## MEETING MINUTES

Wednesday, March 13, 2024 – ZOOM HEARING

Consistent with the Governor's orders suspending certain provisions of the Open Meeting Law, this meeting was conducted by remote participation.

Call to Order 7:01 pm

Roll Call by Thomas Lucey

### **In Attendance:**

THOMAS J. LUCEY, CHAIRMAN  
JOSEPH PRIDE, CLERK  
DAVID W. HATFIELD  
CHARLES L. TARBELL  
MICHAEL L. FEELEY  
GREGORY W. MCINTOSH, ALTERNATE  
KASUMI HUMPHRIES, ALTERNATE

Joseph Pride Read the Legal Notice

### **REQUEST TO CONTINUE:**

**(23-77, 23-78, 23-79) - 3 MELVIN STREET – N.E. WAREHOUSE BOSTON, LLC**

A request from Attorney Brian McGrail to continue this hearing until April 24, 2024, they are still in the process of working on items requested by the Department of Public Works Engineering Division. Attorney McGrail also requested an extension of time for the Board to render and/or file any decisions until May 30, 2024.

Dave made a motion to continue to April 24, 2024 and also to allow the request for an extension until May 30, 2024. Joe seconded the motion  
Voting members in favor – Dave, Joe, Chip, Mike and Tom



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### **CONTINUED HEARING:**

**(24-10) 0, 119, 127, 135 NAHANT STREET – THE RESIDENCES AT NAHANT, LLC.**

**Purpose:** Comprehensive Permit to construct a 100 unit apartment dwelling

**Attendees:** Attorney Jason Panos, Stefano Basso (SV Design-architect)

### **Discussion:**

Attorney Panos explained that they met with the ZBA subcommittee members on March 11.

They have submitted the traffic report and are still waiting for a hearing date from TAC.

They submitted a redesign concept yesterday.

The engineer Tony Capachietti of Hayes Engineering has left the project. They have to catch up on the civil plans, storm water management plan and parking plan redesign. The building has been shifted on the property which means these plans need to be updated.

Tom asked if they are confident that Hayes Engineering will take them on as a client. Attorney Panos said they still have Hayes retained but are looking at their options.

A power point presentation was given by Attorney Panos.

Stephano gave a presentation on the new design.

4 stories in the front of the building and 5 stories in the back of the property.

They are still working through the civil engineering and parking. They think there will be about 135 parking spaces with this scheme.

A scheme of the Nahant Street view was shown. Along with suggested materials. The driveway view of the building was shown.

Kasumi – still does not see the package room/mail room.

Where are you planning to have the resident's come into the building? Stephano said there are doorways on the east and west sides of the building.

She would like to see how someone would walk out of the building and onto the sidewalk on Nahant Street – now there is no way they can do that. Stephano agreed.

Kasumi asked how parking would work; Stephano said some of the spots are tandem and would be assigned to two and three bedroom units.

The trash area is too close to the parking spots.

Joe – still feels this project is too big. Where is everyone going to park?

Attorney Panos said they will come up with a new updated parking plan after they meet with the TAC.

Visitor parking will be needed.

Joe said he wanted to see a massing plan and asked them to do massing for the people that live in the back of the building also.

Joe asked if they thought of putting some of the parking in the ground and digging down at least 4 feet.

Attorney Panos promised a 3D concept and they will be developing this more over time.

Dave – he is struck by hand drawn renderings, the Board has always gotten professionally rendered drawings, especially on a project this large. Dave made a request that they do not get these kinds of drawings again and for the future he asked that all the plans be properly dated and stamped for comparisons.

Overall the project is still too big. He said they can move the building but that doesn't give them more parking. They need 155 spaces, they only have 135. The unit count has to come down.

There will be no parking on the street, the parking has to be on the site and the only way they can do that is to reduce the units.

Dave asked where the amenity space is for the tenants; the building takes up the total site, also there is no green space.

They never received the power point presentation from the last hearing. They need all the materials that are presented at the hearings.

The traffic report was just given to them on March 7<sup>th</sup>, this is taking way longer than it should, and Dave has concerns about this project.

Greg – The easiest way to make it fit into the neighborhood is to shrink it. He feels from a safety point he does not know how it is going to work.

Mike – Way too big. He asked how big the parking spaces are. Attorney Panos said they are within regulations.

Mike agrees there should be amenities with a project this size.

Mike questioned Attorney Panos about the engineer leaving the project.

Mike asked Attorney Panos if they are still waiting for a date to meet with TAC. Panos replied that Scott Thornton from Vannesse Associates has been coordinating with Lt. Anderson. Mike said they needed this done two months ago.

Mike wants to see better drawings, it is frustrating.

Chip – wanted the Board to see what has happened to date. Because the engineer left everything in concept and as a sketch. He is frustrated because they are not as far along as they should be.

Tom – he is beyond frustrated and worried. There has been no progress and he has never seen such a rudimentary design at this stage of any project. There is a pattern with the development team and he questioned the team's experience and criticized the lateness in providing a traffic study and the unprofessional renderings and design drawings. He noted that every request that the Board has made has been delayed.

Tom commented that it seems like they are trying to run the clock out on the Board.

**Public Testimony:**

Marie Olivia – 216 Nahant St - the view looks like a big box store. She is shocked there is not a nice entrance going in. She said it will be a big eye sore.

Karen McMaster – 25 Nahant St – she feels they are not being taken seriously. She is disappointed in the drawings. It is way too big, 100 units will double the residence on Nahant Street. She is frustrated at the materials being presented. Everything around this building is going to be impacted.

Joe Conway – 18 Wilson Road – Mr. Conway is a direct abutter in the rear of the project. He heard about lowering the grade and parking lot. There is a lot of blue ledge and changing that will be significant.

Mr. Conway asked if they could have a forum where all the neighbors could come in person to the meeting instead of zoom.

Mr. Conway asked when the clock is supposed to run out, the answer was the end of June. He has gone to most of the meetings and there has not been any plans to show how close this will be to his house and what the drainage is going to be. He has a real problem that no plans or design has been shown and the clock is running out.

Tom suggested that the civil engineer meet with the neighbors.

Paula Gardella – 10 Wilson Rd – Ms. Gardella agrees with all the neighbors and Board members, it is giant. She wants the 3D renderings. She is very frustrated, it seems that the developer feels it is a done deal. She feels it is being rammed down the town and the neighbor's throats. This building will affect the entire town.

Attorney Panos said he disagrees, they put forward floor plans and renderings with the application. They are redesigning the whole project. He is not prepared to discuss reductions. They are at a full scale redesign. They are trying to accommodate the concerns with massing but not the reduction in density.

Greg – he asked Mr. Panos if he was willing to extend the deadline so that they can prepare proper plans. Mr. Panos said after they reassess how long the plans will take to redo they will contemplate extending the date.

Chip – asked Attorney Panos when he would be willing to discuss density, that discussion needs to happen before a new design could be created. He asked them to think about the reduction in density.

Attorney Panos insisted that a reduction in density could be discussed at the end of the project under 40B rules.

The Board insisted that this had never been done with other 40B's that they have had experience with.

The Board insisted that they need definitive timelines and want an update on a new engineer.

Tom will call Lt. Anderson about the TAC meeting.

Attorney Panos – recommended giving Stephano more time to develop his plans.

The Board wants them back every two weeks to move the project along.

Dave moved to continue to 3/27/24 meeting

Joe seconded

All in favor - Joe, Chip, Dave, Mike and Tom

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### **NEW HEARING:**

**(24-32, 24-33) 93 SPRING STREET – SAMUEL AND SARAH MATTISON**

**Purpose:** Variance and a Finding to construct additions onto a single-family dwelling

**Attendees:** Attorney Brian McGrail

### **Discussion:**

Attorney McGrail explained that the Mattison's would like to do a couple of additions onto their single family dwelling.

They are asking for a finding and a variance.

Brian presented photos of the house and the topography.

The house is built on a hillside and on ledge.

The site plan was presented. The lot has a very unique lot line. There is a paper street in the back of the property. The deed line was shown, they need to reduce the required rear yard setback to 6.5 feet.

The zoning table was presented

The architectural drawings were presented.

Tom read memos from Town Boards into the record.

The Board was fine with the additions because of the topography and odd shaped lot.

**Public Testimony:**

None

Dave made a motion to grant a variance owing to circumstances to topography and shape of the land and reduce the rear yard setback to 6.5 feet to allow the additions according to the site plan prepared by TAJ Engineering, LLC, revised to 8/11/22 and the Architectural drawings/elevations prepared by The MZO Group, dated 3/13/2024.

Joe seconded the motion

Voting Members all in favor - Dave, Joe, Chip, Mike, Tom

Dave moved to grant a finding that the proposed changes and alterations based on the same plans in the previous motion and side setbacks are not more detrimental to the neighborhood, although the addition intensifies or increases the existing nonconformities including both the side yard setback and lot width becoming more non-compliant, it is not substantially more detrimental than the existing nonconformities to the neighborhood.

Joe seconded the motion

Voting Members all in favor - Dave, Joe, Chip, Mike Tom

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### NEW HEARING:

(24-35) 3 OUTLOOK ROAD – CHARLES C. CURRAN, III AND CAROLINE A. CURRAN

Purpose: Finding to construct an addition onto a single-family dwelling

Attendees: Attorney Brian McGrail

### Discussion:

Attorney McGrail explained that this is a simple request for an addition. It is a finding because of the lot width and right side yard setback requirements.

The site plan was presented

They currently have a sunroom and a deck that will be removed and a two-story addition and deck will replace it.

The nonconformity is lot width and side setback going from 12.7 feet to 11.7 feet, a foot closer on the right side.

Architectural drawings were presented.

A letter of support from the abutters was presented.

The Board asked a couple of questions but had no problem with the request.

### Public Testimony:

None

Dave made a motion to grant a finding and determination that the proposed addition at 3 Outlook Road according to the site plan prepared by JM Associates, dated 2/7/2024 and the architectural drawings/elevations prepared by D.L. Kerr Architectural Design Services, dated 1/23/24, although the addition intensifies or increases the existing nonconformities it is not substantially more detrimental than the existing nonconformities to the neighborhood.

Joe seconded the motion

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### OTHER MATTERS:

#### (21-29 to 21-31) 500 MAIN STREET – SANTANDER BANK

Attorney Brian McGrail was present to represent Santander Bank and is asking for a minor modification to their signage.

A site plan was presented showing the approved vs. proposed signage.

They are looking to put privacy vinyl on the lower part of the windows. They are having a privacy issue with people looking into the windows while the workers are trying to do their work. Brian showed a sample of the material – it is a clouded privacy vinyl material, it will be placed on two of the windows on the side and on the right side of the front windows, it is two feet tall.

They are also having problems with their parking lot. People are using it to pick up their kids or use the ATM and they sit in their car for 20 minutes or so. They would like to add 4 parking signs for "Bank Customers Only". The signs will be on galvanized posts.

Kasumi asked if 2 feet of privacy in the windows would be enough. Brian said he asked them and they said it was all they needed.

Dave moved to approve the drawings/plans prepared by Image One, dated 3/13/24 and that this is a minor modification to the original special permit and site plan.

Joe seconded the motion

Voting members all in favor - Dave, Joe, Chip, Mike, Tom

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### OTHER MATTERS:

#### (21-4 to 21-6) 581 SALEM STREET – GRANITZ FAMILY TRUST

Attorney Brian McGrail explained that as part of the approved special permit decisions filed with the Town Clerk on January 6, 2021, they are here tonight because the Board has jurisdiction on signage, they would like to propose the follow:

- 72" x 18" sign to sit on the wall
- Raised letters, not bigger than 3.5"
- They would like to put their website on the sign
- The letters are blue.
- No lighting

The Board does not want the web site address on the sign.

The Board would like the letters centered on the sign.

Dave moved to approve the proposed sign plans presented tonight, prepared by Hayes Engineering, dated 8/30/23, with the modification to remove the web address shown on the plan and center the letters.

Joe seconded the motion

Amended motion

Dave made a motion to allow the Chair to accept the modification plans and approve them.

Joe 2<sup>nd</sup>

All in favor – Dave, Joe, Chip, Mike, Tom

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### **APPROVE MINUTES:**

Dave made a motion to approve the minutes of February 28, 2024 as written.  
All members were in favor – Tom, Dave, Chip, Joe, Mike, and Kasumi (Greg abstained, he was not at the hearing 2/28/24).

The meeting adjourned at 9:30 p.m.