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WORKING SESSION MEMORANDUM

Date: May 6, 2014
To: Land Use Committee of the Board of Aldermen
From: Candace Havens, Director of Planning and Development
Alexandra Ananth, Chief Planner for Current Planning
Daniel Sexton, Senior Planner
Cc: Petitioner

In response to questions raised at the Land Use Committee public hearing and/or staff technical reviews, the Department of Planning and Development is providing the following information for the upcoming working session. This information is supplemental to the staff analysis previously provided at the public hearing.

PETITION #70-14

740 Beacon Street

Request to allow the extension of a nonconforming structure and use by adding a new prefabricated spray booth adjacent to an existing auto body shop and for related waivers from the design and dimensional controls for parking facilities.

The Land Use Committee held a public hearing on April 8, 2014.

Health Department Comments. At the last Land Use Committee meeting, the Committee asked staff to talk with the City's Health Department regarding the status of any enforcement and their position on the proposed spray booth, and its air quality equipment. Per the City's Senior Environmental Health Specialist, John McNally, no complaints or compliance issues have been documented for the subject property for many years. As for the proposed spray booth, the Health Department indicated that this type of facility is governed and overseen by the State of Massachusetts Department of Environmental Protection (MassDEP), and it is within their purview to review plans, if necessary, and inspect these facilities. Matt Barber at MassDEP identified that it is unlikely the new spray booth would require review by MassDEP due to the volume of paint used at the shop and the level of volatile organic compounds produced. Mr. Barber also mentioned that no complaints have been received for the subject property.



Petition Supplements. In response to other concerns raised by the Land Use Committee and the public at the public hearing, the petitioner submitted the following supplemental information:

- A side-by-side analysis of the air quality conditions for the current and proposed spray booths;
- An examination of noise emitting tools and equipment on the site;
- The exterior storage of vehicle parts between the shop and MBTA rail line; and
- The proposed screening measures to buffer the site from Warner Street and Langley Road.

According to the petitioner's supplementary materials, the proposed spray booth appears to comply with or exceed the MassDEP regulations for these facilities. The specifications for the proposed spray booth, which are based on information obtained from the manufacturer, indicate that it produces less volatile organic compounds than the current spray booth and is more efficient at controlling particulates. Further, the proposed spray booth's greatest environmental benefit is derived from the changing of solvent-based paints to water-based paints, which helps to minimize air quality contaminants produced in the spray booth.

Based on the concerns raised by the abutter across the Massachusetts Bay Transportation Authority (MBTA) rail line, the petitioner has assessed the noise levels of the existing and proposed tools and equipment used on the site. A professionally developed noise study was not submitted, but the petitioner obtained decibel level information from the manufactures for the shop's equipment and tools. The two largest contributors of noise from the site, the current spray booths exhaust fan and paint mixer, will be eliminated with the installation of the proposed spray booth. As such, the petitioner anticipates the decibel levels emanating from the shop to be at or below current levels. Should the Committee choose to approve this petition, the Planning Department recommends a condition requiring that the repair or maintenance of vehicles occur within the shop.

The petitioner has indicated that the vehicle parts stored behind the building have been removed. An agreement between the petitioner and a nearby scrap metal dealer was also made to ensure the discarded vehicle parts are removed from the site 1-2 times per week. The petitioner is also proposing to install an eight-foot wooden stockade fence along the side property line paralleling the Massachusetts Bay Transportation Authority MBTA rail line and to plant approximately seven American Arborvitae, with a caliper of 1"-1½" inches, alongside Langley Road. The combination of the fence and plantings appears adequate to sufficiently screen the existing shop and proposed spray booth from abutters and the nearby street.

Recommendation. Based on these submittals, the Planning Department recommends **approval with conditions**.