

**MELROSE BOARD OF APPEALS
MEETING MINUTES
Public Hearing
Wednesday, May 9, 2018
7:45p.m.
Aldermanic Chamber, Melrose City Hall, 562 Main Street**

Present:

Rita Mercado, *Chair*
James Bradley
Krista Lillis, *Associate*
David Roache
Bryan Thorp

Absent:

Curtis Dooling, II

Staff Present: Lori Massa

The meeting was called to order at 7:50 pm.

CASES BEFORE THE BOARD

**CASE 17 023: The appeal of Gary D. Benard
11 Fairfield Avenue**

As advertised, case 17-023, was for Variances from Sections 235-15 and 235-17 of the Zoning Ordinance to legalize a three-family dwelling, Sections 235-18 and 235-19 for front yard setback, Section 253-41.H for parking in the front yard, and Section 235-41.O for parking without direct access to an aisle and a Special Permit under Section 235-41.M for an 80% reduction in the required number of parking spaces for the property owned by Gary D. Benard Trustee of the Gary D. Benard Trust at 11 Fairfield Avenue, Melrose, MA, on a lot of land containing 10,180 sf and shown on Assessor's Map E4 0 19. To the extent necessary, the application includes a request for a Variance from Section 235-32 for the number of required parking spaces.

Attorney Patrick McAvoy submitted a written request to continue the case to the June 13, 2018 or subsequent meeting.

The Board voted, 5-0, to approve the request to continue the case to June 13, 2018.

Documents: ZBA Application 17-023
Letter from Patrick McAvoy, dated May 9, 2018

CASE 18 008: The appeal of David Rouse
125 Myrtle Street

As advertised, case 18-008, was for Variances from Sections 235-18 & 235-19 of the Zoning Ordinance to construct a two-story addition and deck in the rear of the two-family house within the nonconforming side yard at 125 Myrtle Street, Melrose, MA, on a lot of land containing 7,524 sf and shown on Assessor's Map C8 0 125.

The Board of Appeals opened the case. The Chair swore in the Applicants and those choosing to speak at the hearing.

Owner, David Rouse, appeared to explain the proposal. He said that after meeting with the Planning Board he decided that he would not like to build the deck and only construct the requested sunroom. The reason for construction is that the existing deck and stairs are in need of repair and instead of just rebuilding it in kind he would like to have internal stairs to access the backyard from the first floor. The existing deck stairs are not safe in the winter. He asked the architect about moving the wall of the sunroom in three feet as the Planning Board discussed. This would not work because the existing mudroom door would be in the way and if this door was removed they would have to go through the house to get to the mudroom, which defeats the purpose of having stairs to the mudroom. He said that they could add windows to the side of the addition to make it more aesthetically pleasing. He has only been on his neighbor's property to maintain his house three times. They will have vinyl siding on the addition for low maintenance.

No one appeared to speak in support of or in opposition to the proposal. Mr. Rouse said that he spoke directly to the neighbors and showed them the plans and they had no objection to them.

Ms. Mercado read the Planning Board's recommendation letter and the Department of Public Work's letter.

The Board discussed the case. Without the proposed deck as part of the proposal there will not be an increase in the footprint of the structure beyond the existing deck which has storage space below it. The addition could be pulled in a foot to have a break in the plane of the house. This would allow the house to not appear to be as long as it otherwise would and it would be advantageous for constructability. If the addition was off-set the siding and roof would not have to tie into the existing house. A Board member asked how many windows were on the left side of the house and Mr. Rouse stated that there are three on the first floor.

Mr. Rouse agreed to edit the plans to pull the wall of the sunroom in a foot and to eliminate the deck. He requested a continuance to the June 13, 2018 hearing.

The Board voted, 5-0, to continue the case to June 13, 2018.

Documents: ZBA Application 18-008

**CASE 18 009: The appeal of Matt Nespoli & Elise Tosun
146 First Street**

As advertised, case 18-009, was for Variances from Sections 235-18, 235-19 & 235-44.G of the Zoning Ordinance to construct a 2nd floor addition in the rear of the single-family house within the nonconforming side yard at 146 First Street, Melrose, MA, on a lot of land containing 9,969 sf and shown on Assessor's Map E8 0 105.

The Board of Appeals opened the case. The Chair swore in the Applicants and those choosing to speak at the hearing. Architects, Bill Erickson and Taylor Theriault, and Owners, Matt Nespoli & Elise Tosun, appeared to explain the proposal. No one appeared to speak in support of or in opposition to the proposal.

Information regarding the hearing and the Board's discussion regarding the proposal and findings are documented in the decision for the case.

The Board voted, 5-0, to approve the requested Variances.

Documents: ZBA Application 18-009

**CASE 18 011: The appeal of Jeffrey S. Allison
183 First Street**

As advertised, case 18-011, was for Variances from Sections 235-18, 235-19 and 235-44.G of the Zoning Ordinance to construct a second floor on the single-family house in the nonconforming side yard at 183 First Street, Melrose, MA, on a lot of land containing 5,666 sf and shown on Assessor's Map F8 0 13.

The Board of Appeals opened the case. The Chair swore in the Applicants and those choosing to speak at the hearing. Owner, Jeffrey Allison, appeared to explain the proposal. No one appeared to speak in support of or in opposition to the proposal.

Information regarding the hearing and the Board's discussion regarding the proposal and findings are documented in the decision for the case.

The Board voted, 5-0, to approve the requested Variances.

**CASE 18 010: The appeal of Kosta & Esta Alexis
46 Glendale Avenue**

As advertised, case 18-010, was for Variances from Sections 235-18, 235-19, and 235-44.G of the Zoning Ordinance to construct a two-story addition and deck in the rear of the single-family house within the nonconforming front and rear yards on the corner lot at 46 Glendale Avenue, Melrose, MA, on a lot of land containing 6,844 sf and shown on Assessor's Map E12 0 123.

Mr. Bradley recused himself from this case and left the meeting.

The Board of Appeals opened the case. The Chair swore in the Applicants and those choosing to speak at the hearing. Owner, Esta Alexis, appeared to explain the proposal. Two people appeared to speak in opposition to the proposal.

Information regarding the hearing and the Board's discussion regarding the proposal and findings are documented in the decision for the case.

The Board voted, 4-0, to approve the requested Variances.

Documents: ZBA Application 18-010

OTHER BUSINESS

The Board voted, 4-0, to approve the minutes from the hearing on April 11, 2018.

The next meeting is tentatively scheduled for June 13, 2018.

The meeting adjourned at 9:00 pm.