

**MELROSE BOARD OF APPEALS
MEETING MINUTES
Public Hearing
Wednesday, March 13, 2019
7:45p.m.
Aldermanic Chamber, Melrose City Hall, 562 Main Street**

Present:

James Bradley
Curtis Dooling, II
Krista Lillis, *Associate*
Rita Mercado, *Chair*
Bryan Thorp

Absent:

David Roache

Staff Present: Lori Massa

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

CASES BEFORE THE BOARD

**CASE 18 026: The appeal of 80 Laurel Street, LLC
78 & 80 Laurel Street**

As advertised, case 18-026, was an appeal of 80 Laurel Street, LLC to amend Case 17-011 to allow for revisions to the Board of Appeals approved plans under Section 235-60.e. for the two single-family houses at 78 & 80 Laurel Street, Melrose, MA, on lots of land both containing 8,579 sf and shown on Assessor's Map E7 0 67-1 & E7 0 67.

The Board of Appeals opened the case at their last hearing on February 13, 2019 and after discussion, approved the Applicant's request for a continuance to March 13, 2019. At this meeting, Attorney McAvoy requested a second continuance until June 12, 2019. He said that there was not sufficient time to deal with the issues raised at the last hearing. He also said that Planning Staff has written a memo that includes potential changes to the structures and he would like time to address as many of the items as possible.

The Board voted, 5-0, to approve the request to continue the case to June 12, 2019.

Documents: ZBA Application 18-026

**CASE 19 003: The appeal of Charles Shirley
18 Otis Street**

As advertised, case 19-003, was for a Variance from Sections 235-18, -19 & -44.G of the Zoning Ordinance to construct a rear, first floor addition in the nonconforming side yard on the single-family house at 18 Otis Street, Melrose, MA, owned by Charles & Deana Shirley on a lot of land containing 7,442 sf and shown on Assessor's Map B9 0 49.

The Board of Appeals opened the case. The Chair swore in the Applicants and those choosing to speak at the hearing. Bill Finnerty, Architect, and Charles Shirley, Owner, appeared to explain the proposal. One person appeared to speak in support of 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 Variance.

Documents: ZBA Application 19-003

**CASE 19 004: The appeal of Joseph F. Ignatowicz, Jr.
42 Warren Street**

As advertised, case 19-004, was for Variances from Section 235-25.B of the Zoning Ordinance to establish two principle structures on one lot, and Sections 235-18 & -19 for lot area and both rear yards on the corner lot, all to convert an existing accessory garage into a residential unit at 42 Warren Street, Melrose, MA, on a lot of land containing 18,750 sf and shown on Assessor's Map B12 0 42-1. If the Board deems it necessary to continue the long-standing two-family dwelling on the site, the application also includes a request for a Special Permit under Section 235-17.

The Board of Appeals opened the case. The Chair swore in the Applicants and those choosing to speak at the hearing. Judith Clark, Attorney, and Joseph Ignatowicz, Owner, appeared to explain the proposal. Two people appeared to speak in support of 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 and Special Permit.

Documents: ZBA Application 19-004

OTHER BUSINESS

Time extension for 8 Greenleaf Place

Attorney McAvoy explained that the property has been on and off the market. He was contacted by a prospective buyer who requested a time extension for the Variance that the Board of Appeals granted on March 14, 2018 for Case 18-004. The prospective buyer is going through the Site Plan Review process with the Planning Board. Melrose Zoning Ordinance §235-60.C.4.c allows for a six month time extension if the request is received prior to the one-year expiration

period, which it was in this case. The Board voted, 5-0, to approve the request for a six month time extension on the Variance.

Review and approval of ZBA Comprehensive Permit Rules

After discussion regarding the ZBA Comprehensive Permit Rules and in particular the timeline of the application and the logistics of hiring an outside consultant, the Board voted, 5-0, to approve them as written, replacing the rules that were last approved on March 10, 1999.

Documents: City of Melrose, Zoning Board of Appeals, Comprehensive Permit Rules, draft March 7, 2019
City of Melrose, Comprehensive Permit Rules of the Zoning Board of Appeals, dated March 10, 1999

Approval of meeting minutes from February 13, 2019

Ms. Lillis made a motion to approve the meeting minutes from February 13, 2019. Mr. Thorp seconded the motion. All members present voted in favor. None were opposed.

The meeting adjourned at 9:00 pm.