

MELROSE BOARD OF APPEALS
MEETING MINUTES
Public Hearing
Wednesday, September 11, 2019
7:45 p.m.
Aldermanic Chamber, Melrose City Hall, 562 Main Street

Present:

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

Absent:

Curtis Dooling, II
David Roache

Staff Present: Lori Massa

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

CASES BEFORE THE BOARD

CASE 19 007: The appeal of Xunming Chen
86-88 Lake Avenue

As advertised, case 19-007, was for Variances from Sections 235-18 & 235-19 of the Zoning Ordinance for minimum lot area, front yard, and side yards to convert the two-family structure into a three-family structure with an exterior alteration for an emergency egress and from Sections 235-41.O for driveway width, 235-41.H for front yard parking, and 235-41.I for backing of vehicles onto the street. The application includes a request for Special Permits under Sections 235-17 to establish the use as a three-family dwelling & if the Board finds that the number of parking spaces is insufficient, Section 235-41.M for a reduction in the number of required parking spaces. The property is 86-88 Lake Avenue, Melrose, MA, owned by Xunming Chen & Weiling Jin, on a lot of land containing 7,036 sf and shown on Assessor's Map C9 0 21.

The Board discussed the case on May 8 and June 26, 2019 and again at this hearing of September 11, 2019. The continuances were granted to give the applicant more time to submit additional information.

The Chair swore in those choosing to speak at the hearing. Attorney Judith Clark and Applicant Xunming Chen appeared to present additional information regarding the case. Six people appeared at this hearing to speak in opposition to the proposal and one person submitted a letter of opposition: James Stringer of 92 Lake Avenue, Penelope Young of 80-82 Lake Avenue,

Cindy Luongo of 76 Lake Avenue, David Goodhue of 13 Tremont Street, Andrew Ferentinos of 89 Lake Avenue who is an architect and holds a degree in urban design from MIT, Joyce Lamb, Executive Director of the Fitch Home at 75 Lake Avenue and Marilem Ferentinos of 89 Lake Avenue. The topics raised that were not mentioned at the May hearing were that Mr. Chen did not provide adequate plans after the Board gave him two chances to do so, the proposed footprint of the stairs looks insufficient, the size of the parking spaces in the back and in the front yard are not functional, the car parked in the front yard blocks view of the street while the neighbor pulls out, Mr. Sakhuja said that he will pay to have the shared driveway repaved if the abutter does not oppose the project, there is trash and other items laying all over the yard and photos were submitted of them, the community outreach was the distribution of a threatening letter, neighboring houses have the same layout and they found good tenants to rent the space, there are pets that are not cared for roaming around, there has been police activity at the site since January, home values would decrease if the proposed exterior stairs were constructed, and the third floor should be used as an attic space or extra rooms such as a playroom or sewing room.

One person, prior owner Anil Sakhuja, who recently moved out of the subject property, appeared to speak in support of the application. He gave background information on the property and said that the third floor was always an independent unit, except for laundry, since he purchased the property. He felt that his brother, who was part owner and against the prior request to appeal the building commissioner's decision because of a family conflict, was the reason that the prior appeal was denied. He said that it would be good for the neighborhood to rent reasonably sized units.

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, 0-4, denying the requested Variances, 0-4, denying the requested Special Permit for the three-family use and the requested Special Permit for a reduction in the required number of parking spaces was moot and withdrawn.

Documents: ZBA Application 19-007
June 19, 2019 Plot Plan
August 9, 2019 Letter from Mr. Chen

OTHER BUSINESS

Approval of meeting minutes from August 14, 2019

Ms. Lillis made a motion to approve the meeting minutes from August 14, 2019. Mr. Thorp seconded the motion. All members present voted in favor. None were opposed.

The next meeting is set for October 16, 2019 in the Aldermanic Chamber.

The meeting adjourned at 9:40 pm.