

**MELROSE BOARD OF APPEALS
MEETING MINUTES
Public Hearing
Wednesday, May 13, 2020
7:45 p.m.
Remote Meeting**

Present:

Curtis Dooling, II
Julianna Hanlon, *Associate*
Rita Mercado, *Chair*
David Roache
Bryan Thorp

Absent: None

Staff Present: Lori Massa, Clerk

The meeting was called to order at 7:45 pm.

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the Melrose Zoning Board of Appeals was conducted via remote participation to the greatest extent possible. Specific information and the general guidelines for remote participation by members of the public and/or parties with a right and/or requirement to attend this meeting were found on the City of Melrose's website, at www.cityofmelrose.org. No in-person attendance of members of the public was permitted, but every effort was made to ensure that the public could adequately access the proceedings in real time, or in the event that we are unable to do so, on the mmtv3.org website an audio or video recording, transcript, or other comprehensive record of proceedings was posted as soon as possible after the meeting. A link was also available on www.cityofmelrose.org.

Meeting access information was found at the following link and the application materials were posted to the City's website: www.cityofmelrose.org/remote-meetings

CASES BEFORE THE BOARD

**CASE 19 035: The appeal of 495, LLC c/o Eric B. Kenworthy
272 Tremont Street**

As re-advertised, case 19-035 was for an appeal under §235-60.c of the Zoning Ordinance regarding the determination of the Building Commissioner as to the need for a Variance from §235-41.O for the proposed driveway width at 272 Tremont Street, Melrose, MA, on a lot of land containing 10,490 sf and shown on Assessor's Map C12 0 9. The Application, depending on the outcome of the appeal, includes a request for a Variance from §235-41.O for the required

driveway width. The driveway would be part of a redevelopment of the parcel to construct a mixed-use building with retail/office space, 12 residential units and 14 parking spaces.

The Agent submitted a written request to continue the case to the June 10, 2020 hearing. The letter explains that the Applicant is trying to apply for the Site Plan Review approval and an Affordable Housing Incentive Special Permit prior to appearing before the Board of Appeals.

By roll call, the Board voted 5-0, to grant the request to continue the case to June 10, 2020.

**CASE 20 006: The appeal of Ky Phan
26 N Cedar Park**

As advertised, case 20-006 was for Variances from §235-5 of the Zoning Ordinance to construct two dormers that do not comply with the definition of half story on the two-family house, and §235-18, -19, & -44.G to construct a stair, landing and dormer in the nonconforming side yard and to add a third story to the house at 26 N Cedar Park, Melrose, MA, owned by Ty Phan, on a lot of land containing 11,775 sf and shown on Assessor's Map B8 0 58.

The Board of Appeals opened the case at the April 15, 2020 hearing and after discussion continued the case to the current hearing. Applicant Ty Phan was present remotely for the meeting. Two people spoke in opposition during the hearing.

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

By roll call the Board voted, 5-0, to accept the withdrawal request for the dormers, and voted, 0-5, denying the side yard setback variance for the exterior stair and landing.

Documents: ZBA Application 20-006
Letter from Mr. Phan dated April 20, 2020

OTHER BUSINESS

Approval of meeting minutes from April 15, 2020

Mr. Thorp made a motion to approve the meeting minutes from April 15, 2020. Mr. Dooling seconded the motion. All members present voted by roll call in favor. None were opposed.

The next meeting is set for June 10, 2020.

The meeting adjourned at 8:30 pm.