**MELROSE BOARD OF APPEALS**
**MEETING MINUTES**
**Public Hearing**
**Wednesday, July 8, 2020**
**7:45 p.m.**
**Remote Meeting**

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

**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 be 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 withdraw the application without prejudice. By roll call the Board voted, 5-0, to grant the withdrawal request without prejudice.

Documents: Letter from Attorney Lucas dated July 8, 2020

**CASE 20 009: The appeal of Ranjan Dahal**
**238 Lynn Fells Parkway**

As advertised, case 20-009 was for an appeal under Section 235-60.C of the Zoning Ordinance regarding the determination of the Building Commissioner as to the use of the property as a two-family house. The application included a Special Permit under §235-17 of the Zoning Ordinance to establish a two-family dwelling within the existing structure and for Variances from §235-18 & -19 for minimum lot area for a two-family and front & rear yard setbacks and §235-41.H to park in the front yard of the corner lot at 238 Lynn Fells Parkway, Melrose, MA, on a lot of land containing 7,775sf and shown on Assessor's Map B10 0 38.

The Chair opened the case. Applicant Ranjan Dahal was present remotely to explain the case. No one appeared to speak in support of or in opposition to the proposal. The Board received one letter from a neighbor who was in support.

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 grant the Special Permit and Variances and grant Mr. Dahal's request to withdraw without prejudice the appeal under §235-60.C regarding the determination of the Building Commissioner as to the use of the property as a two-family house.

Documents: ZBA Application 20-009

**CASE 20 010: The appeal of MPower Energy, LLC**
**423 Pleasant Street**

As advertised, case 20-010 was for a Special Permit under §235-40.A of the Zoning Ordinance for a reduction of required parking spaces for a site within 1,000 feet of a municipal parking lot or, in the alternative §235-41.M for a reduction in the number of parking spaces to 80% of that required & §235-38.A for required off-street parking to be on a separate lot. The application also included requests for Variances from §235-17 to establish a miscellaneous professional/business office and services, §235-32.G for the number of parking spaces provided, and §235-41.O for the existing driveway width. The proposal is to establish administrative offices in approx. 5,900sf of the existing building at 423 Pleasant Street, Melrose, MA, owned by the Sidell Family Realty, LLC, on a lot of land containing 15,065sf and shown on Assessor's Map B5 0 117A & B5 0 117C.

The Chair opened the case. Attorney Rosen was present remotely to explain the case. One person appeared to speak in support of the proposal. The Board received two letters from neighbors regarding parking on the street and private lots.

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 grant the Special Permits and Variance and grant Attorney Rosen's request to withdraw without prejudice the Special Permit under §235-40.A of the Zoning Ordinance for a reduction of required parking spaces for a site within 1,000 feet of a municipal parking lot and a Variance from §235-32.G for the number of parking spaces provided.

Documents: ZBA Application 20-010

**CASE 20 011: The appeal of James Heffernan**
**31-39 W Wyoming Avenue**

As advertised, case 20-011 was for a Variance from §235-18 & -19 of the Zoning Ordinance for maximum front yard setback for a proposed redevelopment of the site to construct a mixed-use building at 31-39 W Wyoming Avenue, Melrose, MA, owned by Janine Hassat & Robert Hassett, on a lot of land containing 17,270 sf and shown on Assessor's Map C6 0 8 & C6 0 9.

The Chair opened the case. The applicant team including James Heffernan and Katie Enright were present remotely to explain the case. One person appeared to speak in support of the proposal and City Councilor Eccles submitted a letter of support.

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 grant the requested Variance.

Documents: ZBA Application 20-011

**OTHER BUSINESS**

The next meeting is set for August 12, 2020.
The meeting adjourned at 9:06 pm.