

**MELROSE BOARD OF APPEALS
MEETING MINUTES
Public Hearing
Wednesday, August 12, 2020
7:45 p.m.
Remote Meeting**

Present:

Curtis Dooling, II
Julianna Hanlon, *Associate*
Rita Mercado, *Chair*
Katherine Moore
Bryan Thorp

Absent:

David Roache

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/remote-meetings. 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.

Application materials were posted to the City's website: www.cityofmelrose.org/board-appeals.

CASES BEFORE THE BOARD

**CASE 20 013: The appeal of 495, LLC c/o Eric B. Kenworthy
272 Tremont Street**

As advertised, case 20-013 was for Variances from §235-41.O of the Zoning Ordinance for the proposed driveway width and §235-32 for the required number of parking spaces at 272 Tremont Street, Melrose, MA, on a lot of land containing 10,490 sf and shown on Assessor's Map C12 0 9 for the redevelopment of the parcel to construct a mixed-use building with commercial space, 15 residential units and 14 parking spaces.

The Agent submitted a written request to continue the application to September 9, 2020. The Board has many cases scheduled for the September hearing. By roll call the Board voted, 5-0, to grant the continuance request but to the October 14, 2020 hearing.

Documents: Letter from Attorney Lucas dated July 28, 2020

**CASE 20 012: The appeal of Pierre Destouches
32 Charles Street**

As advertised, case 20 012 was for a Variance from §235-18 &-19 of the Zoning Ordinance for side yards to construct a 2-story front and rear addition in the nonconforming side yards of the single-family house at 32 Charles Street, on a lot of land containing 5,625 sf and shown on Assessor's Map A9 0 35.

The Chair opened the case. Mr. Destouches, Ms. Denis-Destouches and Mr. Juliuson, Architect, were present remotely to explain the case. 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.

By roll call the Board voted, 5-0, to grant the requested Variances.

Documents: ZBA Application 20-012

**CASE 20 014: The appeal of Greg Lang
133 Mt Vernon Avenue**

As advertised, case 20-014 was for Variances from §235-18 & -19 of the Zoning Ordinance for front and left side yards to reconstruct the roof, construct front & rear additions, dormers, & 2-story deck & stairs on the 3-family dwelling with nonconforming lot area, frontage/width & yards at 133 Mt Vernon Ave, Melrose, MA, owned by Greg Lang, Sarah Lang, Elliott Feedore, on a lot of land containing 4,657 sf and shown on Assessor's Map C5 0 89.

The Chair opened the case. Applicant Greg Lang was present remotely to explain the case. He explained that the denial letter from Inspectional Services has a typo and that the existing front yard setback is 10.6 feet, not 15 feet. He submitted an email from Paul Johnson that clarifies the setback. He was reconstructing the entryway and porch and found that he needed to pour new footings for the structure. To off-set the cost he would like to add square footage to the building.

Three people, Timothy Kochanski of 135 Mount Vernon Avenue, Timothy Hillios of 127 Mount Vernon Avenue and Melissa Rinaldi of 133 Mount Vernon Avenue, appeared to speak in opposition to the proposal and all submitted letters detailing concerns. Ian Epstein of 109 Mount Vernon Avenue also spoke in opposition. They made comments including that renovations are welcome because the property has been neglected since the owner purchased it and it is in poor shape. However, they had concerns including but not limited to that the addition and the

additional number of bedrooms are too much for the site especially considering the lack of space for additional parking, the increased massing in the front will change the character of the building, the existing number of bedrooms and roof structure are not accurately represented, the decks will be detrimental to the neighbor's privacy, and that the work will not be done in a timely fashion considering the past work on the site.

Mr. Lang said that he is sorry his neighbors feel this way. He started doing work on the property and was overwhelmed with the number of issues with the property. He needs to do a larger project to make it financially feasible. This is an investment property. He has hired Greg Crowell who will do a good job of renovating the property. It may be a stretch to say that five cars can fit in the driveway. There was only a short period of time when all of the tenants owned cars. The street only has two-hour parking so residents would not be able to park on the street. The number of existing bedrooms is the number actually being used as bedrooms.

Members asked about plan details and the number of bedrooms. The rear decks would act as a second means of egress for the units. A member asked if Mr. Lang spoke with the neighbors. He said that he spoke with three neighbors and the first floor tenants. Another member mentioned the concern that the Planning Board raised about the addition in the front yard. There are no other houses in the neighborhood that are that close to the front property line.

Mr. Lang said that it is a matter of efficiency to have the floors be the same footprint. Two units will be 1,200 sf and one will be 1,000 sf, which he felt were not large. He wanted to make the most of what he has but not increase the footprint of the structure. He wants to make units that will maintain long-term tenants.

A member voiced the concerns of the neighbors that an increase in the number of bedrooms will change the density and impacts of the nonconforming three-family use even though the use is not technically changing. The Applicant should do some bridge building as a landlord by meeting with the neighbors and listening to their concerns. The plans should be revised to address concerns about the increase in square footage and number of bedrooms, parking, and privacy concerns with the proposed rear porch. Also, the character and massing of the building should be considered to match the feel of the street. The house next door has the identical form except that the subject property filled in a portion of the cross gable.

By roll call the Board voted, 5-0, to grant the Applicant's request to continue the case to the September 9, 2020 hearing.

Documents: ZBA Application 20-014

OTHER BUSINESS

Approval of meeting minutes

Mr. Thorp made a motion to approve the meeting minutes from July 8, 2020. Ms. Hanlon seconded the motion. All members present voted by roll call in favor. None were opposed.

The next meeting is set for September 9, 2020.

The meeting adjourned at 9:30 pm.