

MELROSE BOARD OF APPEALS
MEETING MINUTES
Public Hearing
Wednesday, January 13, 2021
7:45 p.m.
Remote Meeting

Present:

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

20 014 – 133 Mt Vernon Avenue

Continued from August 12, September 9, October 14 & November 18, 2020

The appeal of Greg Lang 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.

Attorney Patrick McAvoy submitted a written request to withdraw the application without prejudice.

By roll call the Board voted, 5-0, to grant the requested withdrawal without prejudice.

Documents: Email from Attorney McAvoy dated January 7, 2021

20 022 – 3 Wildwood Road

Continued from October 14 & November 18, 2020

The appeal of Alfred and Diane Porcaro for Variances from §235-24.A of the Zoning Ordinance for the required front yard setback for an in-ground pool at 3 Wildwood Road, Melrose, MA, on a lot of land containing 8,258 sf and shown on Assessor's Map H9 0 43.

Attorney, Bob Bell, and Applicant, Alfred Porcaro, appeared remotely to explain 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 a ten-foot front yard setback Variance for an in-ground pool.

Documents: ZBA Application 20-022
3 letters from landscapers and pool installer

20 026 - 121 Green Street

Continued from November 18, 2020

The appeal of Patricia Burns O'Brien for Variances from §235-25.B to have two principal structures on one lot, §235-18 & -19 for lot area for three units and rear yard setbacks, §235-41.H to park in the front yard and §235-41.L for driveway width all to construct a single-family dwelling on the lot with the existing two-family house at 121 Green Street, Melrose, MA, on a lot of land containing 10,918 sf and shown on Assessor's Map D11 0 94.

Applicant, Patricia O'Brien, appeared remotely to explain 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, 0-5, denying to grant the requested Variances.

Documents: ZBA Application 20-026

20 029 – 927 Franklin Street

The appeal of Christopher Natale for Variances from §235-25.B of the Zoning Ordinance to have two principal structures on one lot & §235-18 & -19 for lot area, side and rear setbacks all required to construct a 2nd floor and deck and egress stairs on the garage to create a second dwelling unit on the property at 927 Franklin St, Melrose, MA, on a lot of land containing 11,250 sf and shown on Assessor's Map A13 0 41.

Attorney Judith Clark, Applicant Christopher Natale and Architect Barry Ganek appeared remotely to present the case. Mr. Natale would like to create the unit for his daughter, who has to relocate often for her work. Attorney Clark said that thirteen properties within 200 feet are two-families and similar in size. This is a single-family house and the carriage house would be the second unit. The character and carriage house appearance of the building would remain the same. The footprint and height of the building would also remain the same. There is sufficient parking. It is a unique structure and should be maintained.

The Board discussed if the roof will be reframed. Mr. Natale said that it will be reframed to gain more living space. He plans to put the slate back on the roof, retain the eave line, dental molding and other details.

Ms. Mercado read the Planning Board's recommendation letter and noted that there was a memo from the DPW.

One person appeared to speak in support of the application, Matt Roman who owns 891 Franklin Street. He said that from the yard of his property you cannot see the rear dormer because of the change in grade of the land. A Corinthian style window would be a better fit than the Palladian window. The reuse of historic structures is a way to preserve them. They require a lot of money to maintain. The proposal also adds much needed housing.

Four abutters that live on Botolph Street, behind the subject property, submitted letters in opposition to the proposal.

There was some discussion about if this application would be a better fit as a request for an in-law apartment.

Members felt that the large dormer in the rear changed this proposal from a reuse of the structure to a reconstruction of it. They recommended shifting the windows away from the back of the building since the dormer as proposed would be detrimental to the rear neighbors.

A member asked Mr. Natale if he spoke with his neighbors. He said that he sent letters to the neighbors across the street. He would redesign the proposal and meet with the neighbors to the rear to try to address their concerns.

Attorney Clark requested a continuance to the hearing on April 14, 2021 to work on a revised plan. By roll call the Board voted, 5-0, to grant the requested continuance.

Documents: ZBA Application 20-029

20 030 - 8 Crystal Street

The appeal of Trinity Properties LLC for Variances from §235-18 & 19 of the Zoning Ordinance for lot area, depth and front yard setback, §235-41.O for driveway width and parking space size, §235-32 for the number of parking spaces provided, if needed, and a Special Permit under §235-41.M to reduce the number of required parking spaces, all to alter the existing structure and convert it to 4 residential dwelling units with 7 parking spaces at 8 Crystal St, Melrose, MA, on a lot of land containing 4,798 sf and shown on Assessor's Map D9 0 5.

Attorney Judith Clark and Applicant Ryan Neal appeared remotely to explain 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 from the requirements of Sections 235-18 & 19 for lot area, depth and front yard setback and Special Permit under Section 235-41.M to reduce the number of required parking spaces to six for the four residential units. The Board voted, 5-0, to grant the withdrawal of requests for variances from Section 235-41.O for the parking space size and Section 235-32 for the number of parking spaces provided. The Board did not act on the variance request from Section 235-41.O of the Zoning Ordinance for driveway width as it does not appear applicable.

Documents: ZBA Application 20-030

OTHER BUSINESS

Mr. Thorp made a motion to approve the meeting minutes from December 9, 2020. Mr. Roache seconded the motion. By roll call the Board voted, 4-0, with Ms. Hanlon and Ms. Moore abstaining, to approve the minutes.

The next meeting is set for January 27, 2021.

The meeting adjourned at 11:00pm.