

MELROSE BOARD OF APPEALS
MEETING MINUTES
Public Hearing
Wednesday, November 10, 2021
7:30 p.m.
Remote Meeting

Present:

Rita Mercado, *Chair*
Megan Carriere, *Associate*
Curtis Dooling, II
Katherine Moore
David Roache
Bryan Thorp

Absent:

Julianna Hanlon, *Associate*

Staff Present: Lori Massa, Clerk

The meeting was called to order at 7:30 pm.

Pursuant to An Act Extending Certain COVID-19 Measures Adopted During the State of Emergency signed by Governor Baker on June 16, 2021, this meeting was be conducted via remote participation. 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

21 022 – 33 Goss Avenue

The appeal of John M Doucette for Variances from §235-18, -19 of the Zoning Ordinance for lot area, frontage and side yard setbacks, §235-25.J for lot width, and §235-21 to create two lots with insufficient dimensions all to retain the existing single-family house at 33 Goss Ave, Melrose, MA, and construct a new single-family house on a separate lot. The property contains 13,200 sf of land, is shown on Assessor's Map F6 0 25, and is owned by John M Doucette, Mary A Doucette and Anne C Lenehan.

This case was advertised and heard on September 22, 2021 and continued to October 13, 2021 and then continued and heard on November 10, 2021. Attorney Lucas and John Doucette appeared remotely for both hearings. 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 with a condition of approval.

Documents: ZBA Application 21-022

21 028 – 8 Church Street

The appeal of Amlan Biswas for Variances from §235- 18 & -19 of the Zoning Ordinance for rear yard to construct a deck on the single-family house at 8 Church St, Melrose, MA, on a lot of land containing 12,387 sf and shown on Assessor's Map E5 0 81.

Amlan Biswas appeared remotely to explain the proposal. He said that the deck will provide direct access to the backyard. The house that is close to his property line is vacant and dilapidated. The Board requested the following to better understand the site and the proposal.

- Plans that show the change in elevation on the site.
- The circulation of the house that requires the deck to be in the nonconforming setback and not on the side of the house since there is sufficient space there.
- Include the door on the plan that would provide access to the deck.
- Clarity on where the proposed stairs from the deck will stop in relation to the retaining wall.
- If screening is going to be constructed along the deck that is higher than the railing shown on the plan, it will need to be included in the elevations.
- Pictures of the existing conditions.

Mr. Biswas requested a continuance to provide this information. By roll call the Board voted, 5-0, to grant the requested continuance to December 8, 2021.

Documents: ZBA Application 21-028

21 029 – 189 Forest Street

The appeal of John Orthmann for Variances from §235-44.G, -18 & -19 of the Zoning Ordinance for side yard to construct a rear addition on the single-family house at 189 Forest St, Melrose, MA, on a lot of land containing 7,517 sf and shown on Assessor's Map E4 0 84.

John and Erica Orthmann 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 Variance.

Documents: ZBA Application 21-029

21 030 – 274 Laurel Street

The appeal of Joseph Pimental for Variances from §235- 44.G, -18 & -19 of the Zoning Ordinance to construct a 2nd fl addition in the nonconforming side yard on the single-family house at 274 Laurel St, Melrose, MA, on a lot of land containing 10,183 sf and shown on Assessor's Map G8 0 78.

Joseph and Gina Pimental 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 Variance.

Documents: ZBA Application 21-030

21 031 – 8 Prescott Street

The appeal of David & Amanda Roache for Variances from §235- 18 & -19 of the Zoning Ordinance to construct a deck on the single-family house in the rear yard at 8 Prescott St, Melrose, MA, on a lot of land containing 12,399 sf and shown on Assessor's Map F3 0 76-77.

David Roache appeared remotely to explain the proposal. Because Mr. Roache is a Board member, Ms. Mercado wanted the public to know that it is not a violation of the State's conflict of interest law to represent yourself in front of your own board for personal matters. 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, with Ms. Carriere voting in place of Mr. Roache, to grant the requested Variance.

Documents: ZBA Application 21-031

21 032 – 470 Lynn Fells Parkway

The appeal of Viewpoint Sign and Awning for Variances from §235-31.1.B of the Zoning Ordinance to install a wall sign for Dunkin Donuts at 470 Lynn Fells Parkway, Melrose, MA, on a lot of land containing 18,600 sf and shown on Assessor's Map D10 0 29 owned by Robert McConaghy.

Jeffrey Kwass submitted an email requesting to withdraw the application based on the Planning Board's recommendation. By roll call the Board voted, 5-0, to grant the request to withdraw the application.

Documents: ZBA Application 21-032 & Email dated November 9, 2021

OTHER BUSINESS

Mr. Dooling made a motion to approve the **meeting minutes** from October 13, 2021. Mr. Roache seconded the motion. By roll call members voted, 4-0, to approve the minutes with Ms. Moore and Mr. Thorp abstaining.

The next meeting is set for December 8, 2021.
The meeting adjourned at 9:15 pm.