

**MELROSE BOARD OF APPEALS  
MEETING MINUTES  
Public Hearing  
Wednesday, February 8, 2023  
7:30 p.m.  
Remote Meeting**

**Present:**

Megan Carriere, *Associate*  
Bryan Thorp  
Benjamin Rosenberg  
Rita Mercado

**Absent:**

Katherine Moore  
Curtis Dooling, II

**Staff Present:** Maya Noviski, Clerk

The meeting was called to order at 7:31 pm.

Pursuant to An Act Extending Certain COVID-19 Measures Adopted During the State of Emergency signed by Governor Baker on July 16, 2022, 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](http://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](http://www.cityofmelrose.org).

Application materials were posted to the City's website: [www.cityofmelrose.org/board-appeals](http://www.cityofmelrose.org/board-appeals).

**CASES BEFORE THE BOARD**

**22 028 – 42-44 West Emerson Street**

The appeal of Kesak Group, Inc. for Variances from §235-46.A, -18 &-19 of the Zoning Ordinance for lot area to sell an approx. 4,434 sf portion of the 34,974 sf nonconforming lot at 42-44 West Emerson St., Melrose, MA to the abutting owner at 52 West Emerson St. The parcels are shown on Assessor's Map C8 0 114 and C8 0 116.

Josephine Ovalle appeared before the Board to request a continuance to the March 8, 2023 meeting. She explained that the ownership of the parcel is in question and that her legal team requires additional time to investigate the parcel's deed and communicate with the buyer's legal team.

By roll call the Board voted, 4-0, to grant the continuance to March 8, 2023.

Documents: Request for continuance

### **22 029 – 27 Temple Street**

The appeal of Joseph H. Higgins and Robin L. Higgins, Trustees under §235-60.C of the Zoning Ordinance to overturn the ruling that the Variances granted for this project in 2021 have expired due to non-use. Depending on the outcome of the appeal, the application includes a request for Variances from §235-18 & -19 for lot area, lot width/frontage, and front and left side yard setback for the single family home at 27 Temple Street, Melrose, MA and from §235-18 & -19 &-41.L for front yard setback and driveway width to divide the property into two lots, retain the existing home, and construct a single-family house on the newly created lot, as approved by the Planning Board. The lots of land contain 8,368 sf & 14,758 sf and are shown on Assessor's Map F4 0 63 & F4 0 64.

Patrick McAvoy requested a continuance to the March 8, 2023 meeting to present the case before the full Board.

By roll call the Board voted, 4-0, to grant the continuance to March 8, 2023.

Documents: Request for continuance

### **22 026 – 1019 Main Street (continued public hearing)**

The appeal of David Arrowsmith for Variances from §235-18, -19, and 44.D of the Zoning Ordinance for front and right-side yard setbacks to build a porch on the second story of the nonconforming single-family home at 1019 Main St., Melrose, MA on a lot of land containing 5,284 sf and shown on Assessor's Map D13 0 71.

Eric Dybeck, Patrick Foster, and Ryan DePalma appeared before the Board to present the case. 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, 4-0, to grant the requested variances.

Documents: ZBA Application 22-026

### **23 001 – 423 Pleasant Street**

The appeal of Firefly Bicycles, LLC for Variances from §235-17 to establish a manufacturing use, -41.L & - 41.M for driveway and parking aisle width requirements, and Special Permits under §235-38.A for parking to be on an abutting lot & -40.A for a reduction of required parking spaces for proximity to a municipal parking lot, all to establish a bicycle manufacturing business in approx. 5,900sf of the existing building with two onsite parking spaces and two on the abutting lot at 423 Pleasant Street, Melrose, MA, owned by the 423 Pleasant Realty, LLC, on a lot of land containing 15,065 sf and shown on Assessor's Map B5 0 117A & B5 0 117C.

David Lucas, Tyler Evans, and James Madeiros 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, 4-0, to grant the requested variances and special permits.

Documents: ZBA Application 23-001

## **OTHER BUSINESS**

### **Meeting Minutes**

Mr. Thorp made a motion to approve the meeting minutes from January 11, 2023. Ms. Carriere seconded the motion. By roll call members voted, 4-0, to approve the minutes.

### **Next Meeting**

The next meeting is scheduled for March 8, 2023.

The meeting adjourned at 8:38 pm.