

**MELROSE BOARD OF APPEALS
MEETING MINUTES
Public Hearing
Wednesday, August 9, 2023
7:30 p.m.
Remote Meeting**

Present:

Bryan Thorp
Megan Carriere
Curtis B. Dooling, II
Daniel Gelormini
Benjamin Rosenberg

Absent:

Rita Mercado
Katherine Moore

Staff Present: Maya Noviski, Assistant Planner

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

Pursuant to Chapter 2 of the Acts of 2023, this meeting will 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

23 014 – 121 Florence Street

The appeal of Brenda M. Orell & Orell Trust Trustees for Variances under §235-18 and -19 of the Zoning Ordinance for left side yard setback to construct a single-story rear addition on the nonconforming single-family house at 121 Florence St, Melrose, MA, on a lot of land containing 6,125 sf and shown on Assessor's Map B7 0 70.

Brenda Orell, Owner, Elizabeth Leverone, Owner and Applicant, and Robert Grasso, Contractor, 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, 5-0, to grant the requested variances.

Documents: ZBA Application Case 23-014

23 015 – 71 Sheffield Road

The appeal of Chris Cybart under §235-18 and -19 of the Zoning Ordinance for front and left side yard setback to reconstruct a detached shed for the single-family house at 71 Sheffield Rd., Melrose, MA, on a lot of land containing 5,567 sf and shown on Assessor's Map G9 0 28.

Chris Cybart, Applicant, appeared before the Board to present the case. He explained that when he purchased his house, there was a nonconforming dilapidated shed on the property that he tore down with the intention of rebuilding it. He explained that the shed must be shifted 2 ft. to the left of the original location because a 6 ft. tall fence that abuts his property was moved closer to his property line and according to a guidance from Reeds Ferry Sheds, a shed should not be built directly in front of a structure over 4 ft. tall.

Members noted that the proposed shed will further reduce the front yard setback given its size and new location. One Member asked if the stone wall between 64 Woodcrest Dr. and Mr. Cybart's property impacts the location of the shed and Mr. Cybart responded that because the wall is less than 4 ft. tall, clearance is not needed. Members felt that the plans presented were incomplete and requested that Mr. Cybart resubmit a plot plan that documents the shed's proposed setbacks and dimensions. They also requested that the fences abutting Mr. Cybart's property on the left be depicted on the plot plan to understand the relationship between the proposed shed location and the existing hardscape.

Mr. Cybart requested a continuance to the September 20, 2023 hearing.

By roll call the Board voted, 5-0, to grant a continuance to September 20, 2023.

Documents: ZBA Application Case 23 015

23 017 – 10 Beacon Place

The appeal of Jeffrey & Shannon DeAmato under §235-18 and -19 of the Zoning Ordinance for front yard setback to construct a single-story addition in the front yard on the nonconforming single-family house at 10 Beacon Pl., Melrose, MA, on a lot of land containing 5,369 sf and shown on Assessor's Map C6 0 92.

Shannon & Jeffrey DeAmato, Owners, and Jenna Ellison, Architect, appeared before the Board to present the case. Ms. DeAmato explained that the house is a little under 1,000 sf and they are hoping to extend the livable area of their house to accommodate their family. The proposal includes building an addition that follows the line of the existing nonconforming house in the front yard.

Members wondered if the addition could be setback further away from the front lot line. Mr. DeAmato explained that there is a pool in the backyard with masonry around the perimeter that prevents the addition from being pushed back. Members explained that any hardscape and/or impediments that prevent the building from being set back should be put on the plans. Members also commented that the plot plan makes the distance between the house and pool appear wider,

which depicts a deceiving amount of available space in the backyard. One Member asked if the fence in the front yard will be removed to which Mr. DeAmato responded that he is not sure yet.

Members felt that more information was needed to grant relief. They requested that the plans be updated to show any elements preventing the addition from being pushed back or located elsewhere on the property, and for details regarding the fence in the front yard. Ms. Ellison commented that a stepback would be able to be accommodated.

Mr. DeAmato requested a continuance to the hearing on September 20, 2023.

By roll call the Board voted, 5-0, to grant a continuance to September 20, 2023.

Documents: ZBA Application Case 23 017

23 019 – 15 Green Street

The appeal of Melrose Wakefield Healthcare for Special Permits under 235-38A of the Zoning Ordinance for off-street parking spaces on a lot within 300 ft. and 235-40.D for reduced number of parking space requirements, to change the use of the property from a nursing home to a medical office building at 15 Green St., Melrose, MA, on a lot of land containing 47,627 sf and shown on Assessor's Map D9 0 43-44. If the Special Permits are not granted the Applicant seeks Variances under §235-17 and -32.G for number of parking spaces.

Patrick McAvoy, Attorney, Justin Mosca, Project Manager, and Matthew O'Reilly, Director of Facilities, 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, 5-0, to grant the requested special permits and variance.

Documents: ZBA Application Case 23-019

OTHER BUSINESS

Meeting Minutes

Ms. Carriere made a motion to approve the meeting minutes from June 14, 2023. Mr. Thorp seconded the motion. By roll call members voted, 4-0, to approve the minutes, except for Mr. Rosenberg who abstained.

Next Meeting

The next meeting is scheduled for August 16, 2023.

The meeting adjourned at 10:15 pm.