

**MELROSE BOARD OF APPEALS
MEETING MINUTES
Public Hearing
Wednesday, October 11, 2023
7:30 p.m.
Remote Meeting**

Present:

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

Absent:

Rita Mercado

Staff Present: Maya Noviski, Assistant Planner

The meeting was called to order at 7:33 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

23 015 – 71 Sheffield Road (continued public hearing)

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. 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. Voting Members included Curt Dooling, Bryan Thorp, Benjamin Rosenberg, Daniel Gelormini, and Megan Carriere.

23 016 – 14-24 Tremont Street (continued public hearing)

The appeal of K&K Developers, Inc. (c/o Garden Homes Development) for Variances under §235-18 and -19 of the Zoning Ordinance for lot coverage, front, left-side and rear yard setbacks, and under §235-65.C.1.c for floor area ratio, to demolish the existing structures and construct a five-story building with 87 residential units and 90 parking spaces on the property located at 14-24 Tremont Street in Melrose, on a lot consisting of 42,102 sf and shown on Assessor's Map D9 0 105.

David Lucas, Attorney, Michael Lawson, Architect, John Barrows, Engineer, and Greg Young and Eli Pechtold, Developers, appeared before the Board to present the case. Attorney Lucas reviewed the existing site conditions. In response to the Board's request to increase the front yard setback on the left, he explained that the building cannot be pushed back without a complete redesign, which would result in less parking spaces. However, he presented updated plans to the Board that propose converting two, two-bedroom units to one-bedroom units on the fourth floor and stepping it back so it is 20 ft. from the front property line. The revised plans also eliminate the front stoops and add a bench. Attorney Lucas posited that the project will greatly improve the site and the proposed front setback at 10 ft. is appropriate given the neighborhood context.

Board Members supported the fourth-floor step back and agreed that it helped reduce the building's massing. Members also supported removing the front stoops to increase the plantings in the front yard. Members asked how many parking spaces would be lost if the building were pushed back 15 ft. or 20 ft. from the property line. Mr. Lawson responded that two and four spots would be lost, respectively. One Member asked if the garage could remain in the proposed location and the building be pushed back. Mr. Lawson explained that the garage ceiling is above grade because of the site's water table so it would still be within the setback.

Members suggested adding a balcony or a terrace above the garage to fill the space. Mr. Lawson responded that that would not fit within the neighborhood context, and it would be cost prohibitive. Mr. Young added that if the building were pushed back, the floors would not be staggered, and it would read as a four-story rather than a three-story building from the street. Mr. Lawson also commented that the abutting building does not have a front yard setback and this proposal creates a transition down Tremont St. as the setbacks grow larger. Mr. Lawson confirmed that the FAR is minimally decreased with the fourth floor stepback.

The Board received 57 letters, one presentation, and members of the public appeared to speak including: Dana Lewinter of 21 Briggs St., Andrew and Mari Ferentinos of 89 Lake Ave., James Stringer of 92 Lake Ave., David Goodhue of 15 Tremont St., Thomas Dick of 82 Lake Ave, Janine Venuti of 39 Altamont Ave., Matthew Meola of 29 Shadow Rd., Guy Sturgis of 60 Lake Ave., Finn McSweeney of 160 West Wyoming St., Michelle Shafter of 93 Lake Ave., Cindy Luongo of 74 Lake Ave., and Christopher Sullivan of 49 East Wyoming Ave.

Comments in support of the project included:

- The proposal will improve the site and neighborhood
- The project will create needed additional housing

- The project is located in a place with transit options
- The tenants will support the Cedar Park commercial node
- The Developer will implement streetscape improvements

Comments in opposition and with concerns included:

- There are no hardships to grant the variances
- Neighbors want more green space
- The renderings do not show the utility poles and wires
- The building is close to the train tracks
- The building will block neighbors' access to solar power
- The project will create a heat island
- The location of the transformer near the sidewalk
- The size and scale of the building
- There will be additional traffic

Members agreed that the building is close to the train tracks, however, Members noted that the market will dictate if renters find the conditions acceptable and granting a variance for rear yard setback would not be a detriment to the community. Some Members also felt that the size and massing of the building were large relative to the site. One Member commented that this project will address the housing shortage and reducing the FAR would result in surface parking which would be a detriment to the community.

Members supported the increased landscaping and street furniture. Members noted that the project has gone through many Planning Board meetings where it was extensively reviewed, and the Design Review Subcommittee will review the design again as conditioned by the Planning Board's approval. Members noted that there are challenging site conditions, such as the high-water table, and commented that the Developer is trying to balance the needs of the neighborhood while also proposing a financially feasible project.

Members discussed whether pushing the building further out of the setback would improve the pedestrian experience. One Member commented that pulling the building back 10 ft. will not have a big impact on the building's massing or the FAR but it would lessen the amount of relief required. Attorney Lucas commented that the Applicant is willing to attempt to redesign the building so that the first through fourth floors are setback 15 ft. from the property line to help lessen the building's impact on the street.

Attorney Lucas requested a continuance to the hearing on November 8, 2023.

By roll call the Board voted, 5-0, to grant a continuance to November 8, 2023. Voting Members included Curt Dooling, Bryan Thorp, Benjamin Rosenberg, Daniel Gelormini, and Katie Moore.

23 021 – 37 Grandview Avenue

The appeal of Eric Haseltine for Variances under §235-18 and -19 of the Zoning Ordinance for left side yard to fill in the basement area below the existing deck on the single-family house at 37 Grandview Avenue in Melrose on a lot consisting of 8,318 sf and shown on Assessor's Map F4 0 34.

Lori and Eric Haseltine, Applicants, 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. Voting Members included Curt Dooling, Bryan Thorp, Benjamin Rosenberg, Daniel Gelormini, and Katie Moore.

Documents: ZBA Application Case 23-021

23 022 – 134 Linden Road

The appeal of Carrie Palumbo for Variances under §235-18 and -19 of the Zoning Ordinance for front yard setback to enclose the front porch in the nonconforming front yard of the single family house at 134 Linden Road in Melrose on a lot consisting of 7,740 sf and shown on Assessor's Map E10 0 26.

Ryan Palumbo, Owner, 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. Voting Members included Curt Dooling, Bryan Thorp, Benjamin Rosenberg, Daniel Gelormini, and Katie Moore.

Documents: ZBA Application Case 23-022

23 023 – 21 Summer Street

The appeal of Andrew Rowe for Variances under §235-18 and -19 of the Zoning Ordinance for left yard setback to raise the roof and convert an attached shed into additional living space on the nonconforming two-family house at 21 Summer Street in Melrose on a lot consisting of 15,359 sf and shown on Assessor's Map C5 0 141.

Andrew Rowe, Applicant, and Matthew George, Owner, 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. Voting Members included Curt Dooling, Bryan Thorp, Benjamin Rosenberg, Daniel Gelormini, and Katie Moore.

Documents: ZBA Application Case 23-023

OTHER BUSINESS

Meeting Minutes

Mr. Thorp made a motion to approve the meeting minutes from September 20, 2023. Mr. Rosenberg seconded the motion. By roll call members voted, 5-0, to approve the minutes, except for Ms. Carriere who abstained.

Next Meeting

The next meeting is scheduled for October 18, 2023.

The meeting adjourned at 11:00 pm.