

**MELROSE BOARD OF APPEALS
MEETING MINUTES
Public Hearing
Wednesday, November 8, 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

23 016 – 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, Greg Wilson, Landscape Architect and Greg Young, Developer, appeared before the Board to present the case. Attorney Lucas provided the Board with an overview of the project and presented two design options that reduced the building's encroachment into the front yard setback. The first option proposes a 15 ft. setback for

the first through the third floor and a 20 ft. setback for the fourth floor. The second option proposes a 15 ft. setback for the first through fourth floors with the fifth farther back. Both options provide for additional landscaping in front of the building. Attorney Lucas explained that the building cannot be stepped back farther because of the underground parking. He added that the stoops in front of the two units on the left side of the building were reconfigured and reinstated and the renderings were updated to include utility poles.

Mr. Lawson presented a comparison of both options with the plans that the Planning Board approved. He explained that with the building pushed back, planters will be added on top of the garage. He added that the first option includes a private terrace on the fourth story. Both options reduce the unit size, but the unit count, including the number and bedroom count of affordable units, remains the same. It was clarified that the plans do not include any studio apartments.

Board Members wondered if the proposed trees would conflict with the overhead electrical wires. Mr. Wilson explained that the trees will be planted 7 ft. in front of the wires and varieties with columnar forms were chosen to further avoid conflict. One Member asked if the vegetation was chosen based on the shadow study. Mr. Wilson explained that the landscape plan considers the amount of expected sun and proposes an array of plants that will provide visual interest year-round. One Member asked about the unit breakdown with the new plans. Mr. Young responded that there will be 42 one-bedroom and 45 two-bedroom units, whereas the Planning Board approved 38 one-bedroom and 49 two-bedroom units.

The Board received 37 letters and members of the public appeared to speak including: Andrew and Mari Ferentinos of 89 Lake Ave., Jennifer DiCarlo representing James Stringer of 92 Lake Ave., James Stringer of 92 Lake Ave, David Goodhue of 15 Tremont St., Jane Shafer of 93 Lake Ave, Janine Venuti of 39 Altamont Ave., Carol McKinley of 407 Washington St., Kyle Carroll of 46 Lake Ave., Cindy Luongo of 74 Lake Ave., and Councilor Jack Eccles of 99 Essex St.

Comments in support of the project included:

- The project will create needed additional housing
- The project is located in a place with transit options
- 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 building is close to the train tracks
- The building will block neighbors' access to solar power
- The project will create a heat island
- The size and scale of the building
- There will be additional traffic
- Parking will be rented to non-residents
- The public walkways will not provide enough space for wheelchair access

Attorney Lucas responded to the public comments noting that this project will satisfy the need for housing and improve the streetscape. He emphasized that the building complies with the zoning district's height restrictions and will not cast shadow across the street onto abutting houses. He also clarified that the parking will be uncoupled from the rent and the parking spaces will only be available to residents and temporary visitors. One Member asked how the unit would be affected if a story were removed and Mr. Lawson responded that this would result in a loss of 22 units. One Member asked if the soil needs to be remediated. Mr. Young explained that the site has many geotechnical complexities but after the site was remediated in the late 1980s and early 1990s, there are no outstanding environmental issues.

Board Members asked about the redesign of the stoops. Mr. Lawson explained that the stoops utilize the flat space of the roof of the garage to activate the streetscape and break up the building's massing. He added that the stairs are now perpendicular to the street. Members asked about the distance between the rear property line to the edge of the train tracks. Mr. Lawson responded that it is about 30 ft. He added that the building will include sound attenuation and sound dampening materials to reduce the impact from the train on tenants. Members agreed that requiring a conforming rear yard setback would not meaningfully result in a reduction of noise in the building from the train.

Members agreed that of the two design options they preferred the one with the 20 ft. setback for the fourth floor. They continued to discuss the front yard setback and the FAR requests and noted that the project attempts to provide a lot of density on this challenging site.

Attorney Lucas requested a continuance to the hearing on December 13, 2023.

By roll call the Board voted, 5-0, to grant a continuance to December 13, 2023. Voting Members included Curt Dooling, Bryan Thorp, Benjamin Rosenberg, Daniel Gelormini, and Katie Moore.

23 024 – 73 Boardman Avenue

The appeal of Lori Mabardi Connor and Thomas Connor for Variances under §235-5 of the Zoning Ordinance for half-story definition to construct a shed dormer on the rear on the nonconforming single-family house at 73 Boardman Avenue in Melrose on a lot consisting of 8,243 sf and shown on Assessor's Map E13 0 46.

Lori and Thomas Connor, Applicants, and Amy Van Lauwe, Architect, appeared to present the case. Mr. Connor explained that the proposal involves building a dormer in the rear to provide more space for their family while keeping within the footprint of their house. The dormer was designed to be able to accommodate solar panels and the project will exceed the energy code regulations. Ms. Van Lauwe presented the plans to the Board and explained that the plan was revised to minimize the dormer's massing and maintain the slope of the existing rear roof. Ms. Connor posited that the design is in line with the neighborhood context.

Board Members asked why the Applicant cannot build a conforming dormer. Ms. Van Lauwe explained that this is a modest house and reducing the size of the dormer would limit the Applicant's ability to utilize the third floor as proposed. The plans include adding a bedroom and

a bathroom with a small office and closet space. She noted that currently the attic is an unfinished space.

Members discussed altering the floor plan to reduce the length of the dormer. Some Members commented that this is a modest project that will not be noticeable from the streetscape and agreed that the project fits within the neighborhood context. Other Members agreed that this is creating a new nonconformity, which is hard to support. One Member noted that the plans include rebuilding the whole roof so there is an opportunity to build a conforming dormer.

Mr. Connor requested a continuance to the hearing on December 13th.

By roll call the Board voted, 5-0, to grant a continuance to December 13, 2023. Voting Members included Curt Dooling, Bryan Thorp, Benjamin Rosenberg, Daniel Gelormini, and Katie Moore.

23 025 – 608-612 Main Street

The appeal of Michael Stankavish for Variances from §235-31 of the Zoning Ordinance for signs in residential districts to install a standing sign in front of the office building at 608-612 Main Street in Melrose on a lot consisting of 2,643 sf and shown on Assessor's Map C8 0 84.

Michael Stankavish, 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, Megan Carriere, and Katie Moore.

Documents: ZBA Application Case 23-025

23 026 – 21 Henry Avenue

The appeal of William Sloan Associates for Variances under §235-18 and -19 of the Zoning Ordinance for left-side and rear yards for a two-story rear addition on the nonconforming single-family house at 21 Henry Avenue in Melrose on a lot consisting of 6,358 sf and shown on Assessor's Map C12 0 113.

William Sloan, Applicant and Architect, and Julie Kelly, 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, Megan Carriere, and Katie Moore.

Documents: ZBA Application Case 23-026

OTHER BUSINESS

Case 22-021—681-697 Main Street, Request for Variance Extension

David Lucas, Attorney, and Kyle Russo, Applicant, appeared before the Board to request that the Board of Appeals grant a six month time extension for the Variances approved for 681-697 Main St., as allowed under Melrose Zoning Ordinance §235-60.C.4.c. Attorney Lucas explained that the relocation of the culvert that lies underneath the existing building must be relocated prior to construction. This process has taken longer than expected and was unable to commence prior to the City's seasonal moratorium on street openings so the relocation will occur in the spring of 2024.

By roll call the Board voted, 5-0, to grant the requested time extension.

Meeting Minutes

Mr. Dooling made a motion to approve the meeting minutes from October 11, 2023. Mr. Thorp seconded the motion. By roll call members voted, 5-0, to approve the minutes.

Next Meeting

The next meeting is scheduled for November 13, 2023.

The meeting adjourned at 11:30 pm.