

**MELROSE BOARD OF APPEALS
MEETING MINUTES
Public Hearing
Wednesday, December 13, 2023
7:30 p.m.
Remote Meeting**

Present:

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

Absent:

None

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, Derek Schappe, Engineer, David Leone, Geotechnical Engineer, and Greg Young, Developer, 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.

During the public hearing process, the proposal was reduced to a four-story building with 78 units and 81 parking spaces, and the request for a front yard variance was withdrawn.

By roll call the Board voted, 5-0, to grant the requested variances for lot coverage, left-side and rear yard setbacks and floor area ratio. Voting Members included Curt Dooling, Bryan Thorp, Benjamin Rosenberg, Daniel Gelormini, and Katie Moore.

By roll call the Board voted, 5-0, to grant the withdrawal of the request for a variance for front yard setback. Voting Members included Curt Dooling, Bryan Thorp, Benjamin Rosenberg, Daniel Gelormini, and Katie Moore.

Documents: ZBA Application Case 23-016

23 024 – 73 Boardman Avenue (continued public hearing)

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, requested a continuance to the February 7, 2023 meeting to continue working on the project plans.

By roll call the Board voted, 5-0, to a continuance to the February 7, 2023 meeting. Voting Members included Curt Dooling, Bryan Thorp, Benjamin Rosenberg, Daniel Gelormini, and Megan Carriere.

Documents: Request for continuance

23 027 – 14 Martin Street

The appeal of Nick Hall for Variances from §235-24 of the Zoning Ordinance for front and side yard setback to demolish the existing garage and construct a larger one in the same location at 14 Martin Street in Melrose, owned by Catherine Cezeaux & Maryellen Fitzgibbon, on a lot consisting of 6,348 sf and shown on Assessor's Map A8 0 107-08.

Nick Hall, Applicant, and Maryellen Fitzgibbon and Catherine Cezeaux, Owners, appeared before the Board to present the case. Mr. Hall explained that the project includes replacing the existing 10 x 18 garage with an 14 x 24 garage. The garage is outdated and small for the Owners' needs. The proposed location maintains the existing nonconforming setbacks but requires a variance for front and side yard setback. This location preserves the existing landscaping, retaining walls and large trees in the back yard, and prevents the garage from encroaching closer to wetlands that are within 50 ft. of the rear of the garage. Mr. Hall noted that abutters have voiced support for the project. The garage will be built on a slab from a prefabricated kit and will be about 12 ft. tall.

Board Members questioned if portions of the retaining walls will be demolished during construction and Mr. Hall responded that about 2 ft. will be taken off. Board Members felt that

since the retaining walls were already being disturbed, the garage should be shifted over 2 ft. so that it has a conforming side yard setback. Members agreed that the scale of the garage was oversized for the site. Mr. Hall explained that the garage will enable the owners to park one car and store trash bins and yard equipment. He noted that the owners did not want to shift the garage over 2 ft because they wanted to still be able to park a car in the driveway and do not want to disturb a mature shrub that is planted adjacent to the retaining wall. Ms. Fitzgibbon added that the site is somewhat constrained and there is limited storage space so it would be helpful to have a larger garage.

The Board received two written comments in support and Sandy Dixon of 22 Martin St., and Sydney Solomon of 10 Martin St., appeared to speak in support of the project.

Board Members felt that the garage should be smaller and shifted two feet to the right. They were less concerned with the front yard setback given the exiting conditions and the neighborhood context.

Ms. Fitzgibbon requested a continuance to the February 7, 2023, meeting.

By roll call the Board voted, 5-0, to grant the continuance to February 7, 2023. Voting Members included Curt Dooling, Bryan Thorp, Benjamin Rosenberg, Megan Carriere, and Dan Gelormini.

Documents: ZBA Application Case 23-027

23 028 – 25 Herbert Street

The appeal of Jin Qing Gao for Variances from §235-41.I of the Zoning Ordinance for the distance between the entrance to the driveway and the curbline of the intersection, §235-41.M for the minimum aisle width, and §235-18 and -19 for reducing the amount of open space, to construct a driveway in the side yard of the two-family dwelling at 25 Herbert Street in Melrose on a lot consisting of 3,193 sf and shown on Assessor's Map C7 0 35.

Jin Qing Gao, Applicant, appeared before the Board to present the case. Mr. Gao explained that he recently purchased the property, and he would like to add a new driveway with two parking spaces. He commented that it is a small lot but there is currently no parking onsite and it will be more convenient for residents if there are spaces on the property.

Board Members asked where the previous residents parked. Mr. Gao responded that they parked on Berwick St. Members asked how much of the side yard Mr. Gao is proposing to pave. He responded that the entire side yard will be asphalt. Members were concerned about the amount of proposed impervious surface and the proximity of the curb cut to the intersection of Berwick St. and Herbert St. Mr. Gao wondered if the Board would prefer the curb cut to be shifted to the left corner of the front yard on Herbert St., but Members felt that that would pose a higher safety risk. Members agreed that the lot does not appear suited to support a driveway and given the amount of parking on Berwick St., the property did not need to provide any onsite parking.

Mr. Gao requested a continuance to continue exploring different options for the driveway.

By roll call the Board voted, 5-0, to grant the continuance to February 7, 2023. Voting Members included Curt Dooling, Bryan Thorp, Benjamin Rosenberg, Megan Carriere, and Dan Gelormini.

Documents: ZBA Application Case 23-028

OTHER BUSINESS

Meeting Minutes

Mr. Thorp made a motion to approve the meeting minutes from November 8, 2023. Ms. Carriere seconded the motion. By roll call the Board voted, 5-0, to approve the minutes. Voting Members included Curt Dooling, Bryan Thorp, Benjamin Rosenberg, Megan Carriere, and Katie Moore.

Next Meeting

The next meeting is scheduled for January 10, 2024.

The meeting adjourned at 10:15 pm.