

MELROSE BOARD OF APPEALS
MEETING MINUTES
Public Hearing
Wednesday, January 10, 2024
7:30 p.m.
Remote Meeting

Present:

Bryan Thorp
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 7:32 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

23 029 – 3 Nordic Way

The appeal of Oto Albanese for Variances from §235-18 and -19 of the Zoning Ordinance for rear yard setback to construct a two-story rear addition and indoor porch on the single-family dwelling at 3 Nordic Way in Melrose on a lot consisting of 19,693 sf and shown on Assessor's Map H4 0 9B.

Oto Albanese, Applicant, and Jay Bradley, Architect, 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, 2-3, to deny the request for a variance for rear yard setback. Voting Members included Curt Dooling and Bryan Thorp, in favor, and Benjamin Rosenberg, Daniel Gelormini, and Megan Carrier, in opposition.

Documents: ZBA Application Case 23-029

23 030 – 40 Rivers Lane

The appeal of Robert and Kimra Fleming for Variances from §235-18 and -19 of the Zoning Ordinance for rear and front yard setback to construct a two-story addition on the side of the single-family dwelling at 40 Rivers Lane in Melrose on a lot consisting of 12,497 sf and shown on Assessor's Map G12 0 7.

Kimra and Bob Fleming, Applicants, and Joe DeRenzis, Contractor, appeared to present the case. Ms. Fleming explained that the project includes converting the attached garage into an extra bedroom and workshop and constructing a two story addition with a garage on the first floor and a master bedroom and bathroom on the second. The project requires variances for the front and rear yard setbacks. She noted that the lot is a unique shape, and the house is built into ledge so there are limited opportunities to build a conforming addition on this site. She explained that she has shown the project to abutters, and they did not have any comments or suggestions.

Board Members commented that due to the topography of the lot, the back of the addition will appear as though it is one- rather than two-stories. Ms. Fleming noted that the lot slopes downward and the plans use the existing driveway rather than conducting sitework elsewhere on the lot. Board Members asked if there is a retaining wall next to the garage that will remain. Mr. Fleming responded that part of the wall will be demolished and replaced with the foundation wall of the new garage.

Board Members asked if the Applicants considered angling the addition away from the front yard and shifting it, so it is more parallel to the rear property line. Mr. Fleming explained that due to the presence of ledge, it would be very difficult to reposition. Mr. DeRenzis added that aligning the garage in this way will create a more difficult angle for cars entering and exiting the garage. Board Members asked if the Applicants considered reducing the mass of the garage and setting it further back. Ms. Fleming explained that they currently have a two-car garage, which the family would like to keep, and they were advised that this is the recommended size for a new two-car garage.

Some Board Members felt that the addition could be shifted back. Others commented that reangling the garage could affect the tree behind the structure and noted that the Applicants are not creating new nonconformities. Others commented that although the project increases the existing nonconformities, the presence of ledge and the topography of the lot are hardships. Members agreed that the addition's design and placement are logical, and it will not negatively impact abutters.

Members noted that the plans are inconsistent; the plot plan shows the garage setback 11 ft. from the front yard setback but the architectural plans show 13 ft. The Board encouraged the

Applicant to revise the plans for clarity and explore if the encroachment into the front yard setback can be minimized.

Kimra and Bob Fleming, Applicants, requested a continuance to the February 28, 2024 meeting.

By roll call the Board voted, 5-0, for a continuance to the February 28, 2024 meeting. Voting Members included Curt Dooling, Bryan Thorp, Benjamin Rosenberg, Daniel Gelormini, and Megan Carriere.

Documents: ZBA Application Case 23-030

23 032 – 142 Laurel Street

The appeal of Nicholas and Alyssa D'Eramo for Variances from §235-18 and -19 of the Zoning Ordinance for left and right side yard setback to remove the existing deck and construct a two-story rear addition on the single-family dwelling at 142 Laurel Street in Melrose on a lot consisting of 5,022 sf and shown on Assessor's Map F7 0 129.

Nick D'Eramo, Applicant, and Jay Bradley, Architect, 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 request for a variance for side yard setbacks. Voting Members included Curt Dooling, Bryan Thorp, Benjamin Rosenberg, Megan Carriere, and Dan Gelormini.

Documents: ZBA Application Case 23-032

23 033 – 15 Faxon Street

The appeal of John Doucette/Eagle Eye Construction for Variances from §235-18 and -19 of the Zoning Ordinance for left side yard setback to remove the existing rear deck and construct an addition on the single-family dwelling at 15 Faxon Street in Melrose on a lot consisting of 6,616 sf, owned by Gregg and Amy Kamosa and shown on Assessor's Map E6 0 159.

Amy and Gregg Kamosa, Applicants, requested a continuance to the February 28, 2024 hearing to incorporate the feedback they received from their abutters into the project's plans.

By roll call the Board voted, 5-0, to grant the continuance to February 28, 2024. Voting Members included Curt Dooling, Bryan Thorp, Benjamin Rosenberg, Megan Carriere, and Dan Gelormini.

Documents: Request for continuance

OTHER BUSINESS

Meeting Minutes

Ms. Carriere made a motion to approve the meeting minutes from December 13, 2023. Mr. Thorp 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 Daniel Gelormini.

Next Meeting

The next meeting is scheduled for February 7, 2024.

The meeting adjourned at 9:45 pm.