

**MELROSE BOARD OF APPEALS
MEETING MINUTES
Public Hearing
Wednesday, September 11, 2024
7:30 p.m.
Remote Meeting**

Present:

Benjamin Rosenberg
Bryan Thorp
Chris Coughlin
Megan Carriere
Daniel Gelormini

Absent:

David Roache

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

24 014 – 36 Waverly Place (continued public hearing)

The appeal of Faina Snitkovsky for Variances under §235-18 and -19 of the Zoning Ordinance for minimum lot area, side yard setback, and frontage to expand the existing structure and construct an attached two-story dwelling unit in the left side yard converting the structure to a two-family dwelling at 36 Waverly Place, Melrose, MA, owned by 36 Waverly Place LLC, on a lot of land containing 8,820 sf and shown on Assessor's Map B5 0 145.

Faina and Michael Snitkovsky, Applicants, and Carlos Medina, 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 4-0, to expand the existing structure and construct an attached two-story dwelling unit in the left side yard converting the structure to a two-family dwelling. Voting Members included Megan Carriere, Benjamin Rosenberg, Dan Gelormini, and Bryan Thorp.

Documents: ZBA Application Case 24 014

24 016 – 189 Warwick Avenue

The appeal of Bill and Susan Hurley for Variances from §235-18 and -19 of the Zoning Ordinance for a two-story rear addition in the left side yard setback on the nonconforming single-family house at 189 Warwick Road, Melrose, MA, on a lot of land containing 5,261 sf and shown on Assessor's Map A10 0 32.

Susan Hurley, Applicant, and Jay Bradley, Architect, appeared before the Board to present the case. Ms. Hurley explained that the project involves demolishing the existing, nonconforming garage in the northwest corner of the property, which is dilapidated and structurally unsound, and constructing an attached two-story, rear addition to accommodate their son who has special needs. The first floor will consist of a one car garage, a family room, a mudroom and storage space. The second floor will be a primary suite and small sitting area. Mr. Bradley added that in addition to the collapsing garage, there is a retaining wall between the property and the abutting property on the left that also needs to be fixed.

Mr. Bradley explained that the existing house is a craftsman with a rear deck, which would be removed to accommodate the addition. He noted that to maximize the site and efficiently expand the living space, a rear addition is the most logical. However, the narrowness and topography of the lot pose hardships. He showed the Board a version of the garage that was shifted to the right with the garage opening facing the left side yard, but it covered the kitchen windows and greatly impacted the neighbor on the right because of the grade change on the right side of the property and the neighbor's southern facing windows which would be more obstructed with the added structure. It also made access to the right-side yard more difficult, and it increased the amount of asphalt needed to construct the driveway. Furthermore, it significantly reduced the usability of the rear yard and encroached into the right-side yard setback.

One Board Member commented that the proposed addition has a similar setback to the existing garage, however, the regulations differ for detached accessory structures which can have smaller setback. One Member asked if there would be a paved section behind the garage and Mr. Bradley responded that there would be an area behind the garage for an additional car but it would not be paved. Members were curious about the abutters to the left and rear. Mr. Bradley explained that the neighbor on the left does not object to this proposal and the plans include removing a tall fence that sits between the properties, and eliminating the existing garage, so the neighbor will have a less obstructed yard. The lot behind the property is a vacant, unbuildable parcel.

Board Members had conflicting views of the project. Some felt that the addition was too large for the lot. Others commented that the proposal creates a new nonconformity and is too close to the property line. One Member reasoned that because the grade slopes down from the front of the property to the rear yard, the massing and scale of the addition will not be perceived from the street. Additionally, one Member commented that the neighboring structure is setback from the property line creating more distance between the addition and the abutting house.

One Member posited that the design could be revised to propose a detached garage and a conforming addition, but Ms. Hurley noted that that would be a less efficient use of space. One

Member asked about the difference in height between the garage and the addition and it was clarified that the addition is one story taller. Members requested that the Applicant provide a letter from the abutter on the left voicing their support for the project.

By roll call the Board voted 5-0, to grant a continuance to the hearing on October 9, 2024. Voting Members included Megan Carriere, Dan Gelormini, Benjamin Rosenberg, Chris Coughlin, and Bryan Thorp.

Documents: ZBA Application Case 24-016

OTHER BUSINESS

Meeting Minutes

Mr. Rosenberg made a motion to approve the meeting minutes from August 21, 2024. Mr. Thorp seconded the motion. By roll call the Board voted, 3-0, to approve the minutes. Voting Members included Benjamin Rosenberg, Chris Coughlin, and Bryan Thorp. Megan Carriere and Dan Gelormini abstained because they were not present at that hearing.

Mr. Rosenberg made a motion to approve the meeting minutes from September 4, 2024. Mr. Thorp seconded the motion. By roll call the Board voted, 3-0, to approve the minutes. Voting Members included Benjamin Rosenberg, Chris Coughlin, and Bryan Thorp. Megan Carriere and Dan Gelormini abstained because they were not present at that hearing.

Next Meeting

The next meeting is scheduled for October 9, 2024.

The meeting adjourned at 9:30 pm