MELROSE PLANNING BOARD

Regular Meeting

Monday, January 28, 2008

7:50 p.m.

Mayor's Conference Room

PRESENT: Mike Cassavoy, Ed Cassidy, Richard Connolly, Bob Mercado, John Sadowski, Gerry Marcus, Anne DeSouza-Ward, Tom Pawlina and Carla Francazio

Denise Gaffey, Planner, and Matt Hennigan, Assistant Planner, were present.

The meeting was called to order at 7:50 p.m. by Mr. Cassavoy.

MINUTES

a) Regular Meeting & Public Hearing, December 17, 2007

Mr. Pawlina MADE a MOTION to accept the minutes. Mr. Mercado SECONDED the MOTION. All voted in favor. None opposed.

BOARD OF APPEALS

Case 08-001, 67 Lynde Avenue, Ventre/Correia

The Applicants' representative was present. She described the proposed addition which is needed to increase the size of Applicants' small dining room. The proposed addition will make it easier for elderly relatives who use wheelchairs and walkers to access the dining room. The members noted that access to the new porch was severely restricted. Under the proposed design, the members determined that there would be less than two feet between the bottom step and adjacent fence. The Board suggested that the steps be recessed under the covered porch and be relocated to the rear of the proposed addition. The Applicant was advised to check with the Building Inspector to verify whether any relief from the rear setback is required. Mr. Sadowski MADE a MOTION to send a neutral letter to the Board of Appeals. The members advised the Applicant to clarify and amend their drawings for their hearing before the ZBA. Mr. Connolly SECONDED the MOTION. All voted in favor. None opposed.

Ms. Francazio recused herself and left the room during discussion of the following case for which she is the architect.

Case 08-002, 65 Circuit Street, Myatt

The Applicant passed around pictures to the Planning Board members of the steps leading up to the front door of her home. The Applicant stated these steps are deteriorating and need to be replaced. The Applicant received a note from their insurance agency advising them to replace the steps. The Applicant indicated that front door is the primary entry for the home and that the front steps run up to the sidewalk. Mr. Sadowski inquired whether the proposed front steps would encroach more on the front setback than the original steps. The Applicant responded that the new steps will be an improvement to the present encroachment as the new steps are designed to run toward the driveway, parallel to the sidewalk. In regards to the open roof structure of the front entry, the members found the proposed covering to be more reasonable than a farmer's porch. Ms. DeSouza-Ward MADE a MOTION to send a standard letter. Mr. Mercado SECONDED the MOTION. All voted in favor with the exception of Ms. Francazio who was recused. None opposed.

Ms. Francazio came back to the meeting.

Case 07-036, 482 Swains Pond Avenue, Maneiro/Toomey/Greene

The Applicant's representative, Patrick McAvoy, was present and stated that the Applicant had been before the Planning Board in October to request a frontage variance for the property. The Applicant would like to subdivide the property to create two single family lots. The existing house would have 75 feet of frontage and the new lot would have 56.41 feet of frontage. The appeal for this variance was denied by the Board of Appeals at their hearing on November 14, 2007. The Applicant has chosen to file a Repetitive Petition, Case No. 07-036, rather than a traditional appeal to the ZBA's decision. Ms. Gaffey distributed a memo to the members outlining the requirements associated with a Repetitive Petition. Case No. 07-036 differs from the original application in respect to the lot area of the two proposed lots. Case No. 07-029 proposed to subdivide the 18,485 square foot parcel into lots consisting of 7,582 square feet (Lot A) and 10,903 square feet (Lot B). In Case No. 07-029, the proposed 7,582 square foot lot would have included the existing dwelling. Case No. 07-036 proposes to subdivide the parcel into two lots consisting of 10,977 square feet (Lot A) and 7,508 square feet (Lot B). In this instance the existing dwelling would be located on the 10,977 square foot lot. Both lots contain the minimum square feet required in the UR-A District (7,500 square feet); Lot B lacks the required frontage (56.41 feet vs. 75 feet) as before.

Mr. McAvoy pointed out the Applicant has changed the lot area of the parcels. Mr. McAvoy said that at the ZBA hearing one of the members who voted against the appeal was unhappy with the way the lots were drawn and felt it would allow a homeowner to put the house in the back of the lot behind the existing dwelling, which would be different from the rest of the neighborhood. Mr. McAvoy stated that this new application includes a layout for a one family dwelling on the proposed new lot. The Applicant has hired an architect to design a site plan for the proposed new residence, which was distributed to the members. The members proceeded to discuss the process associated with the Repetitive Petition.

Mr. Pawlina MADE a MOTION to give consent for this appeal to proceed. The motion was approved unanimously by roll call by all in attendance.

Mr. McAvoy distributed a map from the Assessor's office that was not available when the Board reviewed Case 07-029. He stated that the map shows that only four lots out of over 100 in the surrounding area comply with the zoning ordinance for frontage and lot area in this neighborhood. Mr. McAvoy stated that the Zoning Ordinance does not apply well to this part of the City. Mr. McAvoy pointed out that it does not seem to be reasonable that the Zoning Ordinance would apply strictly to this case and not the rest of the neighborhood. Mr. McAvoy highlighted that the proposed new lot meets the lot area requirement. Mr. Sadowski inquired whether an ANR or Subdivision approval would be required should the ZBA grant the Applicants approval.

Mr. Pawlina questioned where the driveway for the existing dwelling on Lot A would be relocated under the proposed plan. Mr. McAvoy indicated that the driveway would be moved to the south side of the house. Mr. Pawlina noted that the driveway for the new lot will most likely be positioned adjacent to the driveway of the house immediately to the south and that this fact should be considered by the ZBA. Ms. Gaffey read the previous recommendation from the Planning Board to the ZBA regarding Case 07-029. The Planning Board members expressed that they found the Repetitive Petition to be reasonable based on the new lot reconfiguration and additional dimensional information made available on the neighborhood.

Mr. Cassidy MADE a MOTION to send a letter to the ZBA that highlights the following comments:

- In consideration of the proposal as revised, we find the new lot configuration to be more regular in shape which will facilitate the development of a new single family dwelling more in keeping with the neighborhood.

- We further note that the Applicants' presentation of dimensional data specific to the existing neighborhood shows the proposed new lot to be comparable to the large number of non-conforming lots in the neighborhood. We found the new dimensional information persuasive.

- While we continue to view the proposed sub-standard frontage as serious, we feel less concerned in light of the aforementioned data.

- We caution the Board of Appeals that the Applicants' proposal will require the driveway that services the existing dwelling to be relocated, adjacent to the driveway that services the house immediately to the south (the Walsh residence). From a planning perspective, this potential adjacency needs to be clearly detailed and considered. We also note that subdivision approval will likely be required should the ZBA approve the frontage variance.

Mr. Connolly SECONDED the MOTION. All voted in favor. None opposed.

OTHER

Lower Washington Rezoning

Ms. Gaffey distributed the final draft Lower Washington Street Rezoning amendment. A Special Planning Board Meeting will be held on February 4, 2008 to obtain the Planning Board members' feedback on the proposed amendment. The intent of the amendment is to foster mixed use, i.e., both residential and commercial use near mass transit. Ms. Gaffey stated that part of the Smart Growth Task Force's review looked at incorporating strong design standards. Ms. Gaffey also stated that the amendment process was an opportunity to tighten up the Site Plan Review criteria. Proposed changes to Site Plan Review criteria were also distributed to the members in preparation for the Special Meeting.

Walgreens & CVS

The Planning Board followed up on their discussion at the last meeting regarding the Walgreens reader board. The members also discussed the fact that CVS should be lighting their front window to display the Main Street mural. The Planning Staff noted both issues and indicated that they would look into each matter further.

Mr. Mercado MADE a MOTION to adjourn. Mr. Connolly SECONDED the MOTION. All voted in favor. None opposed. Meeting adjourned at 9:00 p.m.