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*By Posted at 10:16 am, Apr 22, 2024*



## **NOTICE OF MEETING CITY OF MELROSE, MASSACHUSETTS**

**ORGANIZATION: Zoning Board of Appeals**

**MEETING DATE: 5/15/2024**

**TIME: 7:30pm**

**MEETING LOCATION: Remote**

**REQUESTED BY: David Roache, Chair**

### **PUBLIC HEARING NOTICE**

#### **Cases**

##### **24 009 – 164 Essex Street**

The application of Cedar Park Development LLC for a Comprehensive Permit pursuant to M.G.L. c.40B, s. 21 to construct an approximately 23,309 sq. ft., 5-story building with 76 residential units and 54 parking spaces at 164 Essex Street in Melrose on a lot containing 32,148 sf and shown on Assessor's Map C8 0 4. Nineteen of the project's units will be affordable as is required and regulated under the law.

Exemptions per statute are claimed for: Melrose Zoning Ordinance §235-10 for interpretation of the MZO to the extent it differs from or exceeds the requirements of MGL c.40B and 760 CMR 56.00 ; §235-11, -14 and -16 to allow a 76-unit multifamily residential development with accessory uses; §235-15 and -17 for permitted principal use in the BB-1 and use of an accessory utility cabinet; §235-16.1 site plan review; §235-18 and -19 for front, side and rear yard setbacks, height, number of stories, building coverage, FAR, and open space; §235-22 for landscaping requirements in industrial or business districts; §235-25.A, -25.B, -25.E(1), -25.E(2) and -25.E(3) for residential use in a nonresidential district subject to regulations in the URC district, minimum lot area, and projections of balconies and porches into the front yard; §235-27, 28, -29.C, -29.G and -31.1(B) for signs; §235.32 for 54 parking spaces; §235-38.B for location of parking spaces within the required open space on the lot; §235-41 for parking, driveway and aisle design and layout; §235-53.A and -57 for a separate, local permit and permit time limits; §235-58 and -59 for zoning enforcement; §235-60 for Board of Appeals powers and procedures; §235-65.A, -65.B, and -65.C(1) for procedures, regulations, and approvals of special permit and/or variances that would otherwise be required for a multifamily residential use in a nonresidentially zoned area; §235-71.2(B) through -71.2(H), for procedures, regulations, and approvals of special permit and/or variances that would otherwise be required in the RCOD; and §235-73.1 for housing affordability.

Exemptions for approvals by any Board, Commission, or City Department other than the Zoning Board of Appeals are also claimed for: Poles and Wires Code §182-1 for location of utility poles; Melrose Sewage Disposal Code §194-3 for sewer connection; Melrose Solid Waste Code §198-6 for proposed dumpster location; Melrose Streets & Sidewalks Code §202-1, -1.1, -9, -25.1, -26, and -28 for work within the right of way and time restrictions for street opening; Melrose Water & Sewer Code §228-6, -33, -62, -63, and -89 for water and sewer connections and stormwater management system; and all section of the

Melrose Board of Appeals Comprehensive Permit Rules to the extent they differ from or exceed the requirements of MGL c.40B and 760 CMR 56.00.

Pursuant to Chapter 2 of the Acts of 2023, this meeting will be conducted via remote participation. Information for remote participation can be found at [www.cityofmelrose.org/remote-meetings](http://www.cityofmelrose.org/remote-meetings). Complete applications can be reviewed at [www.cityofmelrose.org/board-appeals](http://www.cityofmelrose.org/board-appeals). Interested persons may provide comments to the Board during the hearing or by email to [appeals@cityofmelrose.org](mailto:appeals@cityofmelrose.org), mail to OPCD, 562 Main Street, Melrose, MA, or voicemail at 781-979-4196. A video recording or other record of proceedings will be posted to the City's website as soon as possible.