



CITY OF MELROSE

PLANNING BOARD

GREGORY SAMPSON
Chairman

City Hall, 562 Main Street
Melrose, Massachusetts 02176
Telephone - (781) 979-4190
Fax - (781) 979-4290

April 29, 2024

Board of Appeals
City of Melrose
Massachusetts

Re: Case 24-005, 130 Penney Road

To the Members of the Board:

The Planning Board reviewed the above referenced case at its regular meeting held on Monday, April 29, 2024, to make a recommendation to you based on the application materials provided. Information regarding the proposal and zoning data is in the attached table.

The Planning Board took no position on the request for variances. Members agreed with the comments in the Staff Brief and emphasized that the stairs leading to the rear yard should be removed to prevent future use of the abutting city-owned property.

We believe that this case involves judgements that can best be determined by the Board of Appeals during the public hearing.

Sincerely,

Gregory Sampson
Chairman

cc: William Quinlan, Applicant

CASE INFORMATION

ZBA CASE NUMBER 24-005	PROPERTY ADDRESS/LOCATION 130 Penney Road	APPLICANT/PROPERTY OWNER William Quinlan
PLANNING BOARD MEETING DATE April 29, 2024	ZONING BOARD OF APPEAL PUBLIC HEARING DATE May 8, 2024	
ZONING DISTRICT SRA	EXISTING LAND USE Single-family structure	LAND AREA 18,121 sf
PERMIT/RELIEF SOUGHT Variances: §235-18 and -19 rear yard setback		

PROPERTY INFORMATION/HISTORY
This property consists of two nonconforming lots that are owned by the same person and are therefore considered merged for zoning purposes. The lot is nonconforming as it relates to lot depth and the house as it relates to rear and left side yard setback. There is also a nonconforming shed as it relates to rear yard setback. The property abuts Mt. Hood to the rear and is within 100 ft. of wetlands. At the time of this application, the subject property had encroached on a portion of the City-owned land behind it with an extension of the driveway and a fire pit/seating area. The Building Commissioner has required the Applicant to remove the encroachments which he has agreed to do.

SUMMARY OF REQUEST
The Applicant is requesting variances to expand an existing deck, which projects into the rear yard setback.

COMPATIBILITY with the Master Plan &/or Zoning Ordinance Standards

Relevant Zoning Dimensions	Required	Existing	Proposed
Rear yard setback	40 ft.	9.3 ft.	Deck Varies: 9.3 ft to 2 ft.

PLANNING BOARD RECOMMENDATION based upon a technical analysis prior to the public hearing

Neutral position – see letter for details

STAFF REVIEW based upon a technical analysis prior to the public hearing

The Applicant’s proposal will allow for easier access to the edge of the existing above ground pool. Constructing a conforming deck would be difficult given the shape of the lot and the location of the dwelling unit on the lot. The deck should not negatively impact abutters as the property behind is the golf course and there is a vegetative buffer at the edge of the course; however, the back staircase should be removed as it is only two feet from the rear property line and will facilitate the continued use of the abutting city owned land. The backyard will still be accessible through a basement door without the added deck staircase.

ATTACHMENTS	APPLICATION FORM	DENIAL LETTER	LEGAL NOTICE
	SUPPLEMENTAL MATERIALS	PLOT PLAN 5.4.2023	ARCHITECTURAL PLANS

