

CITY OF MELROSE

Inspection Services

Paul E. Johnson
Director of Inspection Services
Building Commissioner

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Eric Kenworthy
49 Marmion Rd
Melrose, Ma 02176

March 12, 2019

Re: 272 Tremont St.

Dear Mr. Kenworthy,

I have reviewed your building permit application and plans to raze the existing 3 family and construct a new 4 story mixed residential/business structure consisting of 1 commercial unit and 12 dwelling units within the BA-2 district and have determined the following:

Use: In accordance with Chapter 235 §235 – 17 of the Melrose Zoning Ordinance (Ordinance), the proposed mixed residential/business use is permitted as of right. Therefore no relief is required.

§235- 18 and §235-19 Dimensional and Density Regulations:

New Mixed use Multifamily; 1 Commercial and 12 Dwelling units	Required	Proposed	Violation of the Ordinance	Relief Required prior to issuing a Building Permit
Lot area	5,000 SF	10,490 SF	No	No
Frontage & width	50'	69'±	No	No
Lot depth	90	155' ±	No	No
Front yard	5' Max	2	No	No
R. side setback	None	9.7'	No	No
L. side setback	None	6.2'	No	No
Rear setback	None	3' ±	No	No
Max Height	50'	43' 6"	No	No
Max Stories	4	4	No	No
Max coverage	None	NA	No	No
Min open space %	5%	12.5%	No	No
Maximum floor area ratio	2.0	1.88	No	No

§235-16.1 Site Plan Review: This proposal falls within Site Plan Review §235 – 16.1 of the Ordinance. You will need to obtain Site Plan Review approval prior to this office issuing a permit for this proposal.

§235-73.1 Affordable Housing: It is noted that this application was received prior to the first public notice for the affordable housing zoning amendment. Therefore the proposal falls within (old) §235 – 73.1 of the Ordinance and you are required to provide 10% of the units as affordable housing. You will need to obtain Affordable Housing approval prior to this office issuing a permit for this proposal.

§235 – 32 through §235 – 42 Off-Street Parking and Loading:

In accordance with §235–17 of the Ordinance, the parking code is Q; said parking code instructs using the sum of the proposed mixed uses. In this instance the proposed 12 dwelling units will require 12 parking spaces (see parking code B). It is noted that the proposal shows 15 spaces plus a Handicap space. The application did not include a proposed use of the commercial space therefore no determination was made.

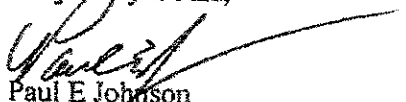
In accordance with §235-41O of the Ordinance, parking spaces shall have direct access to an aisle or driveway having a minimum width of 20' feet for 1 way traffic. Although the plot plan dated 1/22/19 shows aisles having a width of 20' perpendicular to the spaces (which complies), it shows a one way 12' driveway on the left side of the building and a one way 9' driveway on the right side. That said, the proposed parking appears to meet the requirements of the ordinance with the exception of §235.41.O of the Ordinance. Therefore your permit application is in violation of §235-41O of the Ordinance and your permit is denied. You will need to obtain a variance for the noted violations prior to this office issuing a permit for this proposal.

Article VII Signs: signs were not included in this proposal.

As an aside, M.G.L 40 §54A, in part, requires Mass D.O.T approval for building permits on land formerly used as a rail road right-of-way or property appurtenant thereto formerly used by any rail road company in the Commonwealth. In this instance I am not aware of the title history for this property, however in the event it is needed, I am attaching a D.O.T letter for your convenience.

To the extent you are aggrieved by this determination you may appeal as outlined in Chapter 235 §235 – 60 of the Melrose Zoning Ordinance.

Very Truly Yours,


Paul E. Johnson
Director of Inspectional Services
Building Commissioner

Cc: Denise Gaffey, Director of Planning and Community Development
Lori Massa, Board of Appeals Clerk