



Town of Arlington
Zoning Board of Appeals
51 Grove Street
Arlington, Massachusetts 02476
781-316-3396
www.arlingtonma.gov

TOWN CLERK'S OFFICE
ARLINGTON, MA 02476
2022 OCT 14 AM 10:46

RECEIVED

LEGAL NOTICE

Notice is herewith given in accordance with the provisions of Section 3.2.3A of the Zoning Bylaws that there has been filed by **James Fleming** of Arlington, Massachusetts on October 12, 2022, a petition seeking permission to alter his property located at **13-15 Melrose Street - Block Plan 003.0-0005.0** Said petition would require a Special Permit under **Section 8.1.3 (B) (Nonconforming Single-Family or Two-Family Dwellings)** of the Zoning Bylaw for the Town of Arlington.

A hearing in regards to the petition will be conducted remotely via "Zoom" **Tuesday evening November 8, 2022 at 7:30 P.M or as soon thereafter as the petitioner may be heard. To join the meeting, please register using the following URL:**
https://town-arlington-ma-us.zoom.us/meeting/register/tJloc-upqDlrH9BzpU_mQMF2y5Ys20gtIBP9 **for documentation relating to this petition, visit the ZBA website at www.arlingtonma.gov/zba. 48 hours prior to the hearing.**

DOCKET NO 3721

Zoning Board of Appeals
Christian Klein, RA, Chair

Please direct any questions to: **ZBA@town.arlington.ma.us**

REQUEST FOR SPECIAL PERMIT

TOWN OF ARLINGTON

In the matter of the Application of 13-15 Melrose Street renovation, James Fleming
to the Zoning Board of Appeals for the Town of Arlington:

Application for a Special Permit is herewith made, in accordance with Section 3.3 of the Zoning Bylaw of the Town of Arlington, Massachusetts, seeking relief from the following specific provisions of the Zoning Bylaw, and as described fully in the attached form, *Special Permit Criteria*:

5.4.2 Dimensional and Density Requirements, Table A Dimensional and Density Regulations

The property is non-conforming with respect to Usable Open Space.

The Applicant states he/she/they is/are the owner/occupant of the land in Arlington located at 13-15 Melrose Street with respect to such relief is sought; that no unfavorable action has been taken by the Zoning Board of Appeals upon a similar petition regarding this property within the two (2) years next immediately prior to the filing hereof. The applicant expressly agrees to full compliance with any and all conditions and qualifications imposed upon this permission, whether by the Zoning Bylaw or by the Zoning Board of Appeals, should the same be granted. The Applicant represents that the grounds for the relief sought are as follows:

The proposed renovation will increase the gross floor area by adding dormers to the roof. It does not change the use (two-family), the footprint of the house, or the character of the house.

E-Mail: jflemingwpi13@gmail.com Signed:  Date: 9/24/22

Telephone: 413-219-1841 Address: 15 Melrose St

Special Permit Criteria: Per Section 3.3.3 of the Zoning Bylaw, a Special Permit shall only be granted upon the Board’s determination that the benefits of the proposed project will outweigh its adverse effects. The responses provided below will inform the Board as to whether the standards for approval have been met.

A). Indicate where the requested use is listed in the Table of Use Regulations as allowed by Special Permit in the district for which the application is made or is so designated elsewhere in the Zoning Bylaw.
The property is in an R2 district and is a compliant two-family duplex use. This will rer unchanged.

B). Explain why the *requested use is essential or desirable to the public convenience or welfare.*
The owners desire to improve their property in order to make their own living unit more functio with two additional bedrooms and a bathroom, making the unit a 4-bed, 2-bath unit. This will improve the property's use and therefore improve the neighborhood.

C). Explain why *the requested use will not create undue traffic congestion; or unduly impair pedestrian safety.*
The property will continue to be a two-family house and will therefore not increase any parkin requirements.

D). Explain why *the requested use will not overload any public water, drainage or sewer system, or any other municipal system to such an extent that the requested use or any developed use in the immediate area or any other area of the Town will be unduly subjected to hazards affecting health, safety or the general welfare.*
The renovation includes one additional bathroom, which will not substantially increase the sei output from the property. The renovation does not increase the roof area and therefore will nc increase rainwater runoff or decrease site infiltration.

E). Describe how any special regulations for the use, as may be provided in the Zoning Bylaw, including but not limited to the provisions of Section 8 are fulfilled.

8.1.3.B. The renovation and extension of this two-family building increases the nonconformar
Usable Open Space. Since it is within the existing footprint and retains the main roof form, it v
be substantially more detrimental to the neighborhood than the current nonconformance.

F). Explain why the requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health or welfare.

The footprint of the house will remain the same and the main roof form--a hip roof with dorme
will also remain the same. The additional dormers will modestly expand the habitable space v
maintaining the style and character of the house.

G). Explain why *the requested use will not, by its addition to a neighborhood, cause an excess of the use that could be detrimental to the character of said neighborhood.*

The house will remain a two-family house, in which the owners will occupy the second unit.

TOWN OF ARLINGTON
Dimensional and Parking Information
For Applications to the Zoning Board of Appeals

1. Property Location: 13-15 Melrose Street Zoning District: R2

2. Present Use/Occupancy: Residential No. of dwelling units 2

3. Existing Gross Floor Area (refer to Section 5.3.22 of the Zoning Bylaw and provide supporting documentation [worksheet and drawings] showing dimensions of GFA by floor):
2,986 Sq. Ft.

4. Proposed Use/Occupancy: Residential No. of dwelling units 2

5. Proposed Gross Floor Area (refer to Section 5.3.22 of the Zoning Bylaw and provide supporting documentation [worksheet and drawings] showing dimensions of GFA by floor):
3,166 Sq. Ft.

	Present Conditions	Proposed Conditions	Min. or max Required by Zoning
6. Lot size (Sq. Ft.)	4500	4500	min. 6000
7. Frontage (Ft.)	50	50	min. 60
8. Floor area ratio	0.66	0.70	max. n/a
9. Lot Coverage (%)	40.4	40.4	max 35%
10. Lot Area per Dwelling Unit (Sq. Ft.)	2250	2250	min. n/a
11. Front Yard Depth (Ft.)	17.8	17.8	min. 20
12. Left Side Yard Depth (Ft.)	15.4	15.4	min. 10
13. Right Side Yard Depth (Ft.)	8.2	8.2	min. 10
14. Rear Yard Depth (Ft.)	28.6%	28.6%	min. 20% depth
15. Height (Stories)	2.5	2.5	max. 2.5
16. Height (Ft.)	34.25'	34.25'	max. 35
17. Landscaped Open Space (Sq. Ft.) Refer to Section 2 in the Zoning Bylaw.	1627	1627	
17A. Landscaped Open Space (% of GFA)	54.5	51.4	min. 10%
18. Usable Open Space (Sq. Ft.) Refer to Section 2 in the Zoning Bylaw.	788	788	
18A. Usable Open Space (% of GFA)	26.4	24.9	min. 30%
19. Number of Parking Spaces	3	3	min. 1 per DU
20. Parking area setbacks (if applicable)	n/a	n/a	min. n/a
21. Number of Loading Spaces (if applicable)	n/a	n/a	min. n/a
22. Type of construction	Wood frame	Wood frame	N/A
23. Slope of proposed roof(s) (in. per ft.)	11:12	11:12, 4:12	min. 2:12

TOWN OF ARLINGTON
Open Space / Gross Floor Area Information
For Applications to the Zoning Board of Appeals

Refer to Section 2: *Definitions*, and Section 5: *District Regulations* in the Zoning Bylaw of the Town of Arlington before completing this form.

Address: 13-15 Melrose Street Zoning District: R2

<u>OPEN SPACE*</u>	<u>EXISTING</u>	<u>PROPOSED</u>
Total lot area	<u>4500</u>	<u>4500</u>
Open Space, Usable	<u>788</u>	<u>788</u>
Open Space, Landscaped	<u>1627</u>	<u>1627</u>

* Refer to the Definitions in Section 2 of the Zoning Bylaw.

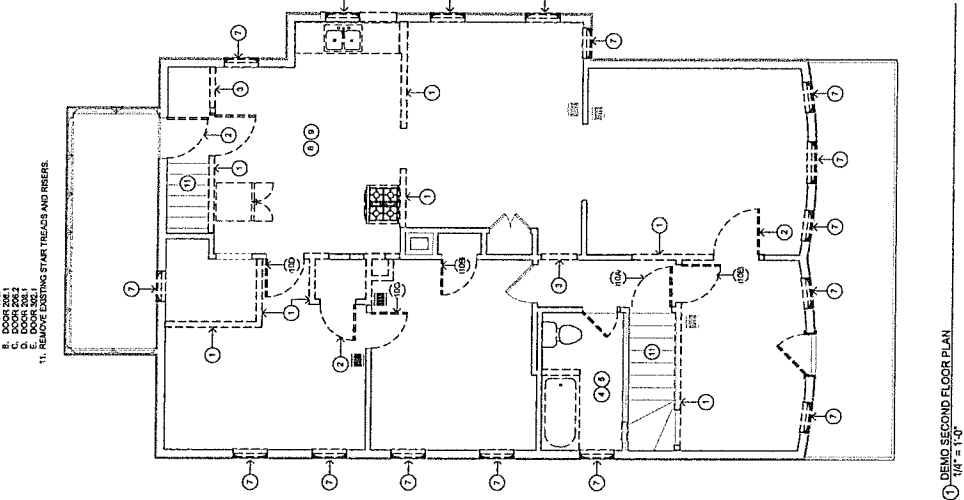
<u>GROSS FLOOR AREA (GFA) †</u>		
Accessory Building	<u>330</u>	<u>330</u>
Basement or Cellar (meeting the definition of Story, excluding mechanical use areas)	<u>0</u>	<u>0</u>
1 st Floor	<u>1153</u>	<u>1153</u>
2 nd Floor	<u>1194</u>	<u>1194</u>
3 rd Floor	<u>n/a</u>	<u>n/a</u>
4 th Floor	<u>n/a</u>	<u>n/a</u>
5 th Floor	<u>n/a</u>	<u>n/a</u>
Attic (greater than 7'-0" in height, excluding elevator machinery, or mechanical equipment)	<u>309</u>	<u>489</u>
Parking garages (except as used for accessory parking or off-street loading purposes)	<u>n/a</u>	<u>n/a</u>
All weather habitable porches and balconies	<u>n/a</u>	<u>n/a</u>
Total Gross Floor Area (GFA)	<u>2986</u>	<u>3166</u>

† Refer to Definition of Gross Floor Area in Section 2 and Section 5 of the Zoning Bylaw.

<u>REQUIRED MINIMUM OPEN SPACE AREA</u>		
Landscaped Open Space (Sq. Ft.)	<u>1627</u>	<u>1627</u>
Landscaped Open Space (% of GFA)	<u>54.5</u>	<u>51.4</u>
Usable Open Space (Sq. Ft.)	<u>788</u>	<u>788</u>
Usable Open Space (% of GFA)	<u>26.4</u>	<u>24.9</u>

This worksheet applies to plans dated 04/11/2022 designed by Mix Design and Development

Reviewed with Building Inspector: _____ Date: _____



Fleming Residence
15 Melrose St.,
Arlington, MA

SECOND FLOOR PLANS

Project number	202109
Date	3/16/2022

A1.1	As Indicator
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PERMITS AND NOTES:
1. ALL WORK RELATED TO PLUMBING, ELECTRICAL, MECHANICAL, AND FIRE PROTECTION SHALL BE DONE IN ACCORDANCE WITH THE BUILDING DEPARTMENT OF THE CITY OF BOSTON, THE STATE OF MASSACHUSETTS, FEDERAL, STATE, AND LOCAL CODES AND STANDARDS.
2. ALL ELECTRICAL, EMERGENCY LIGHTING, FIRE ALARM, AND SMOKE DETECTOR WORK SHALL BE DONE IN ACCORDANCE WITH THE BUILDING DEPARTMENT OF THE CITY OF BOSTON, THE STATE OF MASSACHUSETTS, FEDERAL, STATE, AND LOCAL CODES AND STANDARDS.
3. THE ARCHITECT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR THE COST OF SUCH PERMITS.
4. ALL DIMENSIONS SHALL BE VERIFIED IN THE FIELD.

ELECTRICAL NOTES:
1. ALL ELECTRICAL WORK SHALL BE DONE IN ACCORDANCE WITH THE BUILDING DEPARTMENT OF THE CITY OF BOSTON, THE STATE OF MASSACHUSETTS, FEDERAL, STATE, AND LOCAL CODES AND STANDARDS.
2. ALL ELECTRICAL WORK SHALL BE DONE IN ACCORDANCE WITH THE BUILDING DEPARTMENT OF THE CITY OF BOSTON, THE STATE OF MASSACHUSETTS, FEDERAL, STATE, AND LOCAL CODES AND STANDARDS.
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6. ALL ELECTRICAL WORK SHALL BE DONE IN ACCORDANCE WITH THE BUILDING DEPARTMENT OF THE CITY OF BOSTON, THE STATE OF MASSACHUSETTS, FEDERAL, STATE, AND LOCAL CODES AND STANDARDS.
7. ALL ELECTRICAL WORK SHALL BE DONE IN ACCORDANCE WITH THE BUILDING DEPARTMENT OF THE CITY OF BOSTON, THE STATE OF MASSACHUSETTS, FEDERAL, STATE, AND LOCAL CODES AND STANDARDS.

APPLICABLE CODE:
1. ALL ELECTRICAL WORK SHALL BE DONE IN ACCORDANCE WITH THE BUILDING DEPARTMENT OF THE CITY OF BOSTON, THE STATE OF MASSACHUSETTS, FEDERAL, STATE, AND LOCAL CODES AND STANDARDS.

GENERAL NOTES:
1. ALL TYPICAL NOTES ON EACH DRAWING TO APPLY UNLESS OTHERWISE NOTED.

No.	Description	Date

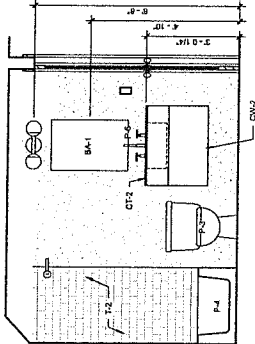
Fleming Residence
15 Melrose St,
Arlington, MA

INTERIOR
ELEVATIONS

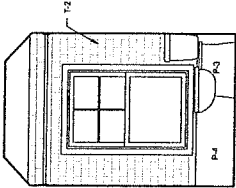
Project number: 202109
Date: 3/16/2022

A4.2

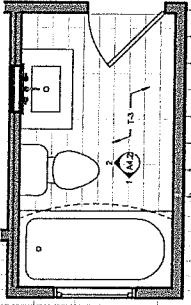
Scale: 1/2" = 1'-0"



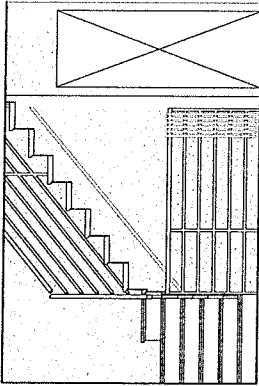
2. INT. ELEV. @ ATTIC BATH - VANITY
1/2" = 1'-0"



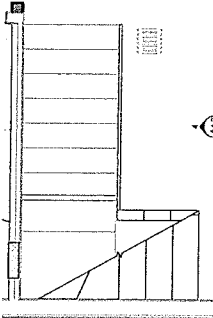
1. INT. ELEV. @ ATTIC BATH - FACING TUB
1/2" = 1'-0"



5. ENLARGED PLAN - ATTIC BATH
1/2" = 1'-0"



3. INT. ELEV. @ OFFICE FACING STAIR
1/2" = 1'-0"



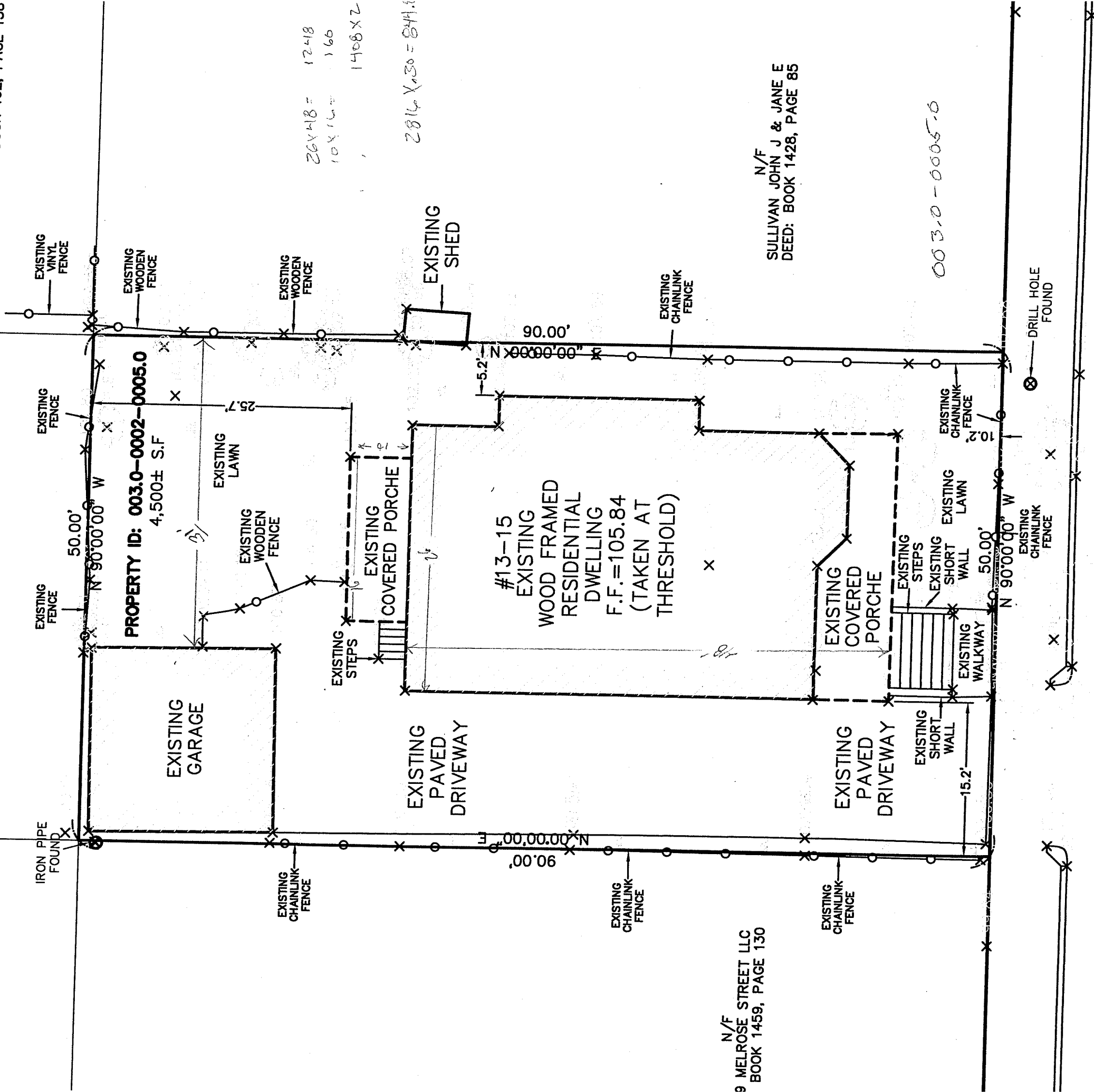
4. ENLARGED PLAN - STAIR
1/2" = 1'-0"

796.7 $\varnothing$ OPEN SPACE

N/F
AS R /TRUSTEE
1366, PAGE 66

LYONS MAURICE M & PHYLLIS
N/F

N/F
LEAHY KEVIN JAMES & LAURA ME
DEED: BOOK 162, PAGE 138



26x48 = 1248
10x16 = 160
1408x2 = 2816
2816x.30 = 844.8

N/F
9 MELROSE STREET LLC
BOOK 1459, PAGE 130

N/F
SULLIVAN JOHN J & JANE E
DEED: BOOK 1428, PAGE 85

003.0-0005.0

MELROSE STREET
(PUBLIC WAY - 40' WIDE)