



TOWN OF
STONEHAM
MASSACHUSETTS
Town Hall
35 Central Street
Stoneham, Massachusetts 02180
BOARD OF APPEALS
781-279-2695

Stoneham Board of Appeals Minutes

Thursday, February 27, 2025
Town Hall Hearing Room
6:00 PM

Members of the Board present: Chair Tobin Shulman, Eric Rubin, Kevin McLaughlin, R. Michael Dufour and Associate Member William Sullivan sitting in as a full member in Mr. Saltzman's absence.

Also present: Town Clerk Maria Sagarino acting as Clerk to the Board of Appeals and Attorney Charles Houghton.

The meeting was called to order by Eric Rubin at 6:17PM as Chair Tobin Shulman was running a few minutes late. Mr. McLaughlin led the Pledge of Allegiance and Mr. Shulman entered the meeting before it was concluded.

Since they were running a few minutes behind, Mr. Shulman deferred the approval of minutes until the end of the meeting. He then introduced the Board members, including Associate member Bill Sullivan who would sit in for the Vice Chair and explained the procedure for the public hearings.

418-420 Main Street

Mr. Shulman read the first legal notice into the record as follows:

“You are hereby notified that the Stoneham Board of Appeals will hold a Public Hearing Thursday, February 27, 2025 at 6:00 p.m. in the Hearing Room, Town Hall, 35 Central Street, Stoneham, Massachusetts to hear all persons interested in the application by KIIN Stoneham Thai, 418 Main Street, Stoneham, Massachusetts to expand the restaurant at 418 Main Street into the unit next door at 420 Main Street and create seating for 25. The petitioners are requesting a variance of the Stoneham Town Code, Chapter 15, Section 6.3.3 Minimum number of spaces by use. The minimum required parking spaces for a restaurant are 1 space per 3 seats. The required parking for the proposed is 8 spaces. There is no off street parking provided. A floor plan of the proposed seating layout for 418-420 Main Street may be seen daily except Friday afternoon in the Town Clerk's Office.”

Kanitta Chaiwan and Nutchaya Tasanont appeared before the Board to explain that they own the Thai restaurant at 418 Main Street. The salon next door closed and they sought the opportunity to expand their restaurant into 420 Main Street. They add more seating at 420 Main Street.

Mr. McLaughlin asked if they were adding a dining room at 420 Main and keeping the kitchen at 418 Main Street. Ms., Chaiwan indicated that was their intention. Mr. McLaughlin stated that that there is plenty of municipal parking with the Fuller Street and Emerson Street lots.

Mr. Shulman opened the hearing up to the public. With no members of the public present for comment, Mr. McLaughlin made a motion to close the public hearing which was seconded by Mr. Rubin. All members voted in favor 5-0.

Mr. Sullivan stated that their business is like everything else in that area. They rely on public parking. No one has off-street parking. The restaurant is tiny. They are just trying to expand to do better business. Mr. Shulman added that it is already an existing business.

Mr. Rubin made a motion to grant the relief. The location creates a hardship. There is no place to add off-street parking. It doesn't derogate from the intent of the bylaw and would serve the public good. Mr. Dufour seconded the motion. A roll call vote was taken. All members voted in favor 5-0.

134 Elm Street

Mr. Shulman read the next legal notice into the record as follows:

“You are hereby notified that the Stoneham Board of Appeals will hold a Public Hearing THURSDAY EVENING, February 27, 2025 at 6:00 p.m. to hear all persons interested in the application by John Cullen with an address at 8 Homestead Lane, Stoneham, MA 02180, to construct two six unit townhouse style buildings at 134 Elm Street, Stoneham, Massachusetts and to request variances at 134 Elm Street, Stoneham, Massachusetts as follows: Section 4.3.3.1 b (1) Off Street Parking – All parking spaces shall be behind the front building line. The parking spaces for Unit 1 are not behind the front building line; Section 4.3.3.1 h – If there is more than one building on a lot there shall be at least 45 feet between each structure if they are townhouses. The proposed building are only 10 feet apart; Section 5.2.1 Dimensional Requirements – The maximum percent coverage allowed in Residence B is 20%. The proposed percent coverage is 27.2%; Section 5.2.1 note 6 – Dimensional Requirements – the minimum front setback in Residence B with 3 or more units is 30 feet. The proposed front setback is 25 feet.; Section 5.2.1 note 6 – Dimensional Requirement – The minimum side setback in Residence B with 3 or more units is 30 feet. The proposed side setback is 15 feet; Section 5.2.1 note 6 – Dimensional Requirements – The minimum rear setback in Residence B with 3 or more units is 30 feet. The proposed rear setback is 11.9 feet. A plan filed with the petition by P.J.F. and Associates dated December 20, 2024, entitled “Site Plan of Land of 134 Elm Street in Stoneham, Mass.” shows the proposed two six unit town house buildings. Plan may be seen daily except Friday afternoon in the Town Clerk’s Office.”

Attorney Houghton appeared before the Board to explain his client’s request. His client had started by rezoning the property at Town Meeting and talking to the Planning Board about the proposed project. This is an odd shaped lot. You could build a 16 unit garden style building but his client felt that he’d like to gear it towards seniors and would like to build town house style with garages. Mr. Houghton explained that Town Meeting had granted an easement for the sewer between 134 Elm Street and the senior Center property at 136 Elm Street.

Mr. Houghton went on to explain that the current house and upholstery shop bring in about \$6500 in tax revenue. The proposed units would probably sell for \$900,000 and bring in about \$100,000 in taxes. The proposed units fit in the neighborhood and parking would be in the garages.

Mr. Rubin clarified that the garden style units could be built by right. Mr. Houghton agreed. They wouldn't need any variances. They would just need a Special Permit. They felt that it would look like a three level box.

Mr. Dufour asked if there was a rendering so the Board would know what to expect. Mr. Cullen passed out a rendering to the Board. Mr. Sullivan asked why there was 10 feet between buildings. Mr. Cullen responded that you could put 12 units together but he thought it would look more aesthetically pleasing with some landscaping in between. Mr. Houghton stated that it would be a similar design to what was done on Pleasant Street Mr. Sullivan would prefer to see them staggered but understands there would be a problem with the access. Mr. Cullen explained that the second building is a little lower because of a grade change.

Mr. Shulman questioned the variance for parking to require all parking spaces be behind the front building line. He was confused because it's not behind line. Mr. Houghton stated that it's been in the bylaw since 1985. It doesn't serve a real purpose, but the Building Commissioner said to put it in.

At this time, the Chair opened the hearing up to the public. Steve Dillon from 4 Gracewood Road asked if a traffic study was done. He also asked if trees would be taken down and questioned the access in and out of the property.

Denise Keegan of 137 Elm Street also asked about the traffic in and out and whether trees would be taken down.

Barbara Redmond of 139 Elm Street also questioned access. She commented that it is getting very old having construction on the street after the years of Eversource, the flip at 135 Elm Street and construction on Garden Road.

Steve Dillon asked again about a traffic study. Mr. Cullen explained that they were going to market it to seniors and with over 55 there is very little traffic.

Mr. Shulman explained that this Board was the first stop for the variances. It would go to other Boards where a traffic study may be required but that this Board was just dealing with the requested variances.

Mr. Dillon asked what the height would be. Mr. Cullen responded that it would be 30 feet which is allowed. Mr. Dillon then asked about the access in and out. Mr. Cullen responded that you would enter on the Council on Aging side off of Elm Street.

Mr. Dillon feels that this is a very aggressive plan.

Mr. Shulman read two letters of opposition into the record from Jennifer Cabral of 129 Elm Street and James DePaul of 135 Elm Street.

Mr. Houghton reiterated that they had gone to Town Meeting to rezone the parcel. Town Meeting told about the proposed project and chose to rezone to residence B. He further explained that some trees will need to be cut down but some will be replanted. He continued to say that this property will be developed even if it is with just one building. He mentions that the bylaw requires a 30 foot setback and you'd have trouble building anything in Residence B that complies with that bylaw. Mr. Houghton added that his client lives around the corner. There are no wetland issues within 100 feet of this lot.

Mr. Shulman asked what the plans would be for the yard space in the back which is within the 15 foot setback of the cemetery. Mr. Cullen responded that they planned landscaping and a little patio area. Mr. Shulman also asked about the hammerhead shown along the property line. Mr. Cullen indicated that would be a turnaround area. He also mentioned that the whole property would be fenced in. Mr. Shulman suggested something higher in the back or some netting because of the soccer field.

Mr. Dillon spoke about the soccer that happens 7 days a week and all of the cars constantly parked up and down Elm and Gracewood being used as a turnaround when the people miss the senior center driveway. He thinks this will have a huge impact. He's not adverse to development but this is too much. Mr. Dillon asked which way the townhouses would face. Mr. Cullen responded that the rear will face the cemetery.

With no further members of the public present for comment, Mr. Dufour made a motion to close the public hearing which was seconded by Mr. McLaughlin. All members voted in favor 5-0.

Mr. Rubin indicated that development is controversial, but this is nice. It would be home ownership not rental. He again pointed out that one building could be built without variances. This seems to be a better option, but he does understand the concern.

Mr. Shulman asked what the Board thought of the 10 feet between buildings. Mr. Sullivan commented that it looked like one long train. Mr. Rubin asked if 10 feet makes a difference. Mr. Sullivan said that regardless it requires a variance and he'd like to see it broken up somewhat.

Mr. Houghton explained that they have another problem with the two affordable units required under the bylaw.

Mr. Dufour thinks it is a great design. He'd rather see this than an apartment building and there is a need for this type of housing. With that, Mr. Dufour made a motion to accept as proposed. He likes the plan. Would like to see them record the rendering. It doesn't derogate from the intent of the bylaw. There is a hardship with the shape of the lot. They would not did up Elm Street again. Mr. Sullivan added that the lot coverage is less than is allowed in Residence A which creates an ongoing problem. Mr. McLaughlin seconded the motion. A roll call vote was taken and all members voted in favor 5-0.

590 Main Street

The Chair read the final legal notice into the record as follows:

“You are hereby notified that the Stoneham Board of Appeals will hold a Public Hearing THURSDAY EVENING, February 27, 2025 at 6:00 p.m. in the Hearing Room, Town Hall to hear all persons interested in the application by Anthony Saia, Jr. and Anthony Maffeo, Jr., Managers of TNT FRANKLIN REALTY LLC of Six Blueberry Lane, Wakefield, MA to demolish the existing foundation and to construct a new two-family dwelling at 590 Main Street, Stoneham, Massachusetts. Petitioner is requesting a variance of : Section 5.2.1 Dimensional Requirements The required minimum lot size in Residence B is 9,500 square feet for a two-family dwelling. The existing lot size is 6,251 square feet. Section 5.2.1 Dimensional Requirements requires a maximum percent lot coverage in Residence B of 20 percent. The proposed percent lot coverage is 32.3 percent. Section 6.3.4.2 (4) Layout There are four parking spaces proposed, one in the garage contained in each unit and one space in the driveway in front of each garage. The spaces in the driveway are in violation of Section 6.3.4.2 (4) which requires that vehicles proceed to and from each off-street parking space without requiring the moving of any other vehicle or passing over any other parking space. A plan filed with the petition by Edward J. Farrell, PLS dated January 17, 2025 entitled “Plot Plan for Proposed Duplex 590 Main Street Stoneham, Mass.” shows the proposed two-family dwelling. Plan may be seen daily except Friday afternoon in the Town Clerk's Office.”

Mr. Houghton appeared before the Board and handed out a rendering of what the proposed duplex would look like. He mentioned that his clients would be using Mike Santullo as the builder. He continued to explain that the house on the lot had burned down. All that is left is rubble of the foundation. They wish to build a new structure which would be located next to a 16 unit condo building. The duplex will face Gorham Avenue. There will be a garages for parking.

Mr. Rubin asked if there would be a fence between the duplex and the condos next door. Mr. Houghton stated there would be fencing.

Mr. Shulman commented that the side of the building might be plain and it will be facing Main Street. He asked if they might dress it up or plant trees. Maybe add some landscaping facing Main Street. Mr. Houghton stated that it was their intention to landscape.

Joan Lemire of 12 Fairview Road mentioned that there was something similar in size built on Wilson Road. It was a small \$1 million house with no parking issue. She asked if this could also be a single family house. Mr. Houghton responded that this property is in Residence B which allows multi-family housing.

Paul Maisano of Gorham Avenue spoke in favor of the project. He believes that this is a good proposal. He thinks it's great facing Gorham Ave and mentioned that there have been many accidents including a near death collision six months ago. He said it would be a hardship to have a driveway on Main Street. This project is good. They have done everything to make it safe and make it better.

With no other members of the public present for comment, Mr. Rubin made a motion to close the public hearing which was seconded by Mr. McLaughlin. All members voted in favor 5-0.

Mr. Rubin echoed what the Board heard from Mr. Maisano. This project would be cleaning up and improving the lot. This would be home ownership. He made a motion to grant the relief stating that the lot creates a hardship. It doesn't derogate from the intent of the bylaw and would serve the public good. He added the condition that there be some screening or ornamental tree planting on the Main Street side. Mr. McLaughlin seconded the motion. A roll call vote was taken. Four members voted in favor, one voted against. Mr. Sullivan explained that he was voting against granting the relief as the square footage was too much for the lot. He felt it was being overbuilt.

The approval of minutes had been moved to the end of the agenda. Mr. McLaughlin made a motion to approve the minutes from January 23, 2025 which was seconded by Mr. Dufour. All members voted in favor 5-0.

Mr. McLaughlin made a motion to adjourn which was seconded by Mr. Rubin. All members voted in favor 5-0.

The meeting adjourned at 7:20 PM.

Respectfully submitted:

Maria Sagarino
Town Clerk

Documents and other exhibits used by the Board of Appeals during this meeting to be made part of the official record but not attached to these minutes:

A floor plan of the proposed seating layout for 418-420 Main Street dated December 20, 2024.

A rendering of 134 Elm Street showing proposed townhouses by Phoenix Architects.

Plot Plan for Proposed Duplex 590 Main Street Stoneham, Mass. Dated January 17, 2025

Rendering of 590 Main Street showing proposed duplex.