



T O W N O F
S T O N E H A M
M A S S A C H U S E T T S
Town Hall
35 Central Street
Stoneham, Massachusetts 02180
BOARD OF APPEAL
781-279-2695

Minutes
Stoneham Board of Appeals Meeting
Thursday, September 16, 2021
Town Hall Hearing Room
6PM

Members of the Board present: R. Michael Dufour, Robert Saltzman, Chairman Tobin Shulman, Eric Rubin, Kevin McLaughlin and Associate Member Lucas Brown

Also present: Attorney Charles Houghton representing the petitioner, Michael Plunkett, Hunter Hughes and Frank Walsh.

Meeting was brought to order by Chairman Tobin Shulman at 6:05 PM. Mr. Shulman began the meeting by introducing the members and associate member present and setting out the procedure to be followed and instructions for the public hearing.

Discussion

14 Plaza Avenue
Represented by Attorney Charles Houghton

Attorney Houghton submitted a letter that he is proposing for the Board to send and Mr. Shulman stamped it in along with the Board's decision and an Operation and Maintenance Plan for drainage at 14 Plaza Ave. Mr. Houghton states that there was a system installed at 14 Plaza Ave. in September of 2019 as verified by DPW. As far as he could tell there is no record of inspection. Mr. Houghton felt the only way that would happen is if the Town notified the owner or if the Board notified the Building Inspector to notify the owner. He stated that these systems only work if you keep them maintained. The agreement was that they would do maintenance and follow the Operation & Maintenance Plan and a report would be filed. Mr. Houghton stated that the Board can do what they deem necessary as far as a report is concerned. He didn't want to create hardship, but there should be an O & M Plan and maintenance. Mr. Shulman questions whether they are the Board to be receiving this report. Attorney Houghton mentions that it could be DPW. Attorney Houghton states maybe it should be the Board and DPW. Mr. Shulman made note on the letter that the Board of Appeals and DPW could receive the reports when provided. Mr. Saltzman states that with that change they are there.

Motion to send the letter as amended made by Mr. Rubin and seconded by Mr. Saltzman. Roll call vote taken by the Chair. There was a 5-0 vote in favor.

Public Hearing

76 Maple Street
Represented by Attorney Charles Houghton

Mr. Shulman read the complete legal notice for the public hearing into the record.

“You are hereby notified that the Stoneham Board of Appeals will hold a Public Hearing THURSDAY EVENING, September 16, 2021 at 6:00 p.m. in the Hearing Room, Town Hall to hear all persons interested in the application by Villains Hair Lab LLC, Michael Plunkett, Member of 31 Harrison Street, Stoneham, MA and Hunter Hughes, Member, with an address of 9 MacArthur Road, North Reading, MA, to change the use at 76 Maple Street, Unit 500, Stoneham, Massachusetts to a barber shop/hair salon. Petitioner is requesting variances at 76 Maple Street, Unit 500, Stoneham, Massachusetts as follows: Section 6.3.4.2.(3) Layout - Off street parking aisle width for two-way traffic must be 24 feet. The existing driveway for the proposed use is 18.2 feet. Section 6.3.4.2 (5) Layout - Parking spaces shall be designed to enter and exit in a forward direction. The proposed handicapped space does not comply, as a vehicle must back up onto Maple Street. Section 6.3.4.2 (2) – Layout – All required parking spaces shall be 5 feet from any street or way. The proposed handicapped space is on the property line. A plan filed with the petition by Benchmark Survey entitled “Plan of Land, 76 Maple Street, Unit 500, Stoneham, Mass.” dated July 6, 2021 shows the existing parking and building. Plan may be seen mornings except Fridays in the Board of Appeals office and daily except Friday afternoon in the Town Clerk’s office.”

Attorney Houghton introduced himself and both petitioners. He stated that they went before the Planning Board and then the Building Commissioner stated it also needed to go to the Board of Appeals. He continued with background information explaining that it is an old building and the site is the site, they aren’t changing anything. The business will be on the ground floor and requires handicapped accessible parking on the property. There is an existing space and the ramp needs to be updated. The architect was asked about moving the space but it cannot be done anywhere else. They will put a set of stairs to the upper and lower levels. The accessible space would stay where it is in front where ramp is. That space would need to back out but it is accessible. There is plenty of parking otherwise. The set of stairs will be added to the current plan. There is enough parking but the aisle for two way traffic is not 24 feet.

Mr. Saltzman questioned whether someone parking in the handicapped spot might back in to have more of a chance when leaving the space. You wouldn’t want someone to get hit. The traffic on Maple St runs fast. Mr. Houghton said that they tried to move it to allow for making the turn but it couldn’t be done. They agree that backing in is the way to go for this space.

Mr. Dufour asked about the stairs that will be added to the plan. Mr. Houghton stated that they will remove space one on the plan and put a pressure treated set of stairs in that area. Mr. Dufour questioned whether it would get you down to that grade or level. Mr. Houghton stated that it would.

Mr. Shulman opened the hearing up to the public. Frank Walsh, 7 Rose Lane speaks in support of what will be added to accommodate what the Building Commissioner is asking for. Frank owns the property next door but manages 76 Maple Street for the owner. There was discussion of the barbershop and how everything is currently booked ahead particularly with the present COVID restrictions. They discussed the existing crosswalk on Maple added for the bike path and the pedestrian light which slows people down.

Mr. Shulman entertained a motion to close the public hearing. The motion was made by Mr. Dufour and seconded by Mr. McLaughlin. The board votes 5-0 to close the public hearing.

Mr. Dufour spoke to the crazy topography of the property and the hardship of the building on that land. Mr. Shulman mentioned the unusual shaped lot. Mr. Dufour stated they have all of the parking needed. They all felt that those utilizing the space should back in.

Mr. Dufour made a motion to accept as proposed with signage for back in only. Motion was seconded by Mr. McLaughlin. Roll call vote taken. 5-0 all members present voted in favor.

Motion to adjourn made by Mr. Saltzman and seconded by Mr. McLaughlin. Meeting adjourned at 6:30 PM.

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:

- Proposed letter submitted to the Board by Attorney Houghton with an attached copy of Board of Appeals decision for 14 Plaza Ave. and Operation and Management Plan for 14 Plaza Ave.
- Legal Notice for 76 Maple Street run in the Stoneham Independent September 1 and September 8, 2021 and mailed to abutters of the property.
- “Plan of land, 76 Maple Street, unit 500, Stoneham, Mass” dated July 6, 2021
- Letter dated September 16, 2021 from Dean Associates, Architects Incorporated with findings on accessibility

Respectfully submitted by:

Maria Sagarino
Town Clerk