



CITY OF GLOUCESTER
ZONING BOARD OF APPEALS
3 POND ROAD, GLOUCESTER MA 01930

ZONING BOARD OF APPEALS

Meeting Minutes

7:00 P.M., October 25, 2018

Kyrouz Auditorium, City Hall

Board Members Present: David B. Gardner, Chairman
Joseph Parisi, III, Vice Chairman
Michael Nimon- Absent
Sage Walcott
Kris Howard

Alternate: Adria Pratt
Michele Harrison

Also in Attendance: Bill Sanborn, Building Commissioner for the City of Gloucester
Alison Battle, Clerk for the City of Gloucester

The Chairman called the meeting to order at 7:00 PM

Previous meeting minutes for September 13th and September 27th, 2018 were submitted for review, motioned by Mr. Parisi, and seconded by Mr. Howard to accept as written.
All in favor.

Continued Business:

20 Southern Rd.

Jeff and Missy Barlow, seeking a Variance for side yard setback to enable petitioner to construct a garage addition. Mr. Gardner references a letter that was submitted to the board by Atty. Philip Lake of Lake Legal, 17 Hammatt St. Ipswich, MA 01938, requesting to withdraw his client's application without prejudice. Atty. Philip Lake is representing the Barlow's and is in attendance this evening.

Motion: Ms. Pratt moves to grant the request to withdraw without prejudice

Seconded: Mr. Parisi seconds

Vote: All in favor, 5-0

New Business:

6-8 Chestnut St.

Red Blazer Rentals, LLC seeking Variances for front yard setback, side yard setback, rear yard setback, lot width, lot area, lot frontage, lot coverage to enable petitioner to apply to the City Council to convert existing 3 family dwelling to a 4 family dwelling.

Ms. Pratt recuses herself from this petition.

Atty. Joel Favazza of Seaside Legal Solutions, 123 Main St. Gloucester, MA, is representing the Applicants and discusses their plans to the board submitting a map to the Board for them to reference and puts it on the projector as well.

The board asks questions about accessing the utilities, the common space and the use of an apartment in the basement of the structure and the need to increase housing in Gloucester.

Speaking in Favor: None

Speaking in Opposition: None

Ms. Harrison motions to accept the Variances requested so that the applicant can apply to the City Council to change this dwelling from a 3-4 family and a Variance to park in the front yard.

Second: Mr. Parisi seconds

Vote: All in favor, 5-0

11 White's Mountain. Rd.

Robert Gulla, 593 Essex Ave., Gloucester, MA, architect for this project is representing the Applicants Karl Geodecke and Tina Stoner, who are seeking a Special Permit to exceed the maximum building height to enable the petitioner to construct a single family home. Mr. Gulla gives a brief summary to the proposed project.

The Board asks questions on how the grade was calculated.

Speaking in favor: None

Speaking in opposition: None

Mr. Parisi discusses the plans and how the board has seen a lot of these issues, He feels that the board can support the project due to the location of the dwelling, and there is no impediment to the utilities.

Mr. Parisi moves to grant a Special Permit.

Second: Ms. Pratt

All in favor, 5-0

118 Bray St.

Atty. Sal Frontiero of Frontiero Law, 46 Middle St. Gloucester, MA is representing the petitioner Scott Real Estate LLC, seeking Variance for a side yard setback to enable petitioner to correct a construction mistake. Atty. Frontiero discusses the difficulty of building a house on this lot due to many factors and the error made by the builder that now has the applicant's home encroaching 4' into the left side yard setback. This error was not realized until the As-built plan was done. They tried to purchase a small piece of land from Mr. Carrigan, but this wasn't an option. He discusses the hardship of moving the house due to the shape of the lot, topography, and the sewer systems location.

Speaking in Favor:

Mary Salerno and Peter Masters who have been under agreement for this property for well over a year. She speaks well of the Builder and Construction team.

Speaking in Opposition: None

Discussion: The Board discusses that this is a larger error than they are accustomed to seeing. Mr. Parisi notes that he doesn't like to reward people for their mistakes in the age of GPS and other technology, but agrees with Mr. Howard in accepting this application. Mr. Howard moves to grant this Variance, noting that they do not want to see this Builder back again with a mistake like this one.

Seconds: Ms. Pratt

Vote: All in favor, 5-0

480A Washington St.

Atty. Joel Favazza, Seaside Legal Solutions, 123 Main St. Gloucester, MA, is representing Stefania Merone-Hollard, seeking a Special Permit to alter/expand a non-conforming structure to enable petitioner to alter the roofline of the existing structure. Atty. Favazza discusses the plans shown to the board on the large screen from his laptop.

The Chair comments that this was a controversial application the last time it was before the Board and asks if the neighbors were notified. Atty. Favazza states that they were.

Mr. Parisi notes that there are no neighbors in opposition and he appreciates them taking the neighbors view into consideration.

Speaking in Favor: Judy Peterson, 482 Washington St. is happy with the proposed plans and wishes that they had done this in the first place.

Speaking in Opposition: None

Ms. Harrison moves that they grant a Special Permit.

Second: Mr. Howard

All in favor, 5-0

7 Cabo Dr.

Brendon I. Brown, seeking a Special Permit to alter/expand a non-conforming structure to enable petitioner to add a second story to the existing building. Mr. Brown is representing himself and discusses the need to add a second floor due to his growing family and would like to add 2'6" to meet the 10' setback on the right side.

The Board questions if Mr. Brown needs a Variance as well. It is confirmed by the Building Commissioner that he does not need one.

The Board confirms that the car port will not encroach the neighbor. It does not.

Speaking in Favor: None

Speaking in Opposition: None

Mr. Parisi moves to grant the Special Permit.

Second: Mr. Howard

All in favor, 5-0

27 Rockholm Rd.

Atty. Joel Favazza, of Seaside Legal Solutions, 123 main St., Gloucester, MA is representing, Scott M. and Michelle R. Graczyk, seeking a Special Permit to alter/expand a non-conforming structure to enable petitioner to alter roofing of existing structure.

Atty. Favazza discusses the project proposed to this water-front home, showing the plans on the screen and answering questions asked by the Board.

This has been approved by the Conservation Commission.

The Board asks where the frontage is and if they have a right to access the property per their deed.

Mr. Sanborn notes that he appreciates when people take their neighbors views into consideration.

Speaking in Favor: None

Speaking in Opposition: None

Motion: Adria moves to grant a Special Permit as they are preserving views and not removing them and it is an improvement to the neighborhood.

Second: Mr. Walcott

All in favor, 5-0

Board Discussion:

The Board discusses the issue brought up by the Building Commissioner and Clerk, suggesting that any submitted documents including letters by the public in favor and in opposition of an application be distributed to the board members by email if they are received 72 hours BEFORE the meeting. However submissions and letters in favor or in opposition received WITHIN 72 hours before the meeting, will be taken by the clerk and made part of the application folder, but will not be taken into consideration by the board, unless they are presented to the board during the meeting by the resident.

Also discussed was the taking in of plans and information handed out during the meeting. The Building Commissioner suggests that no plans be accepted for submission during a meeting by the applicant or their representation. If it is necessary information, the application will be continued to another date to enable the board to read the material given.

The Board is in favor of adopting these conditions to the application process and the submission of documents.

Motion to adjourn was made at: 8:26 PM

Motion by: Ms. Harrison

Second by: Mr. Howard

All in favor, 5-0