

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

**ZONING BOARD OF APPEALS
Meeting Minutes**

7:00 P.M., September 12, 2019
Kyrouz Auditorium, City Hall

Board Members Present:

David B. Gardner, Esquire, Chairman
Joseph Parisi III, Vice Chairman
Adria Pratt, Esquire, Secretary - Absent
Michael C. Nimon
Michele Holovak Harrison

Alternate:

Catherine A. Schlichte, Esquire - Absent

Also in Attendance:

Bill Sanborn, Building Commissioner
Alison Battle, Clerk

Minutes:

Mr. Parisi and Ms. Harrison would like more time to read the minutes and continue the acceptance of the minutes of August 29, 2019, to the 9/26/19 meeting.

New Business:

A brief discussion of the 2020 meeting schedule took place. It was decided to vote on the new schedule at the next meeting on 9/26/19.

Continued Hearings:

24 East Main St.

Sal Frontiero, Esquire, of Frontiero Law Office, 46 Middle St. Gloucester, MA 01930 is representing Point Hill LLC, seeking Special Permits to alter/expand a non-conforming structure and to exceed the maximum building height of an accessory building to enable petitioner to demolish an existing garage and rebuild.

Attorney Frontiero submits updated plans to the Board and gives a brief summary of the proposed plans.

The updated plans moves the accessory building to a new location to meet the distance required between buildings.

Mr. Nimon confirms that the garage is closer to the street and this is discussed by the members. It is decided that East Main St. is frontage for the property, so no Variance for frontage closer to the street than the street than the main building is needed.

Ms. Harrison inquires about the conditions put in place in the previous decision and would like to see them be adhered to.

1. Agreement to put in a sign stating no right turn.

Speaking In Favor: None

Speaking in Opposition: None

Ms. Harrison motions to grant the Special Permits to alter/expand a non-conforming structure and to exceed the maximum building height of an accessory building to enable petitioner to demolish an existing garage and rebuild it with the following conditions;

1. The accessory building not be used for residential use.
2. No bathroom or kitchen be added to the accessory building.
3. The accessory building be used only as storage.
4. Left turn only sign put installed.
5. A modification date be put on the Modified plan with a note addressing the relocation of the garage closer to the street

Mr. Nimon seconds

All in favor: 4-0

15 Highland St.

Meredith A. Fine, Esquire, 46 Middle St. Gloucester, MA 01930, is representing Christiano Amaral de Camargo seeking a Special Permit to enlarge building and convert to a two family dwelling and a Variance for lot area to enable petitioner to convert a single family dwelling to a two family dwelling.

Attorney Fine confirms that her application packets did not include reduced copies of the plans in the member's packets. Due to this, the Board members were unable to previously review the proposed project. All other requirements were met by Atty. Fine.

Mr. Nimon suggests that the Board proceed in hearing the application and hold judgment to see if not viewing these plans previously is an issue.

Ms. Harrison notes that the neighbors should have had a chance to view the plans as well.

Atty. Fine and Mr. Sanborn both confirm that the plans were available to be viewed by the public in the same manner as in any other application and that it is just the Board Members that did not receive their copy.

The Chair asks if there is anyone in the audience that is in attendance for this application and 4 people raise their hands.

Marilyn Swift, 20 Highland St. and Zoey Murray, manager of the property at 17 Highland St. inform the Board that they received a notification in the mail about this evenings meeting, however were not given the plans to view.

Mr. Sanborn and the Clerk inform the Board that all the abutters received the correct notification stating that the plans are available to be viewed at the Inspectional Services office on 3 Pond Rd.

The Chair suggests they continue this application to the 9/26/19 meeting and that 6 copies of the plans be brought to the Clerk on Friday morning.

Ms. Swift notifies the Board that she will be unable to attend the next meeting.

Atty. Fine states that she will speak with Ms. Swift and send the plans to the abutters, as well as, to the Clerk tomorrow morning.

Mr. Nimon moves to continue the application to the 9/26/19 meeting.

Ms. Harrison seconds

All in favor, 4-0

Mr. Sanborn states that they plans will be available to be viewed by the public after 10:00 PM Friday until the 9/26/19 meeting.

35 Starknaught Hts.

Architect Johnathan Weaver, 237 Granite St. Rockport, MA 01966 is representing Rosella and Richard Sagall seeking a Variance to allow an accessory structure closer to the street than the principal structure to enable petitioner to construct a garage to store his 1960 Nash Metropolitan antique car.

Mr. Weaver gives the Board a brief summary of the proposed plans with an enlargement of the plans as a visual aid. The permit for this project was applied for and the foundation poured before the permit was issued. The applicant is before the Board to complete the process correctly.

The Chair states that as a Board, they need to consider this application as they would have if it was applied for correctly from the start.

Mr. Parisi notes that they are using a plot plan from a previous build which is fine.

Speaking In Favor: None

Speaking in Opposition: None

Mr. Nimon motions to grant a Variance to allow an accessory structure closer to the street than the principle structure to enable petitioner to construct a garage.

Ms. Harrison seconds

All in favor: 4-0

Mr. Parisi reminds the owners not to build without a permit.

Motion to adjourn was made at: 7:38 PM

Motion by: Mr. Nimon

Second by: Ms. Harrison