



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

ZONING BOARD OF APPEALS
Meeting Minutes
7:00 P.M., December 12, 2019
Kyrouz Auditorium, City Hall

Board Members Present:

David B. Gardner, Esquire, Chairman
Joseph Parisi III, Vice Chairman
Adria Pratt, Esquire, Secretary
Michael C. Nimon

Alternate:

Catherine A. Schlichte, Esquire

Also in Attendance:

Bill Sanborn, Building Commissioner
Alison Battle, Clerk

The Chair opens the meeting and give a brief overview of how the hearing is conducted.

Minutes:

Mr. Parisi moves to accept the minutes of October 24, 2019 as they have been written.
Mr. Nimon seconds
All in favor, 5-0

Old Business: None

New Business:

206 Main St. & 5 Elm St.

Comprehensive Permit review of final building plan as requested per discussion. The Chair informs the Board of his previous discussion with Atty. Smolack to move this application to the end of the meeting. Mr. Smolack is in agreement to do so.

Continued Hearings:

15 Brier Rd.

Joel Favazza of Seaside Legal Solutions, 123 Main St., Gloucester is representing, Mary Works seeking a Special Permit to alter/expand a non-conforming structure to enable petitioner to demolish existing dwelling and rebuild.

Atty. Favazza is present this evening and requests to withdraw this application without prejudice as it was prepared incorrectly by a 3rd party. Atty. Favazza plans to submit a new application for Ms. Works for the January 9, 2020 meeting. A letter was submitted earlier in the week to the Clerk requesting this withdrawal.

Mr. Nimon moves to allow the Applicant to withdraw this application without prejudice.

Mr. Parisi seconds
All in favor, 5-0

3 Colburn St.

The Chair received a call from the Applicant requesting a withdrawal and calls him to the podium. Michael Larkin, 383 Main St. Medfield, MA is present and explains that he initially wanted to request a continuance, however, after speaking to the Chair and realizing that members of the public may be in attendance this evening, he has decided not to withdraw. The application will be heard in order as it appears on the Agenda.

67 Commercial St.

Sal Frontiero of Frontiero Law, 46 H.B. Development Corp. seeking Special Permit to alter/expand a non-conforming structure or use and Special Permit for height exception to allow the tear down of existing 2 story non-conforming 2 family structure and replace with new 2 family 4 story structure. Also in attendance is Joe Barrett, Project Manager.

The structure was built in 1925, on the intersection of Commercial St. and Fort Square. The property is on a dividing line between an R-5 Residential Use Zone and a Commercial Marine Industrial Zone which makes it a non-conforming use, as residence are not allowed in a Marine Industrial Zone. The structure is non-conforming in lot coverage per Zoning Ordinance 3.2.1 due to the shape of the lot. It is also non-conforming in lot size and frontage.

The Applicant would like to keep the structure as 2 units, while raising the building to allow 2 drive-under garages on the first floor. These garages will house parking for 2 cars per unit (4 parking spaces in total). This is 2 more spaces than is currently there. Atty. Frontiero states that there are no new non-conformities due to the proposed work. The structure will be raised 9', almost to 35' in total, which would be allowable if the demographic regulations of a Marine Industrial Zone were applicable.

The property is in a flood zone. The new structure will follow all regulations required and be flood zone compliant. The current structure is not. The Applicant feels that he has no choice but to go up to the 35' to meet these requirements. The surrounding structures are all higher in elevation than this structure will be.

Board Discussion:

Ms. Schlichte discusses the average grade of both the existing and proposed structure and if the structure will be doubling in size.

Speaking in favor: No

Speaking in opposition:

Mark Nestor, Esquire, 45 Middle St. is representing Christine Ciaramitaro, 2 Rowe Sq., the house on the right side of the proposed project and the nearest residential structure, as the proposed project is surrounded by commercial properties on all other sides. Atty. Nestor discusses the size of the project. Ms. Ciaramitaro is concerned with the Applicant going from a 2 Story to a 4 story structure. She feels this will overshadow her home which is only 2 ½ stories tall.

Mr. Nestor states that the proposed project has a larger footprint, is larger in height of 8.15' and the building is shifting closer to Ms. Ciaramitaro house on the side and rear of her property.

Ms. Pratt asks Atty. Nestor if his client would be comfortable if the Applicant kept the same footprint and just went up in height.

Atty. Nestor responds that she has issue with it going up to 4 stories, but both up and out she feels is definitely too much. She would be more comfortable with it only going up to 3 stories. She feels that the proposed work is a substantial change on an already non-conforming structure. She feels that putting more than a 1300 sq. ft. structure on a 3000 sq. ft. lot is more troubling than the height.

The Diedrich and Bolatta cases are discussed in relation to this petition.

Attorney Frontiero rebuts the comments made by the opposition, stating that the shift of the structure is due to safety and that the Ciaramitaro building is currently taller than the building on 67 Commercial St. and will be close to the same height once the proposed work is completed. He also states that the Ciaramitaro building is on the South West side of his clients building and will not affect morning or afternoon sun. He also reiterates that these properties are in a Marine Industrial Zone and discusses the site back and height allowances in this zone as a matter of right.

Board Discussion:

Mr. Nimon likes the project and thinks that this is more of a 3 story building with dormers than a 4 story building. The building will only be 8'-9' taller which is only 1 story taller due to the hardship of the flood zone. He also feels that this building will be comparable to the size of the Oppositions building in a Marine Industrial Zone.

The Chair agrees that it is a good project that will improve the area.

Ms. Schlichte feels that it is a good use of the property. She feels that it is in keeping with the other structures in the neighborhood which are all tightly packed together.

Mr. Parisi moves to grant 3 Special Permits to alter/expand a non-conforming structure or use and a Special Permit for height exception to allow the tear down of existing 2 story non-conforming 2 family structure and replace with new 2 family 4 story structure.

Mr. Nimon seconds and request that Atty. Frontiero add the language for expeditious teardown in 3.2.1 in the decision.

All in favor, 5-0

4 Kondelin Rd.

Attorney Joel Favazza, 123 Main St. Gloucester is representing, DLM Properties, LLC appealing the Building Commissioners decision that metal dumpsters are a structure and need to meet front yard setback requirements. If unsuccessful in the appeal the Applicant seeks Variances for front yard and side yard setbacks and Variances from Section 4.1.4 (A) (7, 8, 9) to allow a parking area within one foot of the external property line and Section 4.5.1 to allow an existing parking area and industrial uses to remain unscreened.

This application was not previously opened. Ms. Pratt recuses herself. The Chair informs the applicant that Hiltz collects rubbish from his office on Middle St. and from other projects over the years. Atty. Favazza discusses conflict of interest laws relating to members of the ZBA and feels that the Chair can put aside any personal feeling about the Hiltz Company and make an informed educated decision.

Atty. Favazza has no objecting to proceeding with the current 4 Board members.

This application is not pertaining to new work, but to bring the property into compliance. This is a transfer station and dumpster rental headquarters. They received a citation during November 2019, from Greg Cefalo of the Building Department, siting abandoned vehicles and dumpsters in the front yard setback. Atty. Favazza discussed this issue with Mr. Cefalo multiple times, by phone, email and in person. They came to an agreement that a process must be put in place for the abandoned vehicles, which are broken unused trash trucks. Though they reached an agreement on this issue, they could not come to an agreement on the other issues and it was suggested that they bring this matter to the ZBA.

Issue #1 Temporary Structures

Atty. Favazza states that the Building Inspector considers dumpsters as temporary structures and cannot be within the front and side yard setbacks. Atty. Favazza and his client do not agree with this statement and Atty. Favazza reads the section of the Zoning Ordinance pertaining to dumpsters.

Issue #2 Parking

Atty. Favazza reads from the Zoning Ordinance 414 A section 7, 8 & 9 which discusses the following parking regulations; not being able to park within 1' of a sidewalk street or external property line, a parking area with 5 or more spaces must be lined and comply with all the dimensional requirements for isles, it needs fencing or a low wall to break up the parking field from the street. Atty. Favazza states that Hiltz does not comply with any of these regulations nor do most other businesses in the Kondelin Rd. Industrial park.

Using a slide show of photos of the property, Atty. Favazza shows that Hiltz needs their business to stay this way, as they need the entire frontage of their lot to drive their flatbed trucks through to access the dumpsters for delivery.

There is an 8' fence in place over ½ of the property where geography and topography allow, however, elevation from the street to the back of the property is quite steep.

The relief that is being requested, is a vote to overturn the Building Inspectors determination and make a finding that a dumpster is not a temporary structure, and/or make a finding that a dumpster does not need to comply with temporary structure setbacks if it is a temporary structure. He is also requesting a Variance from the parking regulations regarding the barriers, markings and other confine and a Variance from the screening requirements to allow the existing parking and storage areas to remain as they have. He also request that if the Board decides that dumpsters are structures that need to comply with the required setbacks that the current dumpsters at the Hiltz site be allowed to stay where they are.

The Chair notes that Hiltz has dumpsters on the paper road near their lot that they do not own, as well as, a fence around said paper road. Atty. Favazza states that a building permit was taken out in 1990 to put this fence up. The land is owned by the City of Gloucester as it is a public way.

Bill Sanborn, Building Commissioner for the City of Gloucester, 3 Pond Rd. states that the Mayor received many complaints on the condition of the properties on Kondelin Rd. These complaints led to the Building Department looking into the businesses in the area. They sent out 14 enforcement letters to 14 properties. Out of these 14 letters, they received 5 thank you responses for their help in cleaning up the park. Hiltz is the only business that is appealing their decision. There are still a lot of violations in the park, however, the owners of the businesses are currently working with the Building Department to get it cleaned up. Hiltz decided to take the route of an appeal and this is why they are present this evening.

Mr. Sanborn gives the Board a timeline of events;

11/28/2018 a letter went out to Hiltz by Certified Mail.

12/4/18 this letter was picked up from the Post Office.

12/10/2018, Greg Cefalo received an email from Atty. Favazza of Seaside Legal Solutions in response to the violation notice stating that he was representing Hiltz in this matter.

Several email went back and forth between Mr. Cefalo and Atty. Favazza on December 10 of 2018.

12/13/2018 an email was sent by Mr. Cefalo outlining the violations. Mr. Cefalo received an email from Atty. Favazza stating that they would be appealing the decision of the Building Inspector.

It has now 293 days, and an appeal of the Building Inspector must be made within 30 days. He would like the Board to take this into consideration and does not think that they should be before the Board today.

Mr. Sanborn states that the City Ordinance was written in 1969, when the City dump was still open. This section was edited in 1988 because of dumpsters, mobile containers and shipping containers, as a way to regulate them and it was stated that dumpsters are temporary structures. He states that temporary structures must comply with Zoning and that the Zoning Use Ordinance states that a temporary structure must comply with the setbacks or have a Special Permit.

In the Ordinance, dumpsters are a structure. The use of the structure is temporary (less than a year) but must comply with all of the setback requirements.

The Building Dept. is looking for compliance in this area. They are looking for some screens and to clean the area up.

Mr. Sanborn shows plans that were submitted but with no Certification of Occupancy. These plans show a proposed structure, a ramp and a parking area, all that were never built, It also shows their fence that goes along the public right of way and encloses it. They have no record of anything being applied for or issued for the area where their current office and dumpsters are currently located.

In 1990, a Special Permit from the City Council was required to have a junk yard. The Ordinance considers this a junk yard.

Mr. Sanborn states that they are not looking to close these business down, but just to clean them up and make the area more presentable.

Board Discussion:

Mr. Parisi discusses the differences between the rules for the dumpsters that are rented, versus the ones that are on the property waiting to be rented. He states that this is their product and it needs to be accessible. He also compares the dumpsters to the rental facility on Kondelin Rd. where their equipment is stored against their building and fence. He feels that it isn't in play for a temporary structure.

The Chair states that they are not trying to shut the company down, but are trying to clean it up and look presentable. He discusses the Industrial Park in Peabody that is clean and landscaped.

He also notes that the Car Rental business on this road came to the Board to get a Special Permit for their business.

The Chair asks Atty. Favazza if he would be willing to work with Mr. Sanborn as a representative of the City to come to decision. Atty. Favazza states that he doesn't believe that Mr. Sanborn has this sort of discretion to waive requirements, the Board of Appeals does.

The Chair would prefer to have a global resolution.

Speaking in favor: None

Speaking in opposition: None

Public Comment:

Marylou Tierney, 5 Hesperus Ave. is present to speak as a resident of Gloucester on Global decisions made by this Board that have an impact on other properties in the City.

The Chair asks her to focus on the application at hand.

Ms. Tierney discusses the proposed Special Permit for a dumpster on a sidewalk at the 35 Fuller St. site and how this decision will effect that decision.

The Chair Calls Atty. Favazza to the podium. Atty. Favazza agrees to request a continuance this evening to discuss the issue with Mr. Sanborn, but he will not be able to come to an agreement where they screen the dumpster field. If they can work together and come to a decision on the other matters, he will still need to come to the Board for a Variance on the screening. He will still need to come to the Board to request some relief.

The Chair feels that this will give the Board the ability to re-visit the Industrial Park, as the administration has been looking to clean it up for years and would like it to be a place that they could bring future companies to view it as the future site of their company.

Mr. Nimon moves to continue this application to the first meeting in January. January 9, 2020.

Ms. Schlichte seconds

All in favor, 4-0

3 Colburn St.

Michael Larkin, 383 Main St. Medfield, MA is representing, Jean O'Gorman seeking a Special Permit for height to enable petitioner to construct a two family dwelling.

The Chair announces that the Board had a Site Visit on December 7, 2019 and who was present at this visit.

Mr. Larkin gives the Board a quick synopsis of the proposed project. The main reason that they are before the Board today is that the property is in the flood zone, which requires them to be 10' above the existing grade.

Speaking in favor: None

Speaking in opposition:

A letter is submitted on behalf of Linda McCallaster and will be made part of the record.

Marylou Tierney, 5 Hesperus Ave. states that she was at the site visit on 12/7/2020. In support of Linda McCallaster, she reads from GZO 3.1.6. Ms. Tierney relates this information to the case where the Wingearsheek property was overturned because to this section of the GZO. She feels that the property at 1 Colburn was limited to this height exception and this property should be limited to the same. She feels that the Ordinances of the City should be enforced and consistent.

Mr. Sanborn informs Ms. Tierney that she is discussing 2 different issues that have different processes and have nothing to do with this case.

Mr. Parisi states that Ordinances are enforced consistently by the Building Department and that the reason for the ZBA is because the Massachusetts State Government made it clear that they wanted an avenue for people to seek relief from those Ordinances. That is what this Board does.

Michael Larkin rebuts the comments made by the Opposition, stating the differences between the 2 properties that Ms. Tierney is referring to.

Discussion of the Board:

Mr. Nimon responds to Ms. Tierney's misconception that literally any view is protected by this section of the Ordinance. He states that the view that Ms. McCallaster will be obstructed of from her back porch is the yellow house and red car. Not her ocean view. He feels that she has a clear corridor above 30' to the ocean. The Board cannot protect her view to 30' as they have a right to go to that height. He thinks that there is no view obstruction and no overshadowing and has no authority not to grant the Special Permit.

Ms. Schlichte agrees that the site visit was very helpful and she also does not see any obstruction or over shadowing issues.

The Chair confirms that there is no one else in the audience that would like to speak in opposition.

Mr. Nimon moves to grant a Special Permit for height to enable petitioner to construct a two family dwelling.

Ms. Schlichte seconds

All in favor, 5-0

41 School St.

Howell Gordy, 72 Howard St. Unit 3, Cambridge MA is representing, William Rafter seeking a Special Permit 1.9 to alter/expand a non-conforming use to allow construction of 2 new code compliant egress stairways.

Mr. Gordy is an architect for Craig Herrmann Design. Mr. Herrmann was present at the last meeting, however was unable to be at this evenings meeting.

Mr. Gordy gives the Board a brief summary of the proposed project. This is a 3 story non-conforming structure with 3 units that are not egress compliant.

Mr. Nimon asks Mr. Sanborn why this application is before the Board.

Mr. Sanborn and Mr. Gordy answer that it is due to the dormers that rise above the existing height of the existing building.

Speaking in favor:

Christina Rafter, 1 Blueberry Lane, Gloucester. Mother of the Applicant and is present for her son who is unable to attend this evening.

Speaking in opposition: None

Board Discussion: The Board feels that this is pretty routine and straight forward.

Ms. Pratt moves to grant a Special Permit 1.9 to alter/expand a non-conforming use to allow construction of 2 new code compliant egress stairways.

Mr. Nimon seconds

All in favor, 5-0

New Hearings:

39 Western Ave.

Meredith Fine Esq. 46 Middle St. is representing, FUD, LLC seeking a Special Permit to convert to a 3 family, Special Permit for lessor number of off street parking and Variances for front yard setback, side yard setback, lot width, lot area, lot area per dwelling unit, lot frontage to enable petitioner to convert a 2 family dwelling to a 3 family dwelling.

They are here this morning due to Mr. Sanborn's determination that with a change of use you lose dimensional grandfathering. There will be no exterior changes to the building. Atty. Fine thanks Mr. Sanborn for waiving the requirement for an exterior site plan. She did however bring in photos of the exterior for the members to view. They are looking to make the attic into a 1 bedroom apartment. The Applicant owns the property behind 39 Western Ave. at 4 Dexter Place which has an existing parking lot. They took this opportunity to organize the parking, which has 6 spaces and serves a 2 family, and to dedicate 1 space to the proposed apartment at 4 Dexter Place.

Mr. Nimon questions the parking as it is in an extremely tight congested area. He would like to see how this person is going to get from the designated parking through the backyard to their apartment without walking around the entire building. He feels that it is a long walk from the parking and the tenant would instead park on the Boulevard.

Attorney Fine shows the Board photos of the stairs that cut through from 4 Dexter Place to 39 Western Ave.

The Chair discusses the necessity to have a dedicated parking space in the deed of both 4 Dexter Place and 39 Western Ave. and how to achieve this.

Both the Chair and Mr. Nimon request that the Applicant work out direct access from the locus to Dexter Place and come back.

Speaking in favor: None

Speaking in opposition:

Patricia Ivis, 8 Lewis Ct. discusses her disappointment in the lack of notification of the 72 hour submission deadline, as she tried to submit photos to the Clerk for the Board members to view before the meeting this morning, and was informed that all submissions must be turned in 72 hours prior to the scheduled meeting to be viewed and considered.

Ms. Ives feels that this area is very congested and that adding a third apartment in this building will decrease the property value of the other homes in the area. Ms. Ives shows the members photos of her proximity to her neighbors. She also shows photos of the sidewalks in the area not shoveled, which were taken after the last snow storm and states that this is often the case.

Board Discussion:

Mr. Nimon confirms that the other 6 parking spaces at 4 Dexter Place are not loaned to other building tenants.

Atty. Fine answers that they are not. She also states that the owner of the building hires someone to shovel the sidewalks in the winter and the owner will look into why it is not being done.

Atty. Fine Rebutts Ms. Ives comments and concerns but feels that adding a 1 bedroom apartment isn't going to make these issues any better or worse. They already exist.

The Chair suggests that they continue this application to the next meeting to come up with a reasonable solution to the issues discussed.

Peggy Rail, 39 Western Ave. raises her hand and has questions concerning her health, construction length, times and noise of the proposed work being done to the house, as she lives on the second floor of this building. She also states that she doesn't have a car because there isn't anywhere to park.

The Chair informs her that these are topics that she must discuss with the owner, as the Board does not have any control of these issues.

Mr. Nimon moves to continue this application to the first meeting in January. January 9, 2020.

Ms. Pratt seconds

All in favor, 5-0

345 Concord St.

Bethany Giblin is representing herself and John Gavin regarding a Special Permit to exceed the maximum building height for an assessor building. They have put up a pre-fabricated accessory building on a concrete foundation to store tools for their property. Prior to the permit application being submitted, Mr. Gavin met with a Building Inspector regarding the height and setbacks of the structure, where it was concluded that there were no issues with the height and placement of the structure. The permit was approved, the foundation poured and the structure delivered. The permit was then re-reviewed by the Building Department and the applicants received a phone call from Greg Cefalo of the Building Department, stating an issue with the height limitation. Mr. Gavin spoke to the Building Commissioner, Bill Sanborn, who advised them to apply to the ZBA for relief. As they were not given a Stop Work Order, they continued the construction of the structure.

The Applicant submits photos to the Board stating that they cannot alter the height of the structure, they are requesting a Special Permit to exceed the maximum building height of 4' 2".

The Chair confirms that they are in compliance for side yard setbacks as it was indication on the application that it is also needed.

Ms. Giblin states that it is a clerical error and is not necessary.

Speaking in favor: None

Speaking in opposition:

Constance Rodgers Brown, 347 Concord St, is the abutter that has blocked views by this structure. She states that the structure is very close to her screen porch and deck and can be seen from her living room and 2 bedrooms. Ms. Brown and her husband purchased their property in 2010, and together they built their dream home. She was informed by Mr. Gavin in February 2018, that they were building a barn to store their equipment near the property line, which they were fine with. Then in January of 2019, they were informed by Mr. Gavin that instead they were building a quonset hut. She feels it is out of character for the area. She wrote a letter to the Applicants with no response. Since being built, it has had a large impact on her property and its views. She feels that she has lost the tranquility of her home and yard. She has tried to discuss the matter with the Applicants, but feels that it has fallen on deaf ears. She is before the Board looking to lessen the impact of the structure on her property and its value. She is asking the Board to require the Gavin's to resurrect a solid wooden fence and plantings that are not seasonal to obscure as much of this structure as possible at their expense in the spring of 2020. She also references photos sent in from other abutters.

The Chair clarifies what Ms. Brown is requesting.

The Board's concern is that a fence will not help. Mr. Parisi suggests Arborvitae. Ms. Brown understands this.

The Gavin's discuss their encounters with the Browns, stating that they offered to pay for ½ of the cost of a fence and were turned down. They also plan to do some planting depending on the weather and their availability to do so.

Ms. Pratt informs the Applicants that the Brown's do want a fence, but are unable to split the cost with them. Mr. Parisi suggests painting the structure as it is large and silver and stands out.

Ms. Giblin states that it will weather and the shine will lessen. She doesn't feel that painting it is a good solution.

The Chair asks Ms. Brown if she and her husband would be willing to sit down with the Applicants and come to a resolution. Ms. Brown agrees to do so.

Mr. Gavin questions the types of resolutions that are necessary. Mr. Sanborn clarifies what was allowed under the Ordinance.

Mr. Gavin offers to put a 6' fence up at his expense across the property line to conclude the hearing this evening.

The Chair insists they both parties meet and come to an agreement and return to the Board with a complete plot plan of what has been agreed upon. Otherwise the Board will take and vote on the issue.

Bill Sanborn suggests that they step aside and work on an agreement together. Once the Board is done with their last petition, they will work to conclude the issue.

206 Main St. & 5 Elm St.

Atty. John Smolak, of Smolak & Vaughan, 21 High St. #310, North Andover is representing 206 Main St. Limited Partnership and is present this evening to request approval of certain items as required by the Comprehensive Permit decision that was approved by the Board in 2016.

The original Special Permit was based on conceptual plans with the condition that final plans be brought before this Board for their review. The plans were submitted to the Board members prior to this evening's meeting. Mr. Smolak states that there is a condition in the decision that the final plans be reviewed by the Board's architect review department. The Applicant met with Mr. Sanborn, who suggested the use of Christopher Howe. Mr. Howe's review met this condition.

Atty. Smolak requests a modification of the decision that would eliminate the requirement of the Applicant to record the plans at the Registry of Deeds, as it would be very expensive to do so, and a copy of the final approved plans will be recorded at the Registry of Deeds with the decision anyway.

Atty. Smolak is also discussing several conditions that they requested be reviewed and altered. These conditions are listed in the letter and decision submitted to the Board.

The Chair asks why there was such a rush to address these issues this evening, as they were not on the original agenda.

Mr. Smolak answers that they are coming close to the financial closing which is a couple weeks away.

The Chair reviews the requested modifications, the Board discusses them and deems them to be unsubstantial changes.

The Chair spoke to Chip Payson, the City Solicitor and he had no objections to these changes.

Mr. Parisi's only concern is that the City gets what they agreed to and the Chair agrees that they need to insure that what Mr. Smolak is stating is absolute fact.

Mr. Sanborn goes on the record that he has reviewed the plans as has a third party and it is the same building as was agreed upon.

Speaking in favor: None

Speaking in opposition: None

Mr. Parisi moves to approve the insubstantial changes as set forth in the letter drafted by Atty. Smolak, which will become part of the record.

Ms. Schlichte seconds

All in favor, 5-0

345 Concord St.

The Chair calls the Applicants and opposition for 345 Concord St. forward to inform the Board of their agreement.

Mr. Parisi moves to grant a Special Permit to exceed the maximum building height for an assessor building with the conditions agreed upon between the Applicant and their neighbor that they install a 6' high stockade fence around the back of their property and that they plant arborvitaes along the accessory building (quonset hut) at the Applicants expense.

Mr. Nimon seconds adding to the condition that the agreed upon work be completed by June 30, 2020.

All in favor, 5-0

Motion to adjourn was made at: 9:57 PM

Motion by: Mr. Parisi

Second by: Mr. Nimon