



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

**ZONING BOARD OF APPEALS
Remote Participation Meeting Minutes
March 11, 2021**

Board Members Present:

Joseph Parisi III, Chairman
Catherine A. Schlichte, Esquire, Vice Chair
Adria Pratt, Esquire, Secretary
Michael C. Nimon- Absent
Peter Cannavo

James Gigliotti - Alternate

Also in Attendance:

Bill Sanborn, Building Commissioner
Alison Battle, Clerk

Approval of Minutes:

Ms. Schlichte moves to approve the minutes of 2/25/2021 as they are written.

Ms. Pratt seconds

4 in favor, Ms. Schlichte abstains

New Business:

10 Harriet Rd.

Deb Eliason, Esq. of Eliason Law Offices, 65 Middle St. is present to represent, Felicia Mohan and Patricia Ciaramitaro seeking Special Permit 1.9 alter expand non-conforming structure, Special Permit 5.24 accessory in-law apartment to allow construction of attached addition with living space to convert to accessory in-law apartment.

Atty. Eliason requests a continuance to the 4/8/2021 meeting.

Ms. Schlichte moves to continue this application to the 4/8/2021 meeting.

Ms. Pratt seconds

All in favor, 5-0

43 Farrington Ave.

Deb Eliason, Esq. of Eliason Law Offices, 65 Middle St is present to represent, Phyllis A. Sudbay Estate seeking Variance 3.2 front yard setback to allow the Applicant to sell the property, a conforming vacant lot, as a buildable lot. Lot has plan for single family home that requires Variance to be constructed.

Atty. Eliason shares her screen.

The Applicants are seeking to sell this vacant lot as a buildable lot. To do so, they are requesting a front yard Variance as most of the lot is wetlands. Due to the large area of wetlands, they will need to build the house in the front yard setback, however, all other setbacks are being met. The Applicant has not been to the Conservation Board yet.

The Members voice their concerns regarding being asked to approve a Variance on a structure that they have not seen plans on and that will entirely be within the front yard setback. The lot has been labeled unbuildable for many years due to concerns with it being 70% wetlands and having sewer issues.

Dan Ottenheimer, Mill River Construction, 6 Sargent St discusses the reasons as to why the house needs to be in the proposed area.

Atty. Eliason requests a continuance.

Ms. Schlichte moves to continue this application to the 4/8/2021 meeting.

Ms. Pratt seconds

All in favor, 5-0

189 Atlantic Rd.

Deb Eliason, Esq. of Eliason Law Offices, 65 Middle St is present to represent Thomas G. Aurelio seeking Variance 3.2 left side yard setback to allow construction of an outside kitchen, eating and seating area with a solid roof.

Atty. Eliason shares her screen and goes over the Applicants plans to add an outside kitchen and eating area in the back side of their house. This is the best space for the proposed area because of the location of the current driveway and kitchen. All abutters are in favor of this project including the most impacted on the left side.

Speaking in favor: None

Speaking in opposition: None

Ms. Schlichte moves to approve a Variance 3.2 left side yard setback to allow construction of an outside kitchen, eating and seating area with a solid roof.

Ms. Pratt seconds.

All in favor, 5-0

207 Atlantic Rd.

Megan Breaker, Esq. of Kline Gardner & O'Connor, 96 Middle St. is present to represent, Reed S. McGoldrick Revocable Trust 2020 seeking Special Permit 1.9 alter/expand non-conforming structure, Special Permit 3.2 exceed maximum building height to allow construction of addition over existing attached garage.

The Applicants are seeking to add an addition above the garage to add more room for their family. The style and character of the home are not changing and the Applicants have spoken to their neighbors and they have no objections. The deck is not expanding and the trellis is being removed.

Atty. Breaker informs the Members that she received a letter in support today from the owners of 19 Harriet Rd. and offers to read it aloud.

Speaking in favor: None

Speaking in opposition: None

Ms. Schlichte moves to approve a Special Permit 1.9 alter/expand non-conforming structure, Special Permit 3.2 exceed maximum building height to allow construction of addition over existing attached garage.

Ms. Pratt seconds.

All in favor, 5-0

69 Atlantic Rd.

Petition of Paula & Joseph Fallon seeking Special Permit 3.1.5 Special Permit for the division of certain lots to allow division of land with 2 existing dwellings into 2 lots with a dwelling on each lot.

Paula and Joe Fallon are present to represent themselves. The main house on this lot has been in their family for 50 years. They would like to downsize by selling the main house and move into cottage house on the property. To do so they will need to separate the lots. They have the neighbors support to divide the lots and plan to renovate the cottage and add an addition.

The Members discuss GZO 3.1.5 provision for the division of certain lots. The Chair reads the Zoning Ordinance and informs the Fallon's that the current shed is not on the property and that they will need to work out the use of the driveway as a right of way. The Applicants still have to go before the Planning Board.

Speaking in favor:

Len McGrath, 67 Atlantic Rd. is the owner of the house closest to both buildings and has no objections to the changes.

Speaking in opposition: None

Ms. Schlichte moves to approve a Special Permit 3.1.5 Special Permit for the division of certain lots to allow division of land with 2 existing dwellings into 2 lots with a dwelling on each lot.

Ms. Pratt seconds

All in favor, 5-0

188 Atlantic St.

Sal Frontiero of Frontiero Law, 45 Middle St is present to represent, Robert & Charlene McKenzie seeking Special Permit 1.9 alter/expand non-conforming structure, Variance 3.2 left side setback to allow construction of a new attached single bay garage.

The Site is located in the R-20 Zoning District in West Gloucester. As the structure on the Site was built in 1973, the R-10 dimensional requirements apply to any addition to the home in accordance with the Appendix for section 3.2 of the GZO.

Petitioners propose to add a twelve-foot wide by twenty-three-foot deep (12' x 23') single story addition to the left side of the house to construct a one-bay garage. This area formerly contained a carport and the existing driveway runs from the street all the way to the back of the home via the left side of the home. The proposed garage would be built over an existing exterior parking area resulting in an encroachment into the left side yard setback.

The Board received a letter in support received from the abutter to the left at 186 Atlantic Street, who will be most affected.

A large boulder or ledge outcropping and septic components located in front of the house make the proposed site the only practical place for the garage. The Site is nonconforming as

to lot size, frontage and lot width. Based on the R-10 setbacks, the home is nonconforming as to right and rear yard setbacks.

Speaking in favor: None

Speaking in opposition: None

Ms. Schlichte moves to approve a Special Permit 1.9 alter/expand non-conforming structure, Variance 3.2 left side setback to allow construction of a new attached single bay garage.

Ms. Pratt seconds

All in favor, 5-0

Motion to adjourn was made at: 8:04PM

Motion by: Ms. Schlichte

Second by: Ms. Pratt