



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

ZONING BOARD OF APPEALS
Meeting Minutes
7:00 p.m., October 13, 2016
Kyrouz Auditorium, City Hall

Board members present: Francis S. Wright, Chairman
David B. Gardner, Vice Chairman
Joseph Parisi, III
Alternates: Sage Walcott
Kris Howard

The meeting was called to order by the Chairman at 7:00 p.m.

Previous meeting minutes submitted for review; to be edited and presented to the board at next meeting.

Old Business:

None

Continued Business:

125 Wingersheek Rd: Attorney Mina Sheedy presents before the board to request a continuance of this hearing so that neighbors, attorneys and architects can continue to work on revisions to the plan. This request was for 90 days. Attorney Theodore Regnante has indicated that an extension of 120 days would be acceptable to him. The Chairman indicates extending 120 days is not a problem and, therefore, the next hearing will be held on March 9, 2017. Mr. Wright will provide Attorney Sheedy with a Time Waiver for signature and it will be placed in the file.

35 Beach Rd: Decision will be provided for signature at the meeting of October 27, 2106.

61 Grapevine Rd: Attorney Fine has dropped the Appeal on this property and an application has been submitted for a special permit for height exception. This will be an ordinary hearing regarding the special permit request and will not challenge past decisions of the Building Inspector.

96 Woodward Ave: Applicant and contractor return to the board with revisions to the plan. After conversation with neighbors Mr. Wheat will not move the garage forward as shown on the original plans and will move the driveway so it does not encroach on the abutting properties and grant ease of entry to abutting driveways. Mr. & Mrs. Gary Wildes were present at the adjourned hearing, but upon hearing of petitioner's revised plan did not press their objection.

Mr. David Nelson of 87 Woodward Avenue (across street from petitioner) spoke of his concerns as to the height of the structure. Previously the height was going to remain the same and now there is conversation about raising the height. Without knowledge of exactly how much higher it will be it is difficult to agree this plan. In conversation Mr. Wheat indicated he would try to accommodate this concern but cannot guarantee what the height will be until it is complete. There was much discussion as to the pitch of the roof, 6' vs. 4'. The board has asked the applicant to consider these concerns when building and this will be placed in the decision as well.

Vote of the Board: Unanimously approved with the requirement that final plans are provided and placed in the ZBA file which Mr. Wright will make explicit in the decision.

12, 16, 22 Causeway St: Common driveway off Concord Street. In the last meeting the board requested the contractor or engineer mark off the entrance/exit of this common driveway so they had a better idea and visualization of the proposed location. Mr. Griffin of Griffin Engineering reviewed the last meeting and updated the board of the marked location and progress since 9/29/2016. Mr. Wright read into record the letter of support from Mr. Jodi Simoes of 101 Concord Street, one of the abutters to the proposed driveway. The question was posed if this had gone to the Conservation Committee yet and the answer was "no", not until it has been before the ZBA and the Planning Board processes were completed. Discussion of the board.

Vote of the Board: Unanimously approved. Attorney Eliason will write the decision with explicit verbiage that the Zoning Board of Appeals has not addressed driveway engineering, planning or conservation issues in this decision.

New Business:

4 Norman Ave: Mr. Wright read into the record a letter of withdrawal from the applicant, Isabella Jackson.

64 Woodward Ave: Applicants George & Cynthia Adams handed the board a letter of support from neighbors at 66 Woodward Avenue, Jim & Kim Lesko. Petitioner purchased the property 5 years ago with a dilapidated metal garage on the premises. Towards its rear this structure is one foot over the abutting property line of Ted and Lauren Suchecki. The proposed accessory building would be 1.5 feet higher and includes plumbing and a basement. It is proposed to be 14'x24'. Mr. Wright spoke to the fact that for years plumbing was not allowed in accessory buildings to prevent them from becoming unpermitted living spaces. However, at this time a toilet and vanity are allowed, provided that none of the features of a dwelling unit [appliances, shower, etc.] are installed. The basement area would be used for storage and the upper area to be "office space". Mr. Parisi asked the size of the existing garage which is 10' x 20'. Mr. Suchecki expressed his concern that the actual size of the garage becomes 16x24 when the 1' overhang from the roof is taken into consideration. This puts the garage on or over their property line. The Suchecki's are supportive of the project but expressed concerns about construction workers and equipment on their property during the construction. This has happened in the past during a project on the other side of their home and photographs were provided. A request was also made that the drain in front of 64 Woodward Avenue be addressed as it was paved over years ago and drainage from the new structure will be an issue without it. Discussion ensued, Mr. Gardner felt that the Suchecki's requests were all very reasonable and that he hopes these neighbors can come to an agreement that satisfies both parties. Mrs. Adams was asked if the building could be moved 3' over and she indicated that the structure would then overlap the front of her house and that is esthetically displeasing. When asked if a reduction in the width of the building could be considered Mr. & Mrs. Adams indicated they were hesitant to incur further expenses for new plans. Mr. Wright

indicated this revision could be done by the petitioners with the plans already in their possession and, therefore, would they be willing to reduce the width of the building 4 feet. Mrs. Adams agreed to reduce the width by 3 feet but not 4 feet.

At this time the petitioner and neighbors stepped aside to discuss these plans and revisions. After discussion the Petitioner returned to the Board and indicated an agreement had been reached. The petitioner will remove the 1 foot overhang from the garage roof and the abutting neighbors agree to a setback request of 3 feet and proper drainage after review of the Engineering Department. Mr. Wright requests new plot plan showing compromise and narrative regarding drainage for the Zoning Board of Appeals file. Mrs. Adams indicated she would drop this off on Monday at the ZBA office.

Vote of the Board: Unanimously approved with revisions as noted.

632 Washington St: Michael Camp, the son of the petitioner, presents with his family and the architect for his project. Mr. Camp is requesting to change to a two family home from a single family with an addition and a covered parking area with a second story which will be consistent with the current structure. One of the current residents of the home is in declining health and this will allow and provide support, emotionally, physically and financially by having family living in the home with elder parents. Mr. Wright gave Mr. Camp the six criteria that need to be met and Mr. Camp addressed each point and made arguments for each one.

Speaking in favor: Heidi Stow, 630 Washington Street, abutting neighbor. Ms. Stow spoke of the neighborhood and how it has been family oriented for many years and this request speaks to that and she strongly supports the application.

Speaking against: No one.

Vote of the Board: Unanimously approved.

41 Cleveland St: Attorney Sal Frontiero presents as representative for Jendom, LLC, owners Jennifer & Dominic Napoli are also present. Applicant requests discontinuance of nonconforming use to change a structure with a restaurant and two apartments into three apartments, removing the restaurant. Mr. Frontiero reviewed the definition of multi-family dwellings of which this structure already conforms to with one business on the first floor and apartment/dwellings on the second and/or third floor. Mr. Wright inquired about parking and there are three tandem parking spaces that will work well with apartments. In that particular zone one space per unit is required however, Mr. Frontiero believes that does not apply as the building was put up prior to the 60's and is exempt from parking requirements per his conversation with Mr. Sanborn, Building Inspector. The project meets all criteria as it will enhance the neighborhood and the citizens support the use of the structure as housing. Residential use will also have far less impact on the neighborhood and traffic as it will no longer house a restaurant, which will be better for city infrastructure due to waste drainage from a restaurant vs. housing.

Speaking in favor: No one.

Speaking against: No one.

Mr. Howard asked about exterior work on the structure as it is in pretty rough shape. Mr. Frontiero responded that this would be done once the units are converted and there is more revenue coming in to make these enhancements.

Decision of the Board: Unanimously approved with revisions as agreed on.

Motion to adjourn by Mr. Parisi. Seconded by Mr. Howard.

Meeting adjourned at 9:00 p.m.