



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

ZONING BOARD OF APPEALS

Meeting Minutes

7:00 P.M., November 9, 2017

Kyrouz Auditorium, City Hall

Board Members Present: Francis S. Wright, Chairman
David B. Gardner, Vice Chairman
Michael C. Nimon
Joseph Parisi, III
Sage Wolcott
Alternates: Kris Howard
Adria Reimer-Nicholosi

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

Mr. Wright motioned to approve minutes of last meeting. Mr. Nimon seconded.

Old Business: Rules of Procedure discussion at end of meeting.

Continued Business: None

New Business:

33 Commercial Street:

A letter was submitted by the appealing party requesting a continuance to the December 12, 2017 meeting. Motion to approve by Mr. Nimon and seconded by Mr. Parisi.

1 Wheeler Point Road:

John Campbell, Architect presents this evening with the applicants. The applicants would like to add a second floor to their small home to accommodate their family and live in the home year round. A brief discussion of the board ensued. Mr. Nimon noted this home is almost out of keeping at this point given all the expansion that has been going on in that neighborhood and this is a tastefully done addition.

No one spoke in opposition.

Three letters of support submitted by abutting neighbors.

Vote of the board: Granted

Voting in favor: Mr. Gardner, Mr. Parisi, Mr. Walcott, Mr. Nimon, Mr. Wright

13 Sayward Street:

Sonya & Robert Palazola present to the board to expand their home adding additional bedrooms for their children. They are requesting a special permit to expand a non-conforming structure.

Three letters of support submitted by abutting neighbors.

No one spoke in opposition.

Vote of the board: Granted

Voting in favor: Mr. Wright, Mr. Nimon, Mr. Walcott, Mr. Parisi, Mr. Gardner

25 Concord Street:

Attorney Meredith Fine presents with the applicants who would like to divide their lot into two lots and therefore are seeking a variance. Due to a zoning violation on the “parent” lot, the owners are unable to obtain a permit for building until this issue resolved. There is significant wetlands on the property as well as significant ledge. Given this difficult topography, there were few options as to where to place the house.

Mr. Wright asked whether a variance or a special permit is requested. Attorney Fine indicated that came from a conversation with Mr. Sanborn, Building Inspector, he feels a variance is necessary. Mr. Gardner asked if this is a self-inflicted hardship, created when the property was divided. Attorney Fine replied that this is not a new non-conformity.

No one spoke in favor or in opposition of the application.

Vote of the board: Granted

Voting in favor: Mr. Nimon, Mr. Walcott, Mr. Parisi, Mr. Gardner, Mr. Wright.

7 Seeall Street:

Colleen & Jose Lopez present before the board requesting a special permit to expand their home, creating more room for them and their children.

No one spoke in favor of the application.

One letter of opposition submitted by Martha Jane Steele-Legendre, 13 Seeall Street and read into the record.

Vote of the board: Granted

Voting in favor: Mr. Nimon, Mr. Walcott, Mr. Parisi, Mr. Howard, Mr. Wright

6 Harbor Road:

Mr. Gardner recuses himself. Mark Bergeron, Builder presents this evening with the applicant; he presented the board with photographs of the homes on the street the structure is located on as well as the applicants home. He reviewed the project for the board.

No one spoke in favor of the application.

Speaking in opposition:

Alfred Contarino, 4 Harbor Rd, he feels that the owner is creating a multi-family home; there is an in-law apartment in the basement already. He also feels his privacy will be affected by this expansion as a deck is being added to the second floor.

Sandra Fowler, 8 Harbor Road, her mother owns the home and she grew up there. There is an in-law apartment in the home it causes parking issues with the occupants coming and going and having guests, also trespassing on her mother's land, as they are not allowed to smoke on the property at 6 Harbor Rd. The plans seem to turn the home into a multiple family building. This will overload already stressed parking in a neighborhood of single-family homes that does not allow on-street parking. This is a second home for the owner and the need for additional space is unclear.

David Amero, 3 Harbor Rd, he noted to the board that this is a seasonal home for the applicant, they do not have regular guests, his children and grandchildren are not there very often as stated in the application as a need to expand. This structural change would affect the neighborhood in a negative fashion.

Mr. Wright asked Mr. Bergeron and the owner, Howard Fingert, if there is an apartment in the basement, the answer was yes, he could not answer whether it is in the assessor's records. On the second floor there is a "kitchen" on the plans, Mr. Bergeron indicated it is a bar sink, it is not a kitchen; it is part of the family entertainment room.

Mr. Parisi stated he finds the application incomplete and inaccurate. It states it is a single-family home and this evening we find there is an apartment in the home. He feels the plans are incomplete as well as they do not reflect the full structure.

Mr. Wright motioned to continue the hearing to January 11, 2018; in the meantime, the question of a legal or illegal apartment in the basement needs to be rectified; the paper copy will be the only application used. Mr. Nimon seconded the motion. Continued to January 11, 2018.

Board Discussion:

Rules of Procedure, carried over to next meeting.

Motion to adjourn by Mr.Parisi. Seconded by Mr. Nimon at 8:20 p.m.