

**City of Newburyport
Zoning Board of Appeals
October 13, 2015
Auditorium**

The meeting was called to order at 7:17 P.M.
A quorum was present.

1. Roll Call

In Attendance:

Ed Ramsdell (Chair)
Robert Ciampitti (Vice-Chair)
Duncan LaBay (Secretary)
Jamie Pennington
Richard Goulet
Renee Bourdeau (Associate Member)

Absent:

Libby McGee (Associate Member)

2. Business Meeting

a) Approval of Minutes

Minutes of the September 22, 2015 Meeting

Mr. LaBay made a motion to approve the minutes and Mr. Goulet seconded the motion.

The motion passed unanimously.

Votes Cast:

Ed Ramsdell– approve
Robert Ciampitti – approve
Duncan LaBay – approve
Jamie Pennington – approve
Richard Goulet – approve
Libby McGee – absent
Renee Bourdeau – approve

3. Public Hearings (5 on the agenda)

Public Hearing #1:

<p>2015 045 Address: 4 Barton Court Special Permit for Non-Conformities <i>Add 1 1/2 stories to pre-existing non-conforming home</i></p>
--

This hearing was continued from the 8/25 meeting. Chris Crump of CDC Design represented Andrew Haseltine, applicant. The applicant listened to comments and suggestions from the last meeting and decided to add 3/4 floor on top of the existing single-story ranch. This is a drastic reduction from the previous proposal. The zoning matrix would stay the same as the existing. They will be increasing height and doubling square footage, adding dormers where the stairs come up and where there is a bathroom. This design fits in better with the neighborhood and the neighbors that were concerned are not here tonight.

Chair Ramsdell opened the hearing to public comment.

In Favor:

None

In Opposition:

None

Questions from the Board regarding Public Hearing #1:

Mr. LaBay noted the absence of opposition. He asked if the applicant had any conversations with the previously concerned neighbors. Mr. Haseltine responded that they did speak. Kate Newhall-Smith, Planner also confirmed that Mrs. Wetmore came in to the planning office to see plans.

Deliberations:

Mr. Pennington thanked the applicant for listening to suggestions and comments. He also liked the way the dormers were treated.

Mr. LaBay agreed. He also clarified with the applicant that the number of proposed parking spaces would be two, as the application states only one.

Mr. Ramsdell was pleased to see the reduction in height and dormers. This conforms with the neighborhood more.

Mr. Ciampitti and Mr. Goulet agreed.

Motion to approve application 2015-048 as revised made by Mr. Pennington, seconded by Mr. Ciampitti.

The motion passed unanimously.

Votes Cast:

Ed Ramsdell – approve
Robert Ciampitti – approve
Duncan LaBay – approve
Jamie Pennington – approve
Richard Goulet – approve
Libby McGee – absent
Renee Bourdeau – non-voting

Public Hearing #2 & #3:

2015 052

Address: 12-14 Tyng Street

Special Permit for Non-conformities

Alter pre-existing non-conforming structure by altering the rear and sides of the structure and constructing a new addition

2015 053

Address: 12-14 Tyng Street

Special Permit

Convert a pre-existing non-conforming 4-family use to a two-family use

This hearing was continued from the 9/22 meeting. Attorney Lisa Mead of Blatman, Bobrowski, Mead and Talerman presented on behalf of Chris Horan, applicant. The board had two main concerns that have been addressed;

1. Parts of the original structure that would be preserved. *The existing siding and trim on the front and side elevations will be retained and replaced, in-kind, as necessary. The window openings and style will also be retained.*
2. Massing. *The applicant redesigned the third floor addition to address this. The footprint of the addition would be brought in by one foot, reducing the total square footage from 5,336 as originally proposed to 4,577.*

Chair Ramsdell opened the hearing to public comment.

In Favor:

None

In Opposition:

Dawn Adams, 16 Tyng Street

Concerned about taking trees down and possible damage her driveway and gardens. Mr. Horan had been in touch with Condo management company and would not do anything with the trees without speaking with Condo Association first. Attorney Mead suggested a survey of the yard with photos for documentation prior to any tree removal in case of any damage.

Questions from the Board regarding Public Hearing #2 & #3:

Ms. Bourdeau clarified that the chimneys would still be removed. She did agree the massing was better.

Deliberations:

Mr. Pennington thought this design less architecturally pure. There was a substantial reduction in massing, which was positive. The side is an important view. The applicant was responsive to keeping the front part of house pure. This is a big improvement.

Mr. Goulet was pleased to see an applicant who listened.

Mr. LaBay appreciated his colleagues' feedback. He was satisfied with the punch list of items.

Mr. Ramsdell noted that conditions would need to be included in the motion.

Pennington noted that turning a 4 family into 2 family is not necessarily a good thing, but he was comfortable with this application.

Motion to approve application 2015-052 made by Mr. Ciampitti, seconded by Mr. LaBay with conditions; 1. Applicant will survey the property with photos in advance of tree removal. 2. The punch list of preservations to the front of the structure are carried out. 3. If surprises are found during construction, appropriate actions are taken by the applicant.

The motion passed unanimously.

Votes Cast:

Ed Ramsdell– approve
Robert Ciampitti – approve
Duncan LaBay – approve
Jamie Pennington – approve
Richard Goulet – approve
Libby McGee – absent
Renee Bourdeau – non-voting

Motion to approve application 2015-053 made by Mr. Ciampitti, seconded by Mr. LaBay.

The motion passed unanimously.

Votes Cast:

Ed Ramsdell– approve
Robert Ciampitti – approve
Duncan LaBay – approve
Jamie Pennington – approve
Richard Goulet – approve
Libby McGee – absent
Renee Bourdeau – non-voting

Public Hearing #4 & #5:

2015 054

Address: 18-20 Ashland Street

Dimensional Variance

Divide existing lot into two lots, requiring variances for lot area and frontage

2015 055

Address: 18-20 Ashland Street

Special Permit for Non-conformities

Construct over 500 s.f on a non-conforming lot

The applicants requested a continuance to the 10/27/15 meeting.

Motion to continue applications 2015-054 and 2015-055 made by Mr. LaBay, seconded by Mr. Goulet.

The motion passed unanimously.

Votes Cast:

Ed Ramsdell– approve
Robert Ciampitti – approve
Duncan LaBay – approve
Jamie Pennington – approve
Richard Goulet – approve
Libby McGee – absent
Renee Bourdeau – non-voting

Adjournment

Motion to adjourn made by Mr. Pennington, seconded by Mr. Ciampitti at 7:50 PM.

The motion passed unanimously.

Votes Cast:

Ed Ramsdell– approve
Robert Ciampitti – approve
Duncan LaBay – approve
Jamie Pennington – approve
Richard Goulet – approve
Libby McGee – absent
Renee Bourdeau – approve

Respectfully submitted, Katie Mahan - Note Taker