

**City of Newburyport
Zoning Board of Appeals**

May 10, 2011

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

1. Roll Call

In Attendance: Duncan LaBay, Rob Ciampitti (7:30pm), Charles Ciovacco, Nat Coughlin, Ed Ramsdell

Absent: Jamie Pennington, Sean Leonard

2. Business Meeting

Chair Ramsdell stated there were four members present to go forward with the business meeting.

a) Approval of Minutes

Minutes of April 26, 2011 Meeting

Mr. LaBay made a motion to approve the minutes.

Mr. Coughlin seconded the motion.

The motion passed unanimously.

Votes Cast:

Duncan LaBay – approve

Charles Ciovacco - approve

Nat Coughlin - approve

Chair Ramsdell – approve

b) Letter from John Dubus for 11 Dove Street

Chair Ramsdell asked if the board would hear this request. All agreed.

Mr. John Dubus (representing the owners of 11 Dove Street - David & Joanne LeBrun) stated there was an ice dam over the winter on the original house which was built in 1945. It is over roughly 8' x 12' external dimensions. The affected roof has to be gutted and the roof height is currently 5'4". They would like to raise it to 6'4" to fit a normal shower in the area. The shower is against the outside wall, it just doesn't have enough height. They also thought they might raise three clapboards and have rubber roof if its better to have flat roof.

The request by Mr. Dubus to increase the roof height over an ice-damaged section of the structure by 12 inches was found to be de minimis and granted subject to the following - in discussing the change Mr. Dubus realized it could be preferable to simply make the roof flat at the existing height or to raise it 12 inches and make it flat. Mr. Coughlin moved for record purposes to request a plan. The Board determined that any of the three options were de minimis changes and granted the request with the requirement that he file a copy of the final plan at the Planning Office for the Zoning Board of Appeals file.

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Mr. Dubus was advised of his obligation to contact the Historical Commission if the portion of the structure where the roof change was being made is 75 years or older.

Mr. Ciampitti did not participate in the discussion and vote concerning 11 Dove Street due to a 7:30PM arrival.

Motion to approve subject to receipt of revised drawings and determination of age of old building by Mr. LaBay, seconded by Mr. Ciovacco.

Four affirmative.

Roll call vote:

Duncan LaBay – approve

Charles Ciovacco – approve

Nat Coughlin - approve

Chair Ramsdell – approve

Business meeting closed at 7:32pm.

3a) Ian MacDonald

28 Columbus Avenue

Special Permit for Non-Conformities: construct additions to the rear and west sides of the pre-existing, non-conforming single family home

The notice of public hearing was read aloud for the record.

Jasmine MacDonald spoke that the house is already non-conforming as it is only 10 feet away from the road. They are not encroaching on their neighbors. They have two babies on the way and they need the space. Mr. MacDonald's grandfather built the house. His parents have given them their blessings to make changes.

Chair Ramsdell opened the hearing to public comment.

In favor:

Cheryl Kozuchowski of 6 Winter St. Amesbury spoke to their friendship and that they are good people and deserve to make this addition to their home.

In Opposition:

No one spoke in opposition.

Chair Ramsdell closed the hearing to public comment.

Questions from the Board

Mr. Ciovacco asked if they had spoken with their neighbors.

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Ms. MacDonald stated that they live on a cul de sac and that they have spoken with the neighbors. The neighbors are thrilled that they are going to make the house fit into the neighborhood more. The backyard portion of the addition would not be near others. The neighborhood has been very supportive.

No other questions from the board.

Deliberation:

Mr. Coughlin stated that the plans were pretty well thought out and modest within the scope of what has been before the board. It is detailed enough to understand what they are doing and the neighborhood support speaks to the acceptance of it

Mr. LaBay agreed that the lack of concerns of neighbors is good to see.

Mr. LaBay made a motion to approve the special permit.

Mr. Ciovacco seconded the motion.

The motion passed unanimously.

Votes cast:

Mr. LaBay – approve

Mr. Ciampitti – approve

Mr. Ciovacco – approve

Mr. Coughlin – approve

Chair Ramsdell – approve

Other Items

No hearings scheduled for May 24, 2011 meeting.

Mr. LaBay made a motion to cancel the May 24, 2011 meeting, seconded by Mr. Coughlin.

The motion passed unanimously.

Adjournment

Motion made to adjourn 7:53 P.M by Mr. LaBay, seconded by Mr. Coughlin.

All voted in favor.

Respectfully submitted, Lynn Kinsella - Note Taker