

Zoning Board of Appeals  
Minutes  
August 9, 2011

The meeting was called to order by Chair Ramsdell at 7:17pm.

**1) In attendance:** Duncan LaBay, Charles Ciovacco, Jamie Pennington, Nat Coughlin, Ed Ramsdell

Absent: Rob Ciampitti, Sean Leonard

**2) Business Meeting**

a) Free standing signs

Discussion regarding enforcement of free-standing signs that are not approved by the ZBA, specifically on Pond Street. The board wants to apply the policy fairly to all, and would like the Zoning Code Administrator to enforce signs that have not been approved.

The sign at the gas station at the foot of Kent Street has not been updated with the changes the board requested over 90 days ago. Chair Ramsdell requested that he write a letter to the Zoning Code Administrator on behalf of the board requesting information regarding enforcement of these free-standing signs. Four in agreement, one dissenting.

**Votes:**

Mr. LaBay: yes

Mr. Ciovacco: yes

Mr. Pennington: yes

Mr. Coughlin: no

Mr. Ramsdell: yes

b) Minutes of June 14, 2011

**Motion to approve the minutes of June 14, 2011 by Mr. LaBay, and seconded by Mr. Coughlin.**

**Votes:**

Mr. LaBay: yes

Mr. Ciovacco: yes

Mr. Pennington: yes

Mr. Coughlin: yes

Mr. Ramsdell: yes

**3) Public Hearings**

a) Boberin, LLC

Bob Corcoran, Manager

2-4 Avon Avenue

Special Permit: allow two-family use (#102)

Continuation from July 14, 2011

Mr. Pennington recused himself.

The Public Notice was read for the record.

Chair Ramsdell informed Mr. Corcoran that four members are needed to vote, but to be approved they must all vote affirmatively. He is entitled to have five members for the hearing, and if he chooses the hearing could be continued. Mr. Corcoran decided to go forward with the hearing with four members.

Mr. Corcoran, of 9 Whitney Rd, Boxford, builder for last 20 years, was before the board four weeks ago and has met with neighbors and addressed the concerns of privacy, design, runoff, and showed them the new home plan, and what his intentions are in writing. Main concern with water run off, if that should take place he would do everything needed to rectify. He has signatures of five neighbors who signed the letter. Redid the site plan, new plan shows new footprint with setbacks, driveways parking, grading, and he'll be using gravel not asphalt. Landscaping in front with arborvitaes for privacy. The rendering of the home to put up is very different from the proposed federalist and fits better in the neighborhood.

He has been before the planning board and lots were approved. He will keep the single family home original to the property, keep the garage, and shed. The middle lot will be a single family, tonight's hearing is on the end lot with the two family home. He had his site person out to the lots, and has been conscientious about this. He is confident it will not be a detriment to anyone and is hoping to get everyone's support.

**In favor:**

Larry Bograd, formerly of 27 Erie Ave, currently of 207 Low Street. Was against at last meeting but is now in favor.

Bob Murphy, 3 Erie Ave, approves of site plan.

**Opposed:**

None

**Questions:**

Mr. LaBay asked why the elevation is less architecturally interesting than the picture. IT WILL FOLLOW THE MORE ARCHITECTURALLY INTERESTING PICTURE. HE WILL GO TO HIS ARCHITECT TO MAKE THE CHANGES IN WINDOWS AND ROOFLINE.

Mr. Ramsdell clarified that the roof line and the windows will conform to the picture as opposed to the elevation. YES.

Mr. Ciovacco asked if he talked with the neighbors about the drainage. YES, HE WALKED THE LAND WITH A FEW AND HE WILL SET THE DRAINAGE TO CONTINUE TO RUN AWAY AS WAS PLANNED. HE WOULD DO WHAT'S NECESSARY. Mr. Ciovacco

clarified that the neighbors were given something in writing. YES, WITH SIGNATURES OF RESIDENTS BUT NOT OF BUILDER.

Mr. Coughlin asked if the colored elevation plan is what had been shown to the neighbors. YES. He noted the stone on the front and garage doors were much more traditional on the architect's drawing than what is in the picture. He asked if the existing grades drain into the lot, and if they will continue to and not away from it. YES, MAINTAIN THAT OR IMPROVE IT.

#### **Deliberations:**

Mr. Coughlin stated that the neighbors concerns were addressed diligently. Mr. Corcoran has done his best to try to make the building better fit the neighborhood and get the support of neighbors, and provided site plan changes the board requested. He is comfortable with the plans.

Mr. LaBay had strongest reaction to the lowered roof line and massing.

Mr. Ramsdell stated the roof line is important and should reflect the roof line from the colored illustration, and the windows are important, too. The stone on the lower foot of building is not of concern.

Mr. LaBay did not notice the stone first time. In terms of usable living space inside, dormers would provide more living space than plans from architect (dormers are in colored drawing).

Mr. Coughlin stated that he would be comfortable with a more defined roof line, and windows.

Mr. Ramsdell suggested the roofline, windows and adjustment of dormers to reflect the drawing.

Mr. LaBay said the applicant had done an admirable job working with neighbors and getting no opposition.

**Mr. Coughlin made a motion to approve special permit for 2-family use contingent upon roofline, window style and dormer design reflecting what is showing in the color elevations presented. Seconded by Mr. Ciovacco. 4 affirmative, 1 recused.**

#### **Votes:**

Mr. LaBay: yes

Mr. Ciovacco: yes

Mr. Coughlin: yes

Mr. Ramsdell: yes

Mr. Pennington: recused

**Motion to adjourn by Mr. LaBay and seconded by Mr. Pennington at 7:55pm.**

Respectfully submitted by Lynn Kinsella, notetaker