

**City of Newburyport
Zoning Board of Appeals
September 12, 2017
Auditorium**

The meeting was called to order at 7:15 P.M.
A quorum was present.

1. Roll Call

In Attendance:

Ed Ramsdell (Chair)
Robert Ciampitti (Vice-Chair)
Richard Goulet (Secretary)
Renee Bourdeau
Maureen Pomeroy
Christopher Zaremba (Associate Member)

Absent:

2. Business Meeting

a) Approval of Minutes

Minutes of the 09/07/17 meeting

Ms. Pomeroy made a motion to approve the minutes and Mr. Ciampitti seconded the motion.

The motion passed unanimously.

Votes Cast:

Ed Ramsdell– approve
Robert Ciampitti – approve
Richard Goulet – approve
Renee Bourdeau – approve
Maureen Pomeroy – approve
Christopher Zaremba – non-voting

3. Public Hearings

2017	066
Address: 10 Ashland Street	
Special Permit for Non-conformities	
<i>Modify pre-existing non-conforming structure for a two-family</i>	

2017	067
Address: 10 Ashland Street	
Special Permit	
<i>Allow a two-family use (#102)</i>	

Attorney Lisa Mead of Mead, Talerman & Costa LLC, 30 Green Street presented the application. Aileen Graf, architect and Chris Horan, owner were also in attendance. The applicants submitted revised materials last week. Concerns from the Board at the last meeting were the location of the driveway and height of proposed new roof along Ashland Court.

The applicants are requesting a Special Permit for Non-conformities due to the front setback on Ashland Court being .9' short of the 25' setback requirement. The lot is otherwise conforming for a two-family in the current and proposed R2 district. As far as the driveway concerns, the driveway was proposed to be located in front of the house on Ashland Street. The applicant has since moved the driveway to the side of the house on Ashland Court. They also added a side door to allow entrance near the driveway. The roofline was also dropped on the new unit proposed for the Ashland Court side. Ms. Graf addressed the massing concerns and reduced roofline. She explained that the ridge changed in pitch and dropped 3'. It was important for the 'connector' to be smaller. She reiterated that they added a side door to accommodate the new parking area. Ms. Mead presented a rendering, showing additional landscaping, softening of driveways, pervious surfaces, and storage area for garbage and recycling. She explained the house is currently 5 bedrooms and would be going to 6 (3 per unit).

Chair Ramsdell opened the hearing to public comment.

In Favor:

None

In Opposition:

Attorney Griffin, represented Brooks and Amy Patterson, 19 Ashland Street

His clients appreciated the applicant making changes. Concerns remain regarding parking in front of the street façade, changing the streetscape. An alternative parking area they thought could be considered as an alternative of parking for both units to the left of the façade of the Ashland Court side.

Brooks Patterson, 19 Ashland Street

He spoke on behalf a neighbor at 22 Ashland Street. Concerns included; revised plan not reflective of verbal commitments – placement of street tress in front of Ashland Street façade and brick sidewalk and granite curbing to Ashland Court. The revised plan does not address parking in front of façade.

Mr. Patterson's concerns included; too large a home as proposed, the Ashland Court façade still is very much part of the Ashland Street façade. While the existing home is not historic, it was built as a single family to fit in with the existing neighborhood. The architectural style made no attempt to blend into the neighborhood, with unit 2 being new and modern. This is undesirable infill.

Mary Gibney, 11 Ashland Street, On behalf of neighbor at 25 Ashland Street

Was not in favor and hoped that much thought would be given to the project.

Rob Germinara, 2 & 8 Ashland Street

Grew up in neighborhood. Concerns included; size of the home with the proposed changes, this being a classic case of a contractor disrupting a neighborhood and cashing out. Insisted on granite curbing on Ashland Street and Ashland Court, brick or concrete sidewalks, and trees planted.

Jill Tierney, 13 Ashland Street

Strongly opposed to the project as a two-family, but would be ok with a single family.

Charlie Tontar, 24 Jefferson Street

He thought the changes were a move in the right direction, but not quite there. Parking could be moved. He liked the brick sidewalk, but did not see this in revised plans.

Frank Tagliaferri, 18 Ashland Street

Concerned he would now be looking at two driveways on Ashland Court.

Amy Patterson, 19 Ashland Street

Concerned with scale of project; while the height came down 3', the structure will be at least twice the size of existing homes in the neighborhood. She was also concerned with no garage storage.

Attorney Mead addressed some neighbor comments. As far as sidewalks and trees, the applicant would go with the suggestions of DPS. The Ashland Court driveway exist already, it is the driveway for the Ashland Street side that they looking to add. The neighbors suggested adding that driveway to the left of the Ashland Court unit. However, there is a wetlands issue that would interfere with this. Ms. Mead reiterated that the only additional square footage being added is 939 s. the, rest is conversion of non-living to living space.

Ms. Graf addressed the architectural comments and responded that there are number of simple form homes like the Ashland Court unit. Massing was already on the lower level, and they initially added 6 more vertical feet as a way to break up the massing and separate the secondary unit.

Questions from the Board:

Mr. Ciampitti asked Attorney Griffin about the parking alternative that the neighbors proposed. Attorney Mead brought up the 25' buffer zone. Attorney Griffin commented that the applicant is trying to have it both ways. He commented that if the parking would not fit on the lot, perhaps this project is not appropriate.

Attorney Mead commented that parking location is not a requirement for the application and they are only trying to please neighbors.

Mr. Goulet asked Ms. Graf about the style of the new unit. Ms. Graf commented they were not trying to exactly match the original home design.

Ms. Pomeroy asked if the alteration to the roofline to reduce height altered the square footage at all. Attorney Mead responded that there was no change to the heated square footage.

Mr. Ramsdell asked if there was any thought given to moving the driveway closer to the existing with plantings in between. Ms. Mead responded that they would consider that.

Deliberations:

Ms. Bourdeau agreed with neighbors on the location of parking. Even sliding the driveway does not feel right in this setting, but she did not know how to resolve that if wetlands impede. The project really significantly changes the look of the structure and the massing is too strong.

Mr. Goulet commented that the massing has come down and he was fine with that piece. Driveways are still an issue.

Ms. Pomeroy mirrored Ms. Bourdeau's comments. Driveways and massing remain an issue.

Mr. Ciampitti commented on the continued opposition. He noted that although there are no standards of where parking has to be located, they tend to steer clear of parking in front of the façade. He was hoping Mr. Griffin/neighbors' parking proposal might work, but seems it will not.

Mr. Ramsdell commented that the house is large. Parking remains an issue.

The applicants asked for a continuance to 10/10/17.

Motion to continue applications 2017-066 and 2017-067 to 10/10/17 made by Ms. Pomeroy, seconded by Mr. Ciampitti.

The motion passed unanimously.

Votes Cast:

Ed Ramsdell– approve
Robert Ciampitti – approve
Richard Goulet – approve
Renee Bourdeau – approve
Maureen Pomeroy – approve
Christopher Zaremba – non-voting

2017 071

Address: 19-21 Merrill Street

Dimensional Variance

Construct an addition exceeding allowable lot coverage

2017 072

Address: 19-21 Merrill Street

Special Permit for Non-conformities

Construct a three-story addition extending the pre-existing non-conforming side setback and exceeding 500 sf

Request to continue to 9/26/17.

Motion to continue applications 2017-071 and 2017-072 to 9/26/17 made by Ms. Pomeroy, seconded by Ms. Bourdeau.

The motion passed unanimously.

Votes Cast:

Ed Ramsdell– approve
Robert Ciampitti – approve
Richard Goulet – approve
Renee Bourdeau – approve
Maureen Pomeroy – approve
Christopher Zaremba – non-voting

2017 077**Address: 2 Storey Avenue****Sign Variance***Allow a free-standing sign*

Craig Douglas, architect presented the application. The old free-standing sign on this property was located on the side of the building where the HVAC equipment was. The new free-standing sign is proposed to be located in the front corner of the lot so that those traveling from Storey Avenue could see the signage. The old sign was 10' high and has been removed. The new sign is proposed to be 3'x5' black aluminum, with glowing letters and a stone base. The sign is to be set back into the lot to not disturb sightlines. As part of the site planning of the lot, they tried to make the lot less inviting to cut through.

Chair Ramsdell opened the hearing to public comment.

In Favor:

None

In Opposition:

Bob Solazzo, 7 Ferry Road

Mr. Solazzo appeared on behalf of neighbor, Ray White of 3 Ferry Road. Mr. White is opposed to the sign. Mr. Solazzo asked if the sign would be lit at all time. Mr. Douglas would have to check with his clients.

Bill Morrill, 1 Ferry Road

Mr. Morrill did not know old sign was down and wondered why they would take it down before a new one was approved. He was concerned with a blind spot for Harnch's Way and though there would not be any free-standing signs on the property anymore.

Questions from the Board:

Mr. Goulet did not have any questions at this time; he felt the application was lacking information.

Mr. Ramsdell commented the Board really needed plans submitted, and it was difficult to see the presentation on the iPad. Mr. Ramsdell also asked what the base of the sign would be. It would be a split face rock retaining wall with the sign sitting on top. The total height would be 6'.

Ms. Bourdeau commented that it would be helpful to see the new signage on the building. She also suggested taking some photos to present to the Board of the façade signage and wanted to know what audience would not be captured with the façade signage.

Mr. Ciampitti commented he really needed plans with information such as dimensions, materials, lighting types and lumens.

Mr. Ramsdell suggested the applicants take a look at the Zoning Ordinance sections VI-J and VI-K regarding traffic visibility. Mr. Ramsdell also commented on the addition words in the proposed signage. The Board traditionally likes to see the name of the company, not necessarily advertising. The applicants may want to consider removing "roast beef and seafood."

Ms. Pomeroy would like to see a plot plan with detailed measurements, property lines, driveway, etc.

The applicants requested to continue the application to 10/10/17.

Motion to continue application 2017-077 to 10/10/17 made by Ms. Bourdeau, seconded by Ms. Pomeroy.

The motion passed unanimously.

Votes Cast:

Ed Ramsdell – approve

Robert Ciampitti – approve

Richard Goulet – approve

Renee Bourdeau – approve

Maureen Pomeroy – approve

Christopher Zaremba – non-voting

The meeting adjourned at 8:53pm

Respectfully submitted, Katie Mahan - Note Taker