

**City of Newburyport
Zoning Board of Appeals
October 27, 2015
Council Chambers**

The meeting was called to order at 7:18 P.M.
A quorum was present.

1. Roll Call

In Attendance:

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

Absent:

Robert Ciampitti (Vice-Chair)
Libby McGee (Associate Member)

2. Business Meeting

a) Approval of Minutes

Minutes of the October 13, 2015 Meeting

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

The motion passed unanimously.

Votes Cast:

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

3. Public Hearings (6 on the agenda)

Public Hearings #1 & #2:

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 applicant requested in writing to continue this hearing to the November 10th meeting.

Motion to continue applications 2015-054 and 205-055 made by Mr. LaBay, seconded by Mr. Goulet.

The motion passed unanimously.

Votes Cast:

Ed Ramsdell– approve

Robert Ciampitti – absent

Duncan LaBay – approve

Jamie Pennington – approve

Richard Goulet – approve

Libby McGee – absent

Renee Bourdeau – approve

Public Hearing #3:

2015 056

Address: 126 High Street

Special Permit for Non-conformities

Reconstruct pre-existing non-conforming garage in same footprint

Steve Ranney, applicant and owner presented the application. He purchased the property two years ago and is wanting to tear down a dilapidated garage and replace it like for like. He would like to take it down before becomes dangerous, but does not want to lose the garage spot.

Chair Ramsdell opened the hearing to public comment.

In Favor:

None

In Opposition:

None

Questions from the Board regarding Public Hearing #3:

Mr. LaBay asked if the proposal was to build in exactly the same footprint with all the same dimensions? Mr. Ranney answered yes, that was the plan. Mr. LaBay pointed out some

discrepancies with dimensions in the application. The paperwork was not properly completed and documentation rough although it seems like a modest request.

Mr. Pennington suggested to speed up the process, rather than continue the application, the Board condition that the Planning staff confirm dimensions.

Mr. LaBay asked for a description of side and back of proposed garage not visible in plans. Mr. Ranney was not exactly clear on windows and features proposed as the contractor completed the application. Mr. Ranney noted they planned to demolish before winter and rebuild next summer.

Deliberations:

With hearing that the project was not a rush, the Board agreed that a continuance to the 11/10 meeting would be best to come back and present new more accurate dimensions and drawings.

Motion to continue application 2015-056 to the 11/10 meeting made by Mr. LaBay, seconded by Mr. Goulet.

The motion passed unanimously.

Votes Cast:

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

Public Hearing #4:

2015	057
Address: 59 Storey Avenue	
Sign Variance	
<i>Replace six (6) canopy signs</i>	

Al Micale, Ayoub Engineering, Pawtucket RI presented the application. The canopy of the Sunoco Station needed repairs including the deck and columns. In replacing the canopy deck, they took down fascia, planning to put exact signage back up, but the building department notified them that they needed to appear before the ZBA. These signs have been there for 10-15 years according to Joe, the Station Operator.

Chair Ramsdell opened the hearing to public comment.

In Favor:

None

In Opposition:

None

Questions from the Board regarding Public Hearing #4:

Mr. LaBay questioned the photos provided and whether they were historic or what was proposed. Mr. Micale answered both. It was what the signage looked like, but also what it will look like when replaced. Mr. LaBay also questioned the reason there was a sign facing the building on the canopy. Mr. Micale answered that it is just part of the package.

Mr. Goulet asked what materials would be used. Mr. Micale responded that the same acrylic signage would be used with no changes in illumination.

Mr. LaBay presented a few photos taken that day and questioned a large curbside sign that had been out for over a week. Mr. Micale explained that this sign had an “under construction” banner on it. It was taken down today and is no longer needed. The “inspection stickers” temporary signage was also removed and no longer needed. The last sign questioned was the A frame sign. Mr. Micale responded that they could remove that if needed as well.

Mr. Ramsdell noted that A frame signs are not clearly regulated.

Deliberations:

Mr. LaBay commented he had no problem replacing signs that were permitted at an earlier time. He noted additional signs would need to come before board if they would be staying up.

Mr. Goulet commented that the applicant seems to understand the Board’s sensitivity to signs.

Motion to approve application 2015-057 made by Mr. LaBay, seconded by Mr. Goulet.

The motion passed unanimously.

Votes Cast:

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

Public Hearing #5:

2015 058 Address: 15 63rd Street Special Permit for Non-conformities

Demolish pre-existing non-conforming single family home and replace with a larger single family home increasing height and expanding footprint

Donna and Jeff Sprague, applicants were represented by Attorney Paul Haverty of Blatman, Bobrowski, Mead and Talermin. The 1616 s.f house was built in 1920 has been in Mrs. Sprague's family since the 1950s as a vacation home open to family to use. They are looking to tear down the existing structure and build larger. Lot area is currently not conforming. The new structure would be 2679 s.f. Bedrooms would remain the same at 5 and parking would increase from 3 to 6 spaces, reducing on street parking. This project would not be substantially more detrimental to the neighborhood. Attorney Haverty also noted that the property is actually two lots.

Chair Ramsdell opened the hearing to public comment.

In Favor:

Rick Cole. RC Builders

Mr. Cole has been building on Plum Island for 15 years. He thinks the proposed structure fits the lot well. Neighbors are not against the project. The foundation and footings on the existing home need replacement and it would be better to demolish and rebuild.

In Opposition:

None

Questions from the Board regarding Public Hearing #5:

Mr. Pennington asked if they had been before the Conservation Commission. Attorney Haverty responded that the hearing had been held, but left open until after ZBA to ensure no changes. They did not have concerns. Mr. Pennington also asked if any bedrooms would be added. There would not be additional bedrooms.

Mr. Goulet asked if the appeared before the Historical Commission. Attorney Haverty responded the the HC have approved demolition. Mr. Goulet also asked if other than the roof area if there was any other hardscape. There would not be; the driveway will not be asphalt.

Deliberations:

Mr. Goulet commented on the thorough presentation.

Ms. Bourdeau commented that the square footage is increasing significantly, but lot the size is so big it fits, there are no additional bedrooms, and there was a lack of opposition.

Mr. LaBay agreed. The proposed changes are within the required scope and there was a lack of opposition.

Mr. Ramsdell noted one non-conformity being eliminated.

Mr. Pennington noted it was double lot and they are less than doubling the size. It would have less impact than two separate homes on two lots.

Motion to approve application 2015-058 made by Mr. LaBay, seconded by Mr. Goulet.

The motion passed unanimously.

Votes Cast:

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

Public Hearing #6:

2015 059
Address: 31 Howard Street
Special Permit for Non-conformities
Construct a second story addition to a pre-existing non-conforming single family home

Ethan and Christina Manning, applicants and owners appeared before the Board. The couple has lived at the property for 4.5 years, and now has a 21-month-old daughter. The home is currently a two-bedroom ranch on a street with colonial type or expanded homes. They want to maintain the existing footprint of the home and expand the second story to suit a growing family.

Chair Ramsdell opened the hearing to public comment.

In Favor:

None

In Opposition:

None

Questions from the Board regarding Public Hearing #6:

Mr. LaBay noted that on page 2 of the matrix the required lot size is not 5001, but should be 8000.

Mr. Ramsdell noted the required parking is 2, but they will have 3.

Mr. Goulet asked if the same footprint and foundation would be kept. Mr. Manning responded, yes.

Deliberations:

Ms. Bourdeau noted it seems consistent with the neighborhood and there was no opposition present.

Mr. LaBay thought this a reasonable, modest request to take a ranch and make it more usable for a family.

Mr. Goulet and Mr. Pennington agreed.

Motion to approve application 2015-059 made by Mr. Pennington, seconded by Mr. Bourdeau.

The motion passed unanimously.

Votes Cast:

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

Adjournment

Motion to adjourn made by Mr. Goulet, seconded by Mr. LaBay at 8:15 PM.

The motion passed unanimously.

Votes Cast:

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

Respectfully submitted, Katie Mahan - Note Taker