

**City of Newburyport
Zoning Board of Appeals
December 11, 2012
Minutes**

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

1. Roll Call

In Attendance: Ed Ramsdell (Chair), Duncan LaBay (Secretary), Robert Ciampitti (Vice-Chair), Jamie Pennington, Howard Snyder, Jared Eigerman (Associate Member)

Absent: Richard Goulet (Associate Member)

2. Business Meeting

a) Approval of Minutes

Minutes of November 27, 2012 Meeting

Mr. LaBay made a motion to approve the minutes as submitted and Mr. Ciampitti seconded the motion.

The motion passed unanimously.

Ed Ramsdell – approve

Duncan LaBay – approve

Robert Ciampitti – approve

Jamie Pennington – approve

Howard Snyder – approve

Jared Eigerman –approve

3. Public Hearings

2012 042

Address: 6 Tyng Street

Special Permit for Non-Conformities

Add a second floor addition onto a single family home with pre-existing non-conforming frontage

John and Kelley Fehlner, 6 Tyng St, Newburyport, MA are the owners of the property. Bruce Christopher, Principal at Great Woods Post & Beam Company Inc., 253 Low Street, Newburyport, MA represented the owners at the meeting. They want to add a 768 sf second floor addition. There will be no change in traffic or congestion to the neighborhood as a result of this addition; it will not increase drainage or sewage use; it remains a single family use. They will also be adding 300 sf on left side of building. The proposal adds a master bedroom, bath, and a little better living space on the first floor. Mr. Christopher showed pictures of the proposed

addition including houses nearby with similar structures. The changes being proposed make the house more conforming to what exists in the area. The side projection proposed remains within the setbacks. The lot does not have enough frontage.

Chairman Ramsdell opened the hearing to public comment.

In favor:

None

In Opposition:

None

Questions from the Board

Mr. Ciampitti asked about the material choice. He asked if it was consistent with the rest of the structure. Mr. Christopher indicated it was.

Mr. LaBay asked if the applicant had contacted abutters. The applicant indicated they had contacted the abutters and the abutters actually wanted to come speak in favor of the project, but the applicant had said it would not be necessary.

Deliberations

Mr. Ciampitti said the application was well-prepared. The project is consistent with the criteria, it is in keeping with the neighborhood, and there is no intensification of use or application of use. He can support the request.

Motion to approve the Special Permit for Non-conformities made by Mr. Ciampitti, seconded by Mr. Snyder.

The motion passed unanimously.

Votes Cast:

The motion passed unanimously.

Ed Ramsdell – approve

Duncan LaBay – approve

Robert Ciampitti – approve

Jamie Pennington – approve

Howard Snyder – approve

2012 043

Address: 15 Ashland Court

Special Permit for Non-Conformities

Construct a two-story 11' x 15' addition to the side of the home

Jane and John Turi, 15 Ashland Court, Newburyport, MA own the property and represented themselves. They are seeking relief on the side yard setback in order to build a two story, 11' x 15' addition. This proposed addition is in violation of the following:

1. Existing non-conforming lot frontage (less than the required 120')
2. The addition would be within the current 10' side setback of the South East property Line (2.5')

The architect for this project is Graf Architects, 2 Liberty Street, Newburyport, MA. Unique to this property is the significant amount of wetlands. The reason for putting the addition on the side is that on the opposite side, in the back, there are wetlands. There are no direct abutters in the back because of the wetlands. The owners indicated that the current use is residential/single family and the proposed use will be residential/single family. The existing lot is non-conforming to the requirements of the present zoning ordinance for District R2: the lot frontage is only 116.7 (120' required). The proposed two story addition will not be more detrimental than the existing structure. It is modest in scale, sits further back on the street than the existing house, and it will carry the same architectural vocabulary as the existing house. Unique to this property is the significant amount of wetlands. The proposed addition will not obstruct any view or light to neighboring properties due to its location on the property. They have addressed run-off. Because of the 2 story, they are minimizing footprint. They have a meeting with the Conservation Commission next week.

Chairman Ramsdell opened the hearing to public comment.

In favor:

None

In Opposition:

None

Questions from the Board:

Mr. Pennington asked about the approximate distance from their neighbors on Ashland. The applicant answered that it is about 10' to the neighbor's structure. The neighbor, 1113 Ashland Court, is totally okay with the project.

Mr. Eigerman asked about whether the materials would match existing materials. The applicant said they would.

Chair Ramsdell asked when they were going to the Conservation Commission. The applicant indicated they were going on January 18, 2013. The applicant indicated that Julia Godtfredsen had given the project a preliminary "okay". Chair Ramsdell indicated that if they have to change anything because of the Conservation Commission, they will have to return to the Zoning Board and pay additional fees. But, if they are confident, the board can move forward. He just wanted to make sure they were aware of the process. The applicant said it was okay to move forward.

Mr. Pennington asked about the window on the side of the close neighbor; he thought it might be an issue.

Mr. Snyder said the placement of the window was something they could bring up with their architect.

Mr. Eigerman said the window is not going to be a Zoning issue, but a building code issue.

Deliberations:

Mr. Snyder indicated that the application is straight-forward and he can see himself approving it.

Motion to approve the Special Permit for Non-conformities made by Mr. Snyder, seconded by Mr. Ciampitti.

The motion passed unanimously.

Votes Cast:

Ed Ramsdell – approve

Duncan LaBay – approve

Robert Ciampitti – approve

Jamie Pennington – approve

Howard Snyder – approve

2012 044

Address: 88 High Street

Special Permit for Non-Conformities

Remove existing rear decks and construct 2 two-car garages attached to the house

Ruth Berberman (Unit A, 88 High Street, Newburyport MA) and Seth and Kathryn Harris (Unit B, 88 High Street, Newburyport, MA) are owners of this property. They represented themselves at the meeting. They want to remove the rear decks and construct 2 two-car garages attached to the house. The owners live in a 3 story home at the corner of High and Tremont Streets. The lot is zoned as a 2-family structure and both units are owner-occupied. They are proposing to remove the existing deck (561 sf) that is attached to the back of the house and build a two-car garage for each unit. The proposed garage (1132 sf) will be attached to the house and have a deck built on top. The existing parking spaces will be turned into driveway and open yard space. There is a challenge to stay within the current setbacks; the property is sloped about 10 feet. On the High Street side, the property setback is just 18'. On the Tremont front side, the setback is 14.5'. The rear setback (adjacent to the property at 88 ½ High Street) varies from 5'3" to 8'0". The lot is 8262 sf. Because the house is at an angle to the 88 ½ High Street property line, they are trying to keep the garage and the house in a straight line. This will keep the existing non-conformity of 8'3" at one corner of the garage, and within the required setback at the corner of the garage. The lot coverage is being increased 21% to 34.8%. This exceeds the required coverage of 30%. The recommended square footage of a 2 car garage is 24' x 24' which has forced them to cover more of the lot. They are asking for relief on the Tremont Street side with the proposed setback going from 9'3" to 7'8". They are proposing the design of the 2 garages be perpendicular for 3 reasons:

1. Direct access from the garage to the house for each unit
2. Topography limitations (sloping downward to rear and side yards)
3. Aesthetic concern for neighbors by limiting the view of multiple garage doors.

The existing nonconformity at front setback (High Street) is not impacted. In summary, the extension to the property is not any more detrimental than the existing non-conformity.

Joppa Design was engaged by the applicants given the restrictions with the topography. The applicants showed drawings. The addition will be built in the same style as the house with wood clapboards.

Chairman Ramsdell opened the hearing to public comment.

In favor:

Stephen Cavan, 88 ½ High Street, Newburyport, MA 01950 indicated that he is in favor of the project as it has been designed. He (and spouse Susanne Cavan) had previously emailed a letter to the Zoning Board of Appeals. He lives right next door to the project. They do not object to the proposal as filed. They would have concern if there were any further development plans or there were changes to the plans being proposed.

In Opposition:

None

Questions from the Board:

Mr. Snyder asked about lot coverage. The applicant said it was 34%. He asked if the driveway was going to be gravel or paved. The applicant said paved. He asked if they had given consideration to the run-off. A lot of the curb is curb cut that will be realigned – up or down he doesn't know, they may want to work with DPW. The applicants said they would like to raise the curb between the two driveways so people could park.

Mr. Eigerman confirmed that when cars park now is it on the gravel driveway. The applicant said it was better, for aesthetic reasons, to have the cars in the garage.

Mr. LaBay had questions about the existing gravel driveway relative to the new one. He expressed concern about the elevation change.

Mr. Ciampitti talked about changing from pervious to impervious coverage and how that would create a significant change. He asked if they had given thought of how this could impact neighbors on the Tremont side.

Mr. Pennington expressed concerns about the drainage. The applicant asked if having a gravel driveway will help. Mr. Snyder said that the gravel driveway will help. Mr. Ciampitti said they are removing the deck. Currently water can pass through and percolate under. With the proposed deck, they are creating a rubberized roofing system; there will be a significant increase. He expressed concern about drainage.

Chairman Ramsdell had further questions on the driveway. He asked if the applicant wanted it paved with asphalt. The applicant said they liked cobblestone. They talked about a granite apron. Mr. Ciampitti said that the gravel driveway comes with some challenges. Mr. Snyder talked about the Tremont elevation and said that gravel will not work, they will need cobblestone.

Deliberations:

Mr. Eigerman said he was a non-voting member but had no objection to the basic design or footprint. The Board has confidence in the numbers. It has come down to the drainage. The Board is trying to “nip in the bud” a later issue. The Board may want to put in a condition about permeability to protect everyone. Mr. Pennington and Ciampitti agree. Chair Ramsdell agreed also. The only question is the permeability of the driveway so run-off water can go into the earth; they need a driveway that water runs through.

Motion to approve the Special Permit for Non-conformities made by Mr. Ciampitti conditional on the applicant using a pervious driveway cover that is up to the applicant's choice, seconded by Mr. Pennington.

The motion passed unanimously.

Votes Cast:

Ed Ramsdell – approve

Duncan LaBay – approve

Robert Ciampitti – approve

Jamie Pennington – approve

Howard Snyder – approve

2012 045 and 046

Address: 2 Mechanics Court

Dimensional Variance and Special Permit for Non-Conformities

Grant relief for lot area, open space, building height, and front and side setbacks; allow use #103 (multi-family) for nine units within two residential buildings

Three Board Members disclosed relationships and one Board member recused himself.

Mr. Eigerman disclosed that his mother has engaged the same attorney on an unrelated matter as the applicant (not an actual conflict).

Mr. Snyder disclosed that he and the applicant's architect have teamed together on a project (not in Newburyport); they have no financial interest in each other; they have not entered into any business contract together.

Mr. Ciampitti disclosed that he is a Trustee of a trust to which one of the LLC members' rents space.

Mr. Pennington is actively doing business with people related to project so had to recuse himself.

Owner is Robert Tuxbury, 546 Merrimac Street, Newburyport, MA. Developer is Chart house Development, LLC. Attorney, Mark Griffin, Law Office of Mark W. Griffin, P.C.

11 Market Square, Suite 8, Newburyport, MA 01950 represents the developer and the owner. At the meeting, Robert Brennan, Esq., 29 Water Street, Newburyport, MA represented applicant and played the role of Attorney Griffin who was present but had laryngitis. He opened by saying this is a unique opportunity for a gateway project to Newburyport. The subject property appears to be out of place in the neighborhood of residential buildings and it is an unsightly "gateway" before the railroad bridge and into the downtown area.

Two shed type buildings will be demolished and the commercial building will be relocated to the southeast corner along Merrimac Street.

1. The particular use proposed is for two residential structures containing four and five units respectively; this is Use #102 which requires a special permit in the Waterfront Marine

Dependent District. Another use will be the relocated commercial building which will continue as the office of Perry Murphy construction, Use #416.

2. The requested use is essential and desirable to the public convenience and welfare. The removal of the used car lot, the preservation of the historic building, and the construction of aesthetically pleasing residences along the streetscape will be marked improvements to the neighborhood.

Attorney Brennan indicated he is aware of comments from River's Edge residents. The project is being designed not to exacerbate issues. There are no basements; there is true storm water management; they will be in front of the Planning board for 6C and major site plan review; there will be no blasting or pile driving; the fence between this property and River's Edge will be replaced.

He introduced members of the applicant's team:

Everett Chandler, Land Surveyor Design Consultants, Inc, 68 Pleasant St., Newburyport, MA

Scott Brown, Project Architect, 29 Water Street, Newburyport, MA

Craig Messini, President Chart House Development LLC, 234 Middle Street, West Newbury, MA

Attorney Brennan went through the Memorandum of Support in detail that was provided in the Board's packets.

Mr. Brown discussed the proposed residential units. There will be 4 units that are 1350 sf each and 5 units that are 1450 square feet each. They will relocate and renovate the Perry Construction building. The first floor of the residential units will be single car garage and storage. There is a simple 4 foot foundation. He reviewed the site plan. They have pulled the buildings forward to have significant footage on the street. This requires asking for relief. The units have a traditional design with features found throughout the City of Newburyport including Gambrel roofs.

The River's Edge condominiums are actually taller than these will be.

Attorney Brennan read through the description in the packet concerning their request for a special permit and also for a dimensional variance.

Chairman Ramsdell opened the hearing to public comment.

In favor:

Richard Daley, President River's Edge Association, 126 Merrimac Street, Unit 40,

Newburyport, MA Mr. Daley is adjacent to the proposed development on the westerly side. He agrees with the Attorney that the current site is not attractive with the used cars, etc. This would add to the residential appearance. He wrote a letter to the Board (dated 12/10/2012) expressing his concerns. There is an underground stream that comes across Merrimac Street. He wants to make sure nothing aggravates the underground stream and would like a condition which indicates a study would be required. When the bike path was put in, there was a lot of pile driving. Though there is none of this proposed with the current project, he does not want the construction to impact River's Edge. The applicant said they were going to put up a fence. They would like to have a condition that first a survey is conducted, and then a fence is put up. The historic building in the plan has a sign on it – is this sign part of the historic structure? – the present sign detracts from the structure.

Paul Bevilacqua, Clerk of the Board, River's Edge Association, 126 Merrimac Street, Unit 3, Newburyport, MA He is supportive of what Mr. Bailey said. The other thing he wanted to mention was that when River's Edge was constructed, time was taken to put in a brick sidewalk. Hopefully they would continue the brick sidewalk. They supported the Harborwalk and the Rail Trail but these projects created issues. The applicant indicated that they would absolutely put in a brick sidewalk.

Wayne Bingham, River's Edge, 126 Merrimac Street, Unit 31, Newburyport, MA He asked the applicant about refuse/waste. He wanted to know if there was to be a dumpster on-site and where it was to be placed. The applicant indicated that there would not be a dumpster and trash would be placed in the garage space.

Douglas Locy, 17 Alberta Ave, Newburyport, MA He came to Newburyport in 1975 – it was a blighted area. The last piece of the puzzle is this development. The rendering indicates preservation of a historic structure and beautifully designed Georgian architecture. This represents the right thing to do.

Resident, 18 Munroe Street, Newburyport, MA This resident indicated he moved here in 1977, before River's Edge was built. He said Newburyport is going the right way. The developer and architect in this case are doing the right thing. He also said that Art and Sharon Currier were in favor of this project.

In Opposition:

Deborah Mousley, River's Edge, 126 Merrimac Street, Unit 20, Newburyport, MA Ms. Mousley is a direct abutter to the project being proposed. Other people from River's Edge are not direct abutters. The building being proposed is beautiful. It is a beautiful idea to put residential housing there. But the landowner is being overzealous putting in 9 units. There is not enough space for this number of units. The 2nd issue is that previous projects have exacerbated a water problem. It is great that they are putting the units on slabs. The property is not big enough for what they are proposing given the number of units and the footprint of the historical structure. Traffic jams exist today and will be exacerbated and detrimental to the neighborhood by this development. She is opposed to the number of units and would like to see a high fence as the new residences will be looking into the bedrooms. People are currently cutting through the River's Edge grounds and this type of activity will increase a lot more with this project.

Patricia Perrotta, River's Edge, 126 Merrimac Street, Unit 14, Newburyport, MA Ms. Perrotta is very concerned about 9 units in a space with limited parking. Where are visitors going to park? She thinks they will park at River's Edge. Why isn't the building on the opposite side of the lot and facing into the lot? Building 9 units is ambitious for that small piece of land.

Questions from the Board:

Mr. Snyder asked if there was any further discussion regarding traffic. The site plan review process will be going on with the Planning Board.

Attorney Brennan talked about traffic. A traffic study was conducted by Design Consultants Inc. The new development will generate only 6 new vehicle trips per day during peak hours. There will be a total of 34 additional trips daily. He submitted a memo describing the traffic study to the Board.

Mr. Snyder asked about parking. Attorney Brennan said that, based on the design of the units, the target audience will be "empty nesters". They have provisions for on-site parking for all 9 units and 2 spaces for guest parking will be provided as well. He asked if they would be

dedicating parking for Perry- Murphy. The applicant indicated that there would be with 3 spaces outside the building and parking bays in the building. The Perry-Murphy buildings will no longer house stuff – it will just be an office space.

Mr. LaBay also asked about parking. He asked if the Fire Department had reviewed.

Mr. Ciampitti asked if they could walk the Board through the trip generation sheets. What does it mean? Steve Sawyer, from Design Consultants, Inc, said the study was based on condominiums which are owned, not rented. He reviewed the trips that were projected for peak and non-peak hours. The overall impact is estimated to be minimal.

Mr. Eigerman summarized/verified the issues that had been raised as concerns and his current understanding of them. He asked about unit sizes and bedroom counts. Are all units 2 bedroom units? Does the square footage include the garage space? The units are all 2 bedroom units and the square footage associated with the different units – either 1350 square feet or 1450 square feet does not include garage space. He confirmed they will not be excavating. He confirmed there will be no run-off. The traffic study will be reviewed during the site plan review. There will be no blasting, pile driving, and no associated vibrations. In terms of the fence, the applicant will work with the River's Edge Board and create an aesthetically pleasing fence. The abutters can choose the design and style. There is a 6 foot maximum height before being considered a "spite" fence. Access to the development will only be from Merrimac Street. He asked about signage and whether it had been pinned down. The applicant indicated that they will be going through both the sign ordinance and historic commission processes. They could continue to use the existing sign by right, but if they have to change they would go through those processes. The applicant has decided to do the brick sidewalk. Dumpster - there will be a site plan review but the applicant has indicated they are not proposing having a dumpster. Density – the building to property line is 6 feet; 80 feet window to window. Steve Sawyer is to make sure boundaries are achieved. Why is relief needed? WMD zoning. Mr. Andrew Port, Director Planning and Development indicated that it is 4000/unit above; this is why they are asking for relief River's Edge Units benefit from the variance.

Mr. Ciampitti asked about satellite photograph. A concern was raised with respect to overflow visitor parking adversely impacting River's Edge residents. If someone couldn't find a space, where would they go? Strong Street? Lower end of Winter Street? The point being the River's Edge parking spaces are the least attractive parking spaces.

Chair Ramsdell asked about the River's Edge parking and how things were posted. At River's Edge each owner has the right to tow someone from their spot. The board at River's Edge can authorize towing from free access spaces. River's Edge Board members do not anticipate that there will be a mad rush to park at River's Edge

Deliberations:

Mr. Eigerman commended the design and said it was very sensitive. The relocation of an historic building comes with a cost that is appreciated. He is satisfied: there are no basements, the fence is important but agrees the community doesn't really want anything taller than 6 feet. With this fence, people will not walk onto River's Edge property; the signage will be dealt with; there is no garbage outside the condominiums; he doesn't think there will be privacy concerns; on traffic, Merrimac Street is very busy, the trips estimated fall in normal range; there are 2 parking spaces per unit; it is good that the location is next to the rail trail that goes to the commuter rail; he doesn't think 9 units is out of whack but would like to hear from his colleagues. In summary, he is not concerned.

Mr. Snyder indicated that the location relative to the rail trail and downtown indicates that the people who will purchase will be able to walk and use less fuel. The use of residences is appropriate at this location. It fits with the neighborhood.

Mr. Ciampitti hadn't given much thought to the pros associated with the proximity to the rail trail. It is interesting to note though and is consistent with the master plan. He does not believe it is an onerous intensification of density. It doesn't strike him as inconsistent density. He is persuaded by the application and the comments of his colleagues.

Mr. LaBay echoes his colleagues' sentiments. The professionalism of the presentation; the amount of work going into the proposal; the compelling case for mixed use of commercial building with residences; the unusual shaped lot. He has an opposing view with respect to density and related issues. He referred to previous hearing about High Street, the board was concerned about run-off. In this case, he is willing to bet 95% of lot is impervious; there is no green space. He is concerned with density- he isn't sure how he could get his vehicle into one of these spaces. He has significant concerns about the density proposed.

Chair Ramsdell said he didn't have a problem with density. The neighborhood is dense.

Downtown residential property tends to be tight. He believes this is tight, but not unreasonable for the area it is in. He believes the application is reasonable and the applicant has done a good job with the design and with answering questions.

Motion to approve the Dimensional Variance made by Mr. Eigerman, seconded by Mr. Snyder.

The motion passed with 4 votes of approval, 1 vote of no.

Votes Cast:

Ed Ramsdell – approve

Duncan LaBay – no

Robert Ciampitti – approve

Jamie Pennington – recused

Howard Snyder – approve

Jared Eigerman – approve

Motion to approve the Special Permit for Non-conformities made by Mr. Eigerman with the following conditions (1) the applicant has the obligation to meet in good faith with the owners of 126 Merrimac to discuss the design of the fence and (2) the entire frontage of Merrimac will have a brick sidewalk, seconded by Mr. Snyder.

The motion passed with 4 votes of approval, 1 vote of no.

Votes Cast:

Ed Ramsdell – approve

Duncan LaBay – no

Robert Ciampitti – approve

Jamie Pennington – recused

Howard Snyder – approve

Jared Eigerman – approve

2012 047

Address: 14 Russia Street

Special Permit for Non-Conformities

Demolish existing structure and construct new 2 ½ story single family home

Chairman Ramsdell lives close to this property and preferred not to participate in this hearing.

The owner of the property is Kathy Brislin, 705 Wethersfield Road, Rowley, MA. Alfred Clifford, local builder, Newburyport, MA spoke on behalf of the owner. The Historical Commission has visited the property and has informally allowed the demolition. The proposed use is a single family house. The existing house (to be demolished) does not conform to the requirements of current zoning in the following categories: front setback, rear setback, open space. The proposed, newly constructed single family home will intensify the front setback non-conformity by upward extension, but not the dimensional setback from the street; lessen the existing rear setback non-conformity; lessen the open space non-conformity; increase the square footage of the living area over 500 sf. The change from the existing 2 story house to the proposed 2 ½ story house creates the following intensities: mean height and living area. The height of the proposed house will be less than the height of the abutting house to the right (#12). The existing opposite home opposite (#14) is also higher than the proposed new house. The use itself, a single family house, is not changing and is therefore not more detrimental. The style and construction of the house will replicate that of 18th century Georgian homes indigenous to Newburyport. The house is sited low; there is only one step from the sidewalk to the threshold. The house will look like it has always been there. The reason for the change in shape is because the lot is rectangular; the shape of the house is changing to conform to the lot.

Chairman Ramsdell opened the hearing to public comment.

In favor:

None

In Opposition:

Jennifer Yim, 16 Russia Street, Newburyport, MA. Ms. Yim is a renter but was asked to come in support of the owner of her property. She raised concerns and had questions. Her living room and master bedroom are very close to the proposed home. She expressed concerns about run-off and drainage.

Resident, Newburyport, MA. This resident said that the rest of the houses on Russia are not big houses, the height of the house being proposed is of concern. She wonders why it has to be torn down. What benefit is there to the neighborhood as the buildings keep getting bigger and bigger. What about a smaller house?

Questions from the Board:

Mr. Eigerman asked about the results of the historical commission. Mr. Clifford indicated that in 1986 the inside of the house was opened up, anything original was taken down; there are no chimneys, no fireplaces, there is nothing from the original home except the frame which is in

disrepair. The front part (older) of the home is a rubble foundation and it has collapsed – there is no structural integrity. The building is too far gone to save.

Mr. Snyder asked about the distance from the neighboring home and the builder discussed why he placed the home where he did on the lot.

Mr. Pennington had no questions.

Mr. LaBay asked about the driveway the way it is currently designed. Could you make it 2 cars deep instead of side-by-side?

The builder indicated that the survey which was just completed indicates that there is only 70 feet of frontage – not 75 feet.

Mr. Eigerman asked about drainage. The applicant said the lot was completely level. The only issue they have is that grass comes up from the ground. It is very gravelly – no issues. The driveway will be brick. Mr. Eigerman indicated that the height by right is 35' and the project is below the maximum height. How does it compare to the other houses around? The applicant indicated that it is 2 feet less than the house next door. The house across the street exceeds 30'. The gambrel roof, from a visual perspective brings the house down.

Deliberations:

Mr. Snyder indicated that he had been initially concerned about the demolition, but now he understands. The house certainly has a presence but is being replaced somewhat in kind.

Overall the product is in keeping.

Mr. Pennington said the desire to elongate is natural; the challenge is the interior, but that is not the ZBA's responsibility; all the necessary tests have been passed.

Mr. Labay agrees with his colleagues but spoke about placement of the house on the property.

Mr. Eigerman asked if they should require tandem parking. 10 feet is ample and it can be mitigated with vegetation.

Mr. Snyder indicated that if the survey is saying the frontage is 70' then the applicant will have to do tandem. If 74 or 75 feet, then can do side-by-side.

Mr. Eigerman asked if his colleagues wanted to require that he go tandem. He thinks the board should require vegetation for a screen.

The applicant/builder did not want to commit to tandem parking; he indicated that having side-by-side parking is important.

There was discussion about whether to condition the approval.

Motion to continue the hearing for a Special Permit for Non-Conformities until January 8 made by Mr. Eigerman, seconded by Mr. LaBay.

The motion passed unanimously.

Votes Cast:

Ed Ramsdell – abstain

Duncan LaBay – approve

Robert Ciampitti – approve

Jamie Pennington – approve

Howard Snyder – approve

Jared Eigerman – approve

Adjournment

Motion to adjourn made at 10:40 p.m. by Mr. Pennington, seconded by Mr. Eigerman.

The motion passed unanimously.

Ed Ramsdell – approve

Duncan LaBay – approve

Robert Ciampitti – approve

Jamie Pennington – approve

Howard Snyder – approve

Jared Eigerman – approve

Respectfully submitted, Jennifer Lamarre - Note Taker