

**City of Newburyport  
Zoning Board of Appeals  
February 11, 2014  
Council Chambers**

The meeting was called to order at 7:11 P.M.  
A quorum was present.

**1. Roll Call**

**In Attendance:**

Robert Ciampitti (Vice-Chair)  
Duncan LaBay (Secretary)  
Jamie Pennington  
Howard Snyder  
Richard Goulet (Associate Member)

**Absent:**

Ed Ramsdell (Chair)

**2. Business Meeting**

**a) Approval of Minutes**

**Minutes of January 28, 2014 Meeting**

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

The motion passed unanimously.

**Votes Cast:**

Ed Ramsdell– absent  
Robert Ciampitti – approve  
Duncan LaBay – approve  
Jamie Pennington – approve  
Howard Snyder– approve  
Richard Goulet – approve

**a) Request for an extension of Dimensional Variance – 13 65th Street (2013-016)**

Mrs. Maria Eigerman has requested an extension of a Dimensional Variance granted on 2/26/13. She has requested the extension for one year, however the ZBA can only vote to extend for a six-month period. After learning this, Mrs. Eigerman would like to request the six-month extension. Since the initial approval of her application, she had encountered a roadblock with water/sewer connections to the property. If the extension is permitted she will work with her counsel and engineer to remedy the situation as quickly as possible.

**Motion to approve the extension of Dimensional Variance 2013-016 until 8/11/14 made by Mr. Goulet, seconded by Mr. Snyder.**

The motion passed unanimously.

**Votes Cast:**

Ed Ramsdell– absent  
 Robert Ciampitti – approve  
 Duncan LaBay – approve  
 Jamie Pennington – approve  
 Howard Snyder– approve  
 Richard Goulet – approve

**3. Public Hearings (1 on the agenda)**

**Public Hearing #1:**

<b>2014</b>	<b>008</b>
<b>Address: 11-13 Prospect Street</b>	
<b>Dimensional Variance</b>	
Relief for rear setback for a previously constructed mudroom	

Attorney Lisa Mead of Blatman, Bobrowski & Mead, LLC, 30 Green Street, represented the Estate of William W. Angelos and Peter Kafalas, Personal Representative. The applicants are requesting a Dimensional Variance, relief for a rear setback for a previously constructed mudroom. The property is a two-family located on at 11-13 Prospect Street. Mr. Angelos owned the property since 1975 and in 2002 and 2012 undertook renovations to the property. In 2012, he added 9x6 mudroom to the rear of the building. Ms. Mead presented a building permit to the board for this addition. Mr. Angelos has since passed away. The estate is now trying to sell the property and a plot plan was drafted, finding the mudroom encroaches on the rear setback around 5.5 ft. If six years had passed, the addition would be validated, but instead they need a variance. The property is non-conforming with regard to front and side setbacks, lot coverage, and open space. Many of the lots in close proximity are non-conforming in the same ways. No special privilege would be awarded to the Estate. Both the builder and building inspector did not see an issue at the time. The applicant requests rear setback at 14.5ft. A shed was also built on the property and non-conforming, but this is being removed.

**Vice-Chair Ciampitti opened the hearing to public comment.**

**In Favor:**

None

**In Opposition:**

None

**Questions from the Board regarding Public Hearing #1:**

None

**Deliberations:**

Mr. LaBay noted that this is a request that had he seen it prior to construction, he would not have seen an issue with approval. He also noted that there are no abutters concerned and the non-conforming shed is being removed. There is no reason to not support this application.

Mr. Pennington agreed.

Mr. Goulet agreed.

Mr. Ciampitti agreed.

**Motion to approve the application for a Dimensional Variance made by Mr. Pennington, seconded by Mr. Snyder.**

The motion passed unanimously.

**Votes Cast:**

Ed Ramsdell– absent

Robert Ciampitti – approve

Duncan LaBay – approve

Jamie Pennington – approve

Howard Snyder– approve

Richard Goulet – approve

**Adjournment**

**Motion to adjourn made by Mr. LaBay, seconded by Mr. Goulet at 7:24 PM.**

The motion passed unanimously.

**Votes Cast:**

Ed Ramsdell– absent

Robert Ciampitti – approve

Duncan LaBay – approve

Jamie Pennington – approve

Howard Snyder– approve

Richard Goulet – approve

**Respectfully submitted, Katie Mahan - Note Taker**