

**City of Newburyport
Zoning Board of Appeals
April 9, 2013
Minutes**

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

1. Roll Call

In Attendance: Ed Ramsdell (Chair), Robert Ciampitti (Vice-Chair), Duncan LaBay (Secretary), Howard Snyder, Richard Goulet (Associate Member)

Absent: Jared Eigerman (Associate Member), Jamie Pennington (recused)

2. Business Meeting (took place after hearing)

a) Approval of Minutes

Minutes of March 26, 2013 Meeting

Draft minutes were not available for review.

b) Annual Election of Officers

Mr. LaBay made a motion to reelect the current slate of officers for the coming year, Mr. Ciampitti seconded the motion.

The motion passed unanimously.

Votes Cast:

Ed Ramsdell – approve

Robert Ciampitti – approve

Duncan LaBay - approve

Howard Snyder – approve

3. Public Hearings (1 on the agenda)

Public Hearing #1:

2013 018

Address: 39-41 Ashland Street

Special Permit for Non-conformities

Demolish and reconstruct pre-existing non-conforming single family house, decreasing the front yard setback and adding more than the allowed 500 sf

Everett Chandler, Design Consultants, Inc., 68 Pleasant Street, Newburyport, MA represented the applicant, Caswell Development Ashland, LLC, 3 Graf Road, Newburyport, MA.

The applicant is seeking to demolish the existing, non-conforming single-family home and construct a new, non-conforming single-family home. In addition to the construction of a new home, the applicant will be extending the driveway toward the rear of the property where a garage will be built. The proposed home's front yard setback is very similar to the existing home and those surrounding it. The front yard encroachment is due to the projection of a single-story, bay window that extends 2' from the front façade of the house into the front yard setback. The removal of the existing home will do nothing but increase the value. The small addition of the bay window on the front is diminimous.

Chairman Ramsdell opened the hearing to public comment.

In favor:

Jeff Caswell, 37 Ashland Street, Newburyport, MA. Mr. Caswell owns the property. The house was in such disrepair and couldn't be kept up. So, they bought the house and will make it nice for the neighborhood.

Question:

Scott Bortle, 43-45 Ashland Street, Newburyport, MA. Mr. Bortle lives next door and had a question. He wanted to know about the square footage associated with this new home and the difference between how big it is now (in sf) and how big it is proposed to be (in sf). Mr. Chandler replied that the existing structure is 1948 sf and the proposed structure is 3487 sf. The increase in height will only be 3 feet. The setback will be slightly greater. The mass of the house is being pulled back from Mr. Bortle's property.

In Opposition:

None

Questions from the Board regarding Public Hearing #1:

Mr. Ciampitti asked about the materials. The applicant indicated the material would be cedar shingles.

Mr. LaBay asked about the size of the garage. Mr. Chandler indicated it was a single story garage, 24 feet square. He continued that the intent was to conform to the requirements of zoning code.

Mr. LaBay indicated there were a lot of elevations on the property, he asked about the drop-off and if the intent was that the driveway will run level? Mr. Chandler said that it will drop with the contour of the land.

Mr. Snyder asked about the runoff. Mr. Candler described the water flow with the natural lay of the land. Mr. Snyder indicated that the photos were helpful and asked if a copy would be put in the record.

Deliberations:

Mr. LaBay indicated he liked the design of the house; it is in keeping with Ashland Street. It fits on the street and he appreciates that they are paying attention to the streetscape. He would really like to see what the garage looks like. The elevation piece is important to him – it is not clear

what happens to the elevation in back. The project is a good one, but he is not sure he is ready to act upon the application.

Mr. Snyder indicated he would like to see the elevations of the proposed garage.

Chairman Ramsdell wanted the applicant to provide more detail.

Everett Chandler said the garage structure is a single story structure. If acceptable, the Board could condition approval upon submission of a picture of the single story structure.

Mr. LaBay indicated he is still looking for more detail. He isn't sure exactly where the garage is going to sit. Mr. LaBay indicated that the applicant has introduced uncertainty and this is a bit of a "blank check".

Mr. Goulet indicated he still had questions about the garage, the surface area with paving/runoff and the uncertainty of the site work.

Mr. Ciampitti indicated that there is room on the next agenda. He said the applicant has 95% of what is needed. The elevation will answer a lot of questions. The Board needs to better understand the runoff situation and what the garage will look like.

Chairman Ramsdell asked if they could come back in 2 weeks with what they plan to do. The Board needs something more firm.

Mr. Snyder asked about the location of the chimney.

Mr. LaBay cautioned that they should give some thought to the surface of the driveway,

Mr. Ciampitti questioned what the material of choice would be- crushed stone, something semi-pervious?

Motion to continue the hearing for the application for a Special Permit until the April 23, 2013 Zoning Board of Appeals Meeting made by Mr. LaBay, seconded Mr. Snyder.

The motion passed unanimously.

Ed Ramsdell – approve

Robert Ciampitti – approve

Duncan LaBay - approve

Howard Snyder – approve

Richard Goulet - approve

Adjournment

Motion to adjourn.

Ed Ramsdell – approve

Robert Ciampitti – approve

Duncan LaBay - approve

Howard Snyder – approve

Richard Goulet - approve

Respectfully submitted, Jennifer Lamarre - Note Taker