

**Zoning Board of Appeals
City Hall
June 14, 2011**

The meeting was called to order at 7:13 P.M.
A quorum was present.

1. Roll Call

In Attendance: Duncan LaBay, Charles Ciovacco, Jamie Pennington, Nat Coughlin, Ed Ramsdell,

Absent: Robert Ciampitti, Sean Leonard

2. Business Meeting

a) Approval of minutes May 10, 2011 – moved to the June 28, 2011 meeting

b) Correspondence

Christine King of 9 Dexter Street regarding 11 Chapel Street. Receive and File. Enforcement action by the Building Inspector.

Letter from Ronald Sullivan of Central Place regarding CVS sign on Pond Street. Receive and File. Referred to Building Inspector.

c) Request for minor modification

366 High Street, Jeanette Barlow.

In October 2009, the board approved an addition. It was nonconforming, only 6 ft. from back lot. They are asking for a slight modification to the plans with a smaller structure. Provided footprint, no change to dimensional controls, floor plan, and elevations before and after.

Chair Ramsdell noted that they are just making a change and are coming back to the board.

Mr. Pennington stated they went to immediate abutters and reviewed revisions with them and have signatures.

Chair Ramsdell noted this is not a public hearing but a public meeting with discussion therefore anyone may make a statement.

Mr. LaBay stated that looking at the elevations, the new plan appears to be a better plan.

Motion to approve the change by Mr. Pennington, seconded by Mr. LaBay.

Votes:

Mr. LaBay: Yes

Mr. Ciovacco: Yes

Mr. Pennington: Yes

Mr. Coughlin: Yes

Mr. Ramsdell: Yes

244 High Street, Geno Ranaldi

Lisa Mead, Blatman, Bobrowski and Mead, LLC, spoke on behalf of Geno Ranaldi. In December 2010, the board approved the application of the seven family structure being changed to three family. It required Historical Commission approval with the intention to preserve the carriage house. The Building Inspector noted concern of condition and safety of the carriage house and any workers. Mr. Ranaldi wanted to save the structure and hired an independent consultant Aaron Sturgess from Preservation Timber Co. in Maine to review the structure. He warned that continued attempted work at the structure could result in loss of life. Mr. Ranaldi paid to dismantle, number and store the carriage house. The carriage house is gone therefore, it requires a change to the special permit already approved. Originally, the fence went to the back of the carriage house, now it goes to the back of the property. Mr. Ranaldi met with neighbors and is putting 1ft section of lattice on top of 6ft fence, and planting arborvitaes.

Juliette Walker of 13 Eagle St. spoke in support. She was not affected by the carriage house being taken down but happy with the outcome. Direct abutters have more impact as it created a direct line to High St. She has spoken with other neighbors and they understand safety-wise it had to happen.

Chair Ramsdell stated that the board could condition the 6+1 ft fence or bring the plan back for a hearing.

Motion to approve the 6 + 1 foot fence with the condition of top of fence be lattice by Mr. Ciovacco.

Motion seconded by Mr. Coughlin.

The motion passed unanimously.

Votes:

Mr. LaBay – approve

Mr. Ciovacco – approve

Mr. Pennington – approve

Mr. Coughlin - approve

Chair Ramsdell – approve

3. Public Hearings

a) Geno Ranaldi for Margaret Stokes

22 Auburn St.

Variance: construct a seven unit multi-family row house on a lot containing 24,306sf where 32,000sf is required, and allow seven residential units

The notice of public hearing was read aloud for the record.

Lisa Mead, Blatman, Bobrowski and Mead, LLC, representing Geno Ranaldi, the applicant for 22 Auburn St. The applicant provided a letter from the Fire Department acceptable fire safety access and structure. Requesting minor change in site plan to review.

Currently there is a two family structure on property to be removed and construct a 7-unit row house complex with parking under the houses from the rear. The change in site plan is a parking space that went over into the neighbors property and is now fully in property line. There is an agreement with the Andrews to have an easement to park in this area to make a second space.

The variance goes to the lot area and to allow more than 6 units in one building. They are asking for 7 units which is allowed in the R3 district by special permit. Property has 379' frontage. Because of the frontage, seven units fit better than a smaller structure.

Literal enforcement of the ordinance here would result in a planning and design challenge due to the

unusual shape of the lot. The unique shape is the result of a one-time taking of land by the Commonwealth for Route 1. The Affordable Housing Trust originally wrote a letter supporting the application with 2 units for subsidized housing and is aware of the need to reduce the affordable units to 1. This design will blend in with the current neighborhood. A variance for the 7 units can be granted without significant detriment to the district. Multi-family use is allowed in and therefore desirable in this district and the owner will be removing the existing building in poor condition and be replacing it with construction consistent in the neighborhood and city. Required use does not create undue traffic congestion or impair pedestrians. There will be onsite parking for 2 cars per unit, and therefore will not be increasing on-street parking. No storm water drainage increase, sewer impact will be negligible, and the structures will have energy star low flow equipment. There will be no hazard to public safety, no special use, it will not impair the character of the neighborhood or district. It is in harmony with the purpose of this district.

Chairman Ramsdell opened the hearing to the public comment.

In favor:

Chair Ramsdell received a letter from the Affordable Housing Trust.

Letter from Susan Dow at 5 Railroad Ave. that if use is allowed

Deborah Andrews, 20 Auburn Street, spoke that she has been having conversations with Mr. Ranaldi. Looking at plans, it looks like town houses will fit in and improve the neighborhood and 7 units is okay.

In opposition:

Adam Joy, 51 Pond Street, not in opposition as this is the first time seeing the plans. 7 units seem a bit much and 6 would be fine. There are not any row houses in that area - all are single family. Not seeing why it has to be as big.

Questions:

Mr. Pennington asked about smaller structure not looking as good on the lot. **Ms. Mead stated that they were allowed to do 5 units, but because frontage is so long it looked very odd on the lot, and in discussions with the Planning Dept. they suggested adding two more units and possibly making them affordable. If the lot were squared off, 7 would fit because of the way lot appears from front.**

Mr. Coughlin asked if the fence went along the property line to the right as well as along Rt. 1. **Ms. Mead and Mr. Ranaldi stated that the fence would run all the way down as well as along Rt. 1 and there would be trees as well and they will be saving trees in the front.**

Mr. LaBay asked for the change from 7 units to 6, what if any of setback and other triggers might go away. **Ms. Mead stated that the number of units in a building goes away.**

Mr. LaBay asked in terms of side and rear setback, what triggers might go away. **Ms. Mead replied that they needed those dimensions. Mr. Ranaldi stated that to reduce to 6 units with 1 affordable would not work for expenses and profit margins. They will be going to the Affordable Housing Trust meeting on Thursday to let them know that 2 affordable units are not feasible. 6 market price units and 1 affordable unit works, 5 market price units and 2 affordable units do not work.**

Mr. LaBay observed that the site is a very visible location from 2 if not all 3 sides. One side is facing

an Industrial Building. **Mr. Ranaldi said that the back is heavily treed for privacy as well.**

Ms. Mead stated the intent is to have a lot of green plus the fence.

Mr. Coughlin asked if they were looking at 2 different elevations. He was looking at one with many windows. **Ms. Mead stated that they had submitted an updated elevation in the package last week and that the footprint of the building was smaller and had fewer windows in the back.**

Chair Ramsdell allowed a comment from Linda Cooper of Lime Street who asked how the designs were arrived at for the townhouses. She felt it did not fit with the architecture in that area and that it was cramming a large number of units in a small space, and that this is another area where the city is losing open space.

Mr. Pennington asked what the full range of options they looked at for the space. **Ms. Mead said they had looked at a 40R idea because close to the train, bike path, etc. but it was much more dense than in this neighborhood. Then the 5 units, and in talking with the Planning Dept. changed to 7 units.**

Mr. Pennington stated that the loss of the other full affordable unit is a significant change.

Ms. Mead stated that they would be interested in the intent of the board before they vote on this.

Chair Ramsdell asked what the affordable unit would have for a time line on the deed restriction. **It would have the restrictions the city would require in order to qualify for subsidized housing.**

Mr. Pennington asked if they had done a pre-application meeting with the Planning Board. **No.**

Mr. Pennington stated that as an architect on the board he looks first at design. This is not a design board. Long elevation with cornice that doesn't break. Very visible from Rt.1. **Mr. Ranaldi stated that on the design end they are not there yet. They want to get a feel for the Zoning Board knowing they are going in front of Planning Board at a later date.**

Chair Ramsdell asked for comments from the board. Discussion ensued as to how the project looks from Route 1 and attempting to keep that look as attractive as the street side. Further discussion on arriving at five market priced units and two affordable units changed to six market price and one affordable unit. .

Mr. Ranaldi asked if they were spinning their wheels and if they were going down the wrong path, they would like to know.

Ms. Mead asked if they could continue the hearing to the next meeting.

Chair Ramsdell explained the June 28, 2011 meeting was full and that it could be the July 12, 2011 meeting.

Motion to continue to July 12, 2011 by Mr. LaBay.

Motion seconded by Mr. Coughlin.

The motion passed unanimously.

Votes:

Mr. LaBay – approve

Mr. Ciovacco – approve

Mr. Pennington – approve

Mr. Coughlin - approve

Chair Ramsdell – approve

b) George Haseltine for Kaye L. Dionne

28-30 Warren St.

Variance: renovation and modification of a pre-existing non-conforming structure without exacerbating the existing non-conformities, and return structure to two-family use.

The notice of public hearing was read aloud for the record.

Lisa Mead, Blatman, Bobrowski and Mead, LLC for the 35 Boardman ST Revocable Trust (George Haseltine) requested that the board allow for two-family use where one-family previously existed although the building was built for two-family use. Applicant has proposed to remove a portion of the structure and application filed for demolition and Historical Commission released demolition delay. Thursday night applicant is having discussion with the Historical Commission of conditions on decision. Technically it is wrapped up. No issues with exterior conditions and went into interior items we want to have them clarified.

Structure was a two-family and looking at it from the front it looks like it with parking spaces on both sides, and two entryways. The renovated structure will have 2 units: 1,795 SF and 1,712 SF, with 1,545 SF ground floor. There will be no new nonconformity, and the proposed structure improves the relation to the adjacent properties as the encroachments will be removed, better parking will be provided, new massing is added to the rear, the original historic portions of the structure will be preserved and the two-family use will be reinstated.

The use requested is listed on the table of use regulations, the use is deemed essential and/or desirable to the public welfare and since the two-family is allowed in the RIII by special permit it is determined to be desirable by the city, this will not create undue traffic congestion or impair pedestrian safety, no on street parking will be required, the old building consisted of 4 bedrooms and the new will consist of 3 bedrooms on each side with an additional possible 330 sqd will not have a negative impact on the water and sewer system. This will be very consistent with two-family homes in the Warren Street area. It is in harmony with intent.

Chairman Ramsdell opened the hearing to the public comment.**In favor:**

Sterling Olson, 28-30 Warrant Street, resident. His parents lived on one side and the house is in very poor condition right now. They had eight children, and there were always ten to twelve people living in that house. It is in major need of repair and anything would be an improvement.

Stephanie Olson, her grandmother owns the home and it needs improvement. It needs to be taken care of which could not be done. She thinks any change would be excellent for the neighborhood.

In Opposition:

None.

Questions:

Mr. Pennington asked would this board be attaching the Historical Commission items and deleting the first two on the list and change the windows to similar clad not brand name.

No other questions.

Deliberations:

Mr. LaBay was pleased with the level of preparation and a good job for the rationale for special permit for nonconformities. Project appears to be in agreement with abutters as none came.

Mr. Coughlin concurred and stated that it was well prepared and modest.

Chair Ramsdell made an observation before the vote. He noted that while the board is adopting the demolition delay release the applicant is going back to seek relief on interior and window brand so when we approve the flexibility needs to be that we are not insisting on the exact requirement as the Historical Commission.

Mr. Coughlin asked if it should be contingent on the Historical Commission.

Mr. Pennington stated that he thought the process would take care of it.

Chair Ramsdell did not want it to be thought that this board's decision would be contingent.

Mr. Coughlin stated to motion with no conditions.

Motion to approve special permit for non-conformities by Mr. Coughlin, seconded by Mr. LaBay.
Unanimously approved.

Votes:

Mr. LaBay: Yes

Mr. Ciovacco: Yes

Mr. Pennington: Yes

Mr. Coughlin: Yes

Mr. Ramsdell: Yes

Motion to approve special permit to return to 2 family use by Mr. Coughlin, seconded by Mr. LaBay.
Unanimously approved.

Votes:

Mr. LaBay: Yes

Mr. Ciovacco: Yes

Mr. Pennington: Yes

Mr. Coughlin: Yes

Mr. Ramsdell: Yes

c) Lawrence Draginich

75 Prospect Street

Variance: modify roof and add a second story rear addition to a pre-existing non-conforming structure

The notice of public hearing was read aloud for the record.

Two bedroom home in very poor condition with square footage of 776 changing to 1,100 by adding 2nd floor to existing structure with bump out and shed dormers. This plan has been approved by the Historical Commission. The bump out would not change the appearance as it is not visible from the street. They spoke to some neighbors and received positive comments.

Chairman Ramsdell opened the hearing to the public comment.

In favor:

Mike Waters, Milk Street, live right behind the house. He thinks it is a great idea to salvage the place. There had been tarps flapping on the roof for the last 5 or 6 years. He came here not knowing what it

would look like and 2nd floor sounds good.

Linda, Lime Street. Concerned about the height, and people coming into the neighborhood and building the Eiffel Tower. **THE HEIGHT WILL STAY THE SAME. NO CHANGE TO THE RIDGELINE.** That sounds fine.

In Opposition:

None

Chairman Ramsdell closed the hearing to the public comment.

Questions:

Mr. Ciovacco asked if they are going to live in the house. **NO. FOR RESALE.**

Mr. LaBay noted that in the letter of 5/19/11 requested application for dimensional variance. He believes a special permit is what they want.

Deliberations:

Mr. LaBay stated that it is completely well done. Good reuse of property and improves the neighborhood.

Mr. Ciovacco stated that not a lot that could be done. It is a well-done application.

Motion to approve the special permit by Mr. Pennington, seconded by Mr. Ciovacco.

Votes:

Mr. LaBay: Yes

Mr. Ciovacco: Yes

Mr. Pennington: Yes

Mr. Coughlin: Yes

Mr. Ramsdell: Yes

4. Adjournment

Motion made to adjourn by Mr. LaBay.

Motion seconded by Mr. Coughlin.

Motion unanimously approved.

Meeting adjourned at 9:03pm.

Respectfully submitted, Lynn Kinsella – Note Taker.