

**City of Newburyport
Zoning Board of Appeals
September 26, 2017
Council Chambers**

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

1. Roll Call

In Attendance:

Ed Ramsdell (Chair)
Richard Goulet (Secretary)
Maureen Pomeroy
Christopher Zaremba (Associate)

Absent:

Robert Ciampitti (Vice-Chair)
Renee Bourdeau

2. Business Meeting

a) Approval of Minutes

Minutes of the 09/12/17 meeting

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

The motion passed unanimously.

Votes Cast:

Ed Ramsdell– approve
Robert Ciampitti – absent
Richard Goulet – approve
Renee Bourdeau – absent
Maureen Pomeroy – approve
Christopher Zaremba – approve

3. Public Hearings

2017 054
Address: 92R Merrimac Street
Dimensional Variance
Construct a multi-family building requiring variances for lot area, open space, height, and front- and rear-yard setback

The applicant requested to continue to 10/24/17 to allow time to meet with the Planning Board. The applicant is on the agenda for the Planning Board 11/1/17 meeting, so Chair Ramsdell suggested continuing to 11/14/17.

Motion to continue application 2017-054 to 11/14/17 made by Ms. Pomeroy, seconded by Mr. Goulet.

The motion passed unanimously.

Votes Cast:

Ed Ramsdell– approve
Robert Ciampitti – absent
Richard Goulet – approve
Renee Bourdeau – absent
Maureen Pomeroy – approve
Christopher Zaremba – non-voting

2017 061

Address: 36 Elmira Avenue

Variance

Allow a second residential unit on the lot

2017 062

Address: 36 Elmira Avenue

Special Permit for Non-conformities

Rebuild two-car detached garage intensifying the pre-existing non-conforming rear yard setback

2017 063

Address: 36 Elmira Avenue

Special Permit

Allow a two-family use (#102)

The application must be continued due to lack of quorum. Request to continue to 10/10/17.

Motion to continue applications 2017-061, 2017-062, 2017-063 to 10/10/17 made by Ms. Pomeroy, seconded by Mr. Goulet.

The motion passed unanimously.

Votes Cast:

Ed Ramsdell– approve
Robert Ciampitti – absent
Richard Goulet – approve
Renee Bourdeau – absent
Maureen Pomeroy – approve
Christopher Zaremba – non-voting

2017 071

Address: 19-21 Merrill Street

Dimensional Variance

Construct an addition exceeding allowable lot coverage

2017 072

Address: 19-21 Merrill Street

Special Permit for Non-conformities

Construct a three-story addition extending the pre-existing non-conforming side setback and exceeding 500 sf

The application must be continued due to lack of quorum. Request to continue to 10/10/17.

Motion to approve application 2017-077 to 10/10/17 made by Mr. Pomeroy, seconded by Mr. Goulet.

The motion passed unanimously.

Votes Cast:

Ed Ramsdell– approve

Robert Ciampitti – absent

Richard Goulet – approve

Renee Bourdeau – absent

Maureen Pomeroy – approve

Christopher Zaremba – non-voting

2017 079

Address: 50 Federal Street

Special Permit for Non-conformities

Modification of pre-existing non-conforming structure by enclosing existing patio for living space

Attorney Lisa Mead of Mead, Talerman and Costa LLC, 30 Green Street presented the application. Julie Cronin, owner was also present. The applicant appeared before the Board to modify a pre-existing non-conforming structure on the corner of Federal Street and Spring Street. They propose to enclose a patio into a one-story addition. The corner lot is non-conforming in lot coverage, lot area, front, side and rear setback. The addition would be 285 s.f. Ms. Mead presented architectural drawings and elevations. The addition would match the existing structure with cedar clapboards. There would be no addition of any new non-conformity. The application is not substantially more detrimental to the neighborhood as this is a modest change to the structure and lot. The addition will not be seen from the front of the home and is tucked into the back. Immediate abutters are in support and Ms. Mead submitted three letters of support.

Chair Ramsdell opened the hearing to public comment.

In Favor:

None

In Opposition:

None

Questions from the Board:

Ms. Pomeroy asked on the side views, if there would be any windows. The back has windows and a door and there are no plans for windows on either side of the addition. Ms. Pomeroy also asked if there would be any venting on the sides. There would not be.

Mr. Ramsdell asked when looking at the side, how many feet the addition extends out from the existing building. It extends about 7-8 ft. on the Spring Street side and less than 5 ft. on the other side.

Mr. Zaremba asked if the side setbacks are staying the same. There would be no change in side setbacks.

Mr. Ramdell provided some clarification on the 'two front yards' due to the corner lot.

Deliberations:

Mr. Goulet commented on the modest addition that appeared well thought out. There would be no additional non-conformities and it does not seem substantially more detrimental to the neighborhood.

Ms. Pomeroy commented it fits in with the neighborhood and abutters are in favor.

Mr. Zaremba commented that it is in keeping with the character of the area and no abutters appeared to be against it.

Mr. Ramsdell commented it is tucked back and complimented the architecture. He also commented that this application would not trigger the street tree and sidewalk ordinance.

Motion to approve application 2017-079 made by Ms. Pomeroy, seconded by Mr. Zaremba.

The motion passed unanimously.

Votes Cast:

Ed Ramsdell – approve

Robert Ciampitti – absent

Richard Goulet – approve

Renee Bourdeau – absent

Maureen Pomeroy – approve

Christopher Zaremba – approve

The meeting adjourned at 7:40pm

Respectfully submitted, Katie Mahan - Note Taker