



MEETING NOTICE

TOWN OF HAMILTON

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All meeting notices and agenda must be filed and time stamped in
the Town Clerk's Office and posted at least 48 hours prior to the
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Committee or
Governing Body

ZONING BOARD OF APPEALS REVISED AGENDA

Meeting Location

Meeting Room MEMORIAL ROOM

Address 577 BAY ROAD, HAMILTON MA

Day, Date and Time of
Meeting

WEDNESDAY

Date

AUGUST 1, 2018

Time

7:00 PM

Signature of Chairman
or Authorized Person

MARY -ELLEN L FEENER

Date

7/27/18

AGENDA

Please list below the topics the chair reasonably anticipates will be discussed at the meeting.

1. CALL TO ORDER
2. CONTINUATION OF THE PUBLIC HEARING: FOR THE SPECIAL PERMIT APPLICATION SUBMITTED BY RAGHAVENDHER BOLISHETTI, FOR THE PROPERTY LOCATED 11 ARTHUR AVENUE, HAMILTON, ASSESSOR'S MAP 47, LOT 139, APPLICANTS ARE REQUESTING A FINDING OF FACT BY THE ZBA FOR HAMILTON ZONING BYLAW SECTION 5.3, NON-CONFORMING STRUCTURES, IN ORDER TO CONSTRUCT A FRONT PORCH ON THE EXISTING DWELLING.
3. PUBLIC HEARING: FOR THE PROPERTY LOCATED AT 100 UNION STREET, OWNER: SUSAN BYRNE, TAX MAP 55, LOT 276. SPECIFICALLY THE PETITION IS TO OBTAIN RELIEF FROM BYLAW SECTION 4.1 DIMENSIONAL AND DENSITY REGULATIONS IN ORDER TO CREATE A FIRST FLOOR BATH.
4. REVIEW AND APPROVAL OF MEETING MINUTES
5. UPDATES FROM THE CHAIR
6. MEETING TO ADJOURN

Items may be heard out of the listed order. The agenda items listed are those items which were reasonably anticipated by the Chair to be discussed at the meeting. Not all items listed on the agenda may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.

The next meeting of the Zoning Board of Appeals is scheduled for September 5, 2018, and will be held at the Hamilton Town Hall, 577 Bay Road, Memorial Room, Hamilton MA 01936, and it will commence at 7:00 PM. Meeting dates, time and location are subject to change as allowed by the Open Meeting Law. Please refer to the Town web page: hamiltonma.gov for details regarding a specific agenda.

HAMILTON ZONING BOARD OF APPEALS
MINUTES

Memorial Room 299 Bay Road.
August 1, 2018

Members Present: Bill Bowler (Chairman), Kim Dietel, and
John Rodenhizer.
Others Present:

This meeting was called to order by Bill Bowler at 7:00 pm with a quorum established.

Continued Public Hearing for a Special Permit. Raghavendher Bolshetti. 11 Arthur Ave. Request a Finding of Fact/Non-Conforming Structures in order to Construct a Front Porch on the Existing Dwelling.

Bill Bowler said he had pulled the file from 2012, which described the demolition of the original dwelling and construction of the existing dwelling at 11 Arthur Ave. The decision of the Board was that the lot was non-conforming and the original building encroached on both roads' setbacks. The plans were to demolish and reconstruct with less encroachment. The garage was demolished. The original proposal was approved with conditions that the deck may not be covered or rendered habitable.

The applicant stated that he had pulled "geo" maps but it was hard to find an engineer to measure the area. Bob Griffin would be contacted. The Board wanted to see an engineered measurement. John Rodenhizer noted the previous Board approved a 4' x 6' stoop and that the Board would likely allow a 4' porch even if it were not the entire length of the house. Bill Bowler explained that the rule would be if something were granted, it would need to remain at the same non-conforming distance. Mr. Rodenhizer noted that the previous approval granted construction closer to the lot line on the right side and pulled back on the left and front sides. The previous Board granted the construction a little less than the existing non-conformity. Mr. Rodenhizer noted that the platform could be 4' with a 5' overhang and that steps would be allowed to grade. The stairs would likely not be allowed the entire length. The Board reiterated their need to see engineered drawings of the site and that the proposal needed to be parallel to the front layout. A certified as-built was expected for the new proposal. One had not been submitted for the previous construction.

The Public Hearing was continued until September 5, 2018 at 7:00 pm.

Public Hearing for Dimensional and Density Regulations to create a first floor bathroom. 100 Union St. Susan Byrne.

Petitioner has a non-conforming lot as to size & encroaching on setbacks. The proposal was for a bathroom downstairs as there was only one upstairs in the home currently. Jamie White (architect) had been hired to expand the current footprint to accommodate the downstairs bathroom.

Jamie White said the proposed addition was consistent with the architecture in the neighborhood. The Site Plan was included in the proposal. The house, which was originally a candy/convenience store was a small house on a small lot. Mr. White added a Beverly jog to the house, which he stated was consistent with Essex County. The addition was on the rear of the house and would include a mudroom/laundry room. The two-bedroom home had a two-bedroom septic system. The proposed addition was 6' x 13'. The small, existing tool shed would be relocated.

It was noted that moving the shed would increase the non-conformity on the back/side lot line. The new back corner was 10' from the house and the tool shed was 7'7". John Rodenhizer suggested sliding it down. The non-conformity to the street line was 10'3" and would be increased to 9'. The shed could be granted within the previous non-conformity. Members of the Board explained to the applicant that the law or policy of the Board would be to approve proposals where the non-conforming distance was kept or a variance would be needed. A variance was a higher standard to meet. Various options such as removing the mud room, which was taking up square footage and making it wider were made. Bill Bowler suggested redesigning the plan to make it less non-conforming. The side setbacks were 15' but the existing structure was already 10.3' from the side line. Bill Bowler indicated that he did not think the shed would be an issue, but the architect needed to reconfigure the bathroom as the current proposal had the corner of the proposed bath only 6' from the side line, which increased the non-conformity. John Rodenhizer indicated on the plan where construction could occur.

The Public Hearing was continued until September 5, 2018 at 7:00 pm.

Review of Minutes

Motion made by John Rodenhizer to approve the minutes of June 6 and July 19, 2018.

Seconded by Kim Dietel.

Vote: Unanimous in favor.

Updates from the Chair.

Members of the ZBA discussed attendance at the upcoming Planning Board hearing regarding the Accessory Apartment By-law.

Adjournment.

Motion to adjourn made by John Rodenhizer

Seconded by Kim Dietel
Vote Unanimous to adjourn at 7:43 pm.

Prepared by:

Marcie Ricker

Marcie Ricker

Date

Attest