

HAMILTON ZONING BOARD OF APPEALS

MINUTES  
Via Zoom Meeting  
893 9253 9449  
Password 948057

August 5, 2020

Members Present: Bill Bowler (Chairman) and Kim Dietel,

Associate Member: Winky Whitman

Also Present: Brian Stein, Michael Pallazola, Eric Salines, Mike Gladchun, and Michael Dinsmore.

This meeting was called to order by Bill Bowler at 7:04 pm with a quorum established via Zoom.

**Public Hearing. Brian and Stephanie Stein 175 Willow St. Rebuild existing garage with an accessory apartment above the new garage.**

Brian Stein said he had an existing 22.5' x 22.5' garage on the northeast corner of his Willow St. and Cummings Ave. lot. The garage would be expanded by a couple of feet in each direction while sited slightly outside the setback. The apartment above would be a one bedroom unit. Mr. Stein's lot was just under 10,000 sf. Leslie Whelan had confirmed that septic capacity was available. Bill Bowler noted that all members had received a plan. Winky Whitman said the plan was fine. Mr. Bowler noted that Peter Gourdeau, who was an abutter, had sent a letter of approval.

Bill Bowler reviewed the By-law for compliance. The owner had submitted a plot plan and architectural drawings and the single family home would be within a house at least ten years old. The apartment did not exceed 900 sf as it would be 550 sf. There would be one bedroom with one off street parking space. The exterior space would be unchanged. Brian Stein noted the garage would be larger but Mr. Bowler agreed that it would fit into the neighborhood. Ten permits had not been issued during the last year. Exterior stairs were visible from the street but the only way to avoid the situation would be to encroach on the setback. Kim Dietel said the stairs were set far back from the road. Mr. Stein added that shrubs would hide them. The principal dwelling was just under 1,700 sf.

Bill Bowler referred to Section 3.6.3.7 of the Zoning By-law that indicated any building addition for an accessory apartment could not exceed 15% of the gross floor area of the existing single family dwelling. Brian Stein responded that the provision was not in the latest Accessory Building (apartment) By-law. Mr. Bowler said he would review the amendments of October 6, 2018. Mr. Stein said the newest edition (Section 3.6.4.) indicated that the apartment could not exceed 900 sf with two bedrooms and one bath but no verbiage regarding 15% had been included. Members discussed the various editions of the Zoning By-law. Mr. Bowler suggested

continuing the public hearing until September 2, 2020 to allow time to research the provisions of the most current By-law.

**Open Seat on the Board.**

Eric Salines was present and introduced himself as a real estate attorney, who mainly worked in Woburn and Stoneham. Mr. Salines had moved to Hamilton two years ago. Mr. Salines would take the position of Winky Whitman or John Rodenhizer. A recommendation would be made to the Selectmen.

Motion made by Kim Dietel to recommend Eric Salines to the Selectmen.

Winky Whitmen seconded.

Roll Call Vote: Kim Dietel – aye, Winky Whitman – aye, Bill Bowler – aye. Unanimous in favor.

**Updates from the Chair**

**Adjournment.**

Motion to adjourn made by Kim Dietel.

Seconded by Winky Whitman.

Roll Call vote: Kim Dietel – aye, Winky Whitman – aye, and Bill Bowler – aye. Unanimous in favor to adjourn at 7:26

Prepared by:

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Marcie Ricker

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Attest

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Date