

HAMILTON ZONING BOARD OF APPEALS
MINUTES OF MEETING
Via Zoom 837 8778 5102
Password 943387
May 5, 2021
7:00 p.m.

Members Present: Bill Bowler, Bruce Gingrich, David Perinchief

Others Present: Brian Stein, BDS Design, Tim and Mariah Herrick, Tosh Blake, Dr. and Mrs. Ranjit Balse

This meeting was called to order by Bill Bowler with a quorum established via zoom.

Roll Call: Bruce Gingrich – aye, David Perinchief – aye, and Bill Bowler – aye.

BOARD DISCUSSION/REGULAR BUSINESS:

Mr. Bowler announced that a Chair needed to be elected for the Zoning Board. Mr. Bowler told the Board that he would be willing to be the Chair.

Motion made by David Perinchief to be the Chair of the Hamilton Zoning Board of Appeals.
Seconded by Bruce Gingrich.

Roll Call Vote: David Perinchief – aye, Bruce Gingrich – aye, and Bill Bowler – aye.
Unanimous in favor of voting members.

PUBLIC HEARING:

FOR THE APPLICATION SUBMITTED BY TIM & MARIAH HERRICK FOR THE PROPERTY LOCATED AT 231 SAGAMORE STREET, ASSESSOR'S MAP 33, LOT 9, ZONING DISTRICT RA, PER THE REQUIREMENTS OF BYLAW SECTION 3.6 ACCESSORY APARTMENT TO BUILD AN ATTACHED 2 STORY, 3 BAY, GARAGE WITH AN ACCESSORY APARTMENT ABOVE.

Brian Stein, architect for the applicants Mariah and Tim Herrick of 231 Sagamore Street, reviewed the proposed design for a 3-bay garage with an accessory apartment above it which would connect to the current house. The apartment would be a 1-bedroom apartment with 1.5 baths, a kitchen, and living space with a small deck on the backside of the garage. The connector between the house and the addition would be a common entry space for the apartment and the garage which would serve as a partial mudroom and laundry area for the main part of the house. Mr. Stein commented that the addition itself would look like a barn attached to the house and would not look like an apartment. Mr. Stein reminded the Board that the accessory apartment was what they were seeking approval for because the garage

itself could be built by right as there had been a garage there previously that had been taken down.

Mr. Stein commented that the property had vegetation in the front which would screen the building. The driveway would be made into a circular driveway allowing easier entry and exit onto Sagamore Street. The driveway would be paved with gravel edges to allow for water runoff infiltration and avoid spill-off onto the lawn or neighboring property. Any roof runoff would be directed into gutters and sub-grade infiltrators at each down spout.

Mr. Bowler shared correspondence that he received with regard to the addition. In a letter dated April 15, 2021, The Board of Health stated that the existing septic system was not sufficient to handle the flow increase and they would not sign off on the building permit until a new system was designed and approved. Mr. Stein explained that the Herricks planned to do soil testing within the month and subsequently put in a 6-bedroom septic system contingent on the Board of Health approval.

Public Comment

Tosh Blake, the son of abutters Pamela Balse and Dr. Ranjit Balse of 217 Sagamore Street expressed their concerns regarding lighting, water runoff and driveway placement. Mr. Stein explained that the addition and driveway plan met the requirements of the Bylaw. The water runoff would be dealt with by having 1-foot gravel edges along the driveway as previously stated. Lastly, the Herricks agreed to have dark sky compliant down lighting on the garage so the lights would not shine into the neighbor's windows. Mr. Herrick agreed to plant fast growing natural screening to create a thicker barrier to help block the garage lights.

Mr. Bowler reviewed the requirements in Section 3.6 of the Bylaw and shared that the proposed construction and apartment met those requirements.

Motion made by David Perinchief to grant a special permit which would include all of the Bylaw conditions and other matters with respect to drainage and lighting as discussed.

Seconded by Bruce Gingrich.

Roll Call Vote: David Perinchief – aye, Bruce Gingrich – aye, and Bill Bowler – aye.

Unanimous in favor of voting members.

Mr. Bowler explained that he had 14 days to write and file a decision with the Town Clerk after which there would be a 20-day statutory appeals period. Following the statutory appeals period, the applicant would receive a certified copy of the decision from the Town Clerk which would need to be filed at the Registry of Deeds. The applicant would need to work with the Board of Health and any other boards necessary to get a building permit.

UPDATES FROM THE CHAIR: General Board Discussion regarding any regular business or upcoming applications, etc.

Mr. Bowler reported that they would likely have a 40B filed at their June meeting for a 10-unit Habitat for Humanity project on Asbury Street as well as another potential 40B farther down the road near The Village at Canter Brook Farm.

Adjournment

Motion to adjourn made by Bruce Gingrich.

Seconded by David Perinchief.

Roll Call Vote: Bruce Gingrich – aye, David Perinchief – aye, and Bill Bowler – aye.

Documents:

- Proposed site plan for 231 Sagamore Street

Prepared by:

Ann Schlecht

5/11/2021

Attest