



Town of Hamilton
Zoning Board of Appeals
Meeting Minutes of April 9, 2025

Pursuant to the Open Meeting Law, MGL Chapter 30 A, §§ 18-25, written notice posted by the Town Clerk delivered to all Zoning Board of Appeals members, a meeting of the Hamilton Zoning Board of Appeals was posted for April 9, 2025 at 7pm. This meeting was held via Zoom only.

Call to order: *With a quorum present, Chair Gingrich called the Zoning Board of Appeals meeting to order at 7:00 PM, identified the meeting was being recorded and those present:* Bruce Gingrich, Chair; Steven Derocher, Andrea Philip. Not present: David Perinchief, Michael Madden (alternate). Others Present: Mark Connors, Director of Planning.

CONTINUATION OF A PUBLIC HEARING The application is for the property owned by Cody Frisch located at 275 Echo Cove Road, Assessor's Map 60, Lot 16. Applicant is seeking a Dimensional Variance under Zoning Bylaw 4.0 Dimensional and Density Regulations for right side setback to build an attached 2 car garage with storage space. Continued from April 2, 2025.

Bridget Fortin, the architect for the property owner, presented the application. She displayed a GIS map of the site and a site plan drawing with the proposed two-car garage illustrated and explained the grade drop in the back of the house, and commented the garage would not work in this area. The property owner described his need for a variance, explaining all lots in the neighborhood are non-conforming, the garage would be consistent with the character of the neighborhood, and cited the difficulties with the road being a dead-end street with little clearance for turning. He believed the garage would help alleviate the congestion of cars parking in the cul-de-sac. He also noted the house contains an accessory dwelling unit (ADU). J. McKay, neighbor, questioned how the garage would add space to alleviate parking in the street. Chair Gingrich noted that anytime you add a structure, it takes away from the available parking space.

S.Desrocher pointed out variances are hard to get and according to State law, there has to be a hardship involved to grant a variance, it cannot be for something voluntary, it must be something necessary. He did not think adding parking qualifies for a variance under the law, and noted the property already has sufficient space for parking. Chair Gingrich stated the Board has often given approval for garages when the variance is minor, but noted that this request is for a two-car garage and 9 feet into the setbacks. He suggested alternate configurations that would not infringe on the setbacks and would stay within the requirements. A.Phillips noted that a detached garage could be built further back on the property and that would not require a variance.

Chair Gingrich explained the Board could vote now, with the understanding that variances are unlikely, because it sets precedents for future requests. Alternatively, the applicant can withdraw the application without prejudice, and proceed to the building department to propose a garage that meets setback, or the applicant can hold the application and return with a revised plan for the Board to consider. The applicant chose to withdraw the application and reconsider the design.

Vote: *The Board voted unanimously by roll call to accept the withdrawal of the application without prejudice.*

Regular Business:

- **Draft Meeting Minutes Review – February 5, 2025**

Vote: *The Zoning Board of Appeals voted unanimously by roll call to approve the minutes of February 5, 2025.*

Adjournment: **Vote:** *The Zoning Board of Appeals voted unanimously by roll call to adjourn at approximately 7:40PM.*

Documents:

- February 5, 2025 Draft Minutes
- 275 Echo Cove Road application, notice of Public Hearing and Plans

Respectfully submitted by D. Pierotti, Recording Secretary, 4/28/25. The minutes were prepared from video.