

November 9, 2018

TO: Distribution

FROM: Chuck H.

SUBJECT: ZBA Special Permit Applications

This outlines the ZBA decisions from its October 24, 2018 meeting and outlines the agenda for its November 28, 2018 meeting. The December meeting will be held on December 12 because of the holidays.

### **October 24, 2018 Decisions**

**POSTPONED TO NOV. 28: CHUCK SULLIVAN FOR STEVEN GALANTE AND LEANNE COWLEY; Article 8 Section 8.3 and Article 12 Section 12.6B; 18 Blacksmith Valley Rd.; Map 35 Lots 12, 13, 15:** Renovate and expand a pre-existing, non-conforming dwelling that is on a 2.64-acre non-conforming parcel. The non-conforming current roof ridge height is approximately 21.6 feet above mean natural grade and the proposed new ridge height is 23.9 feet above mean natural grade. The addition will increase the current living area from 1,911 sq. ft. to 3,259 sq. ft. (+1,348 sq. ft.). The project is in the Squibnocket Pond District.

**APPROVED: DAVID SCHUSTER; Article 8 Section 8.3; 141 North Rd.; Map 8 Lot 19:** Reconstruct a pre-existing, non-conforming 5' X 10' shed that is 5 feet from the northeast lot line. The reconstructed shed will be 8' X 14' and located ten feet from the northeast lot line. The roof ridge height of the reconstructed shed will be approximately 11 feet above mean natural grade. It will have no power or water service. The project is in the North Road Roadside District.

**APPROVED: CHRIS ALLEY FOR BOB VILA AND DIANNA BARRETT; Article 8 Section 8.3, Article 11 Section 11.6A2c and Article 6 Section 6.11B2; 183 State Rd.; Map 33 Lot 115:** Construct a 217 sq. ft. addition to the pre-existing, non-conforming house. Under Article 8 Section 8.3 the addition will be 24 feet from the east lot line. This is 6 feet closer than the current dwelling's non-conforming setback distance of 30 feet. Under Article 11 Section 11.6A2c 24 sq. ft. of the addition will be within the Nashaquitsa Pond shore zone. Under Article 6 Section 6.11B2 the total living area on the 8.8-acre parcel exceeds the 4,950 sq. ft. amount allowed by right. The current living area on the lot is 5,437 sq. ft. The proposed total living area with the addition will be 5,654 sq. ft. The maximum amount of living area allowed on this parcel is 7,450 sq. ft. The project is in the Quitsa Pond Coastal District.

**CONTINUED TO NOV. 28; PROBABLE MVC REFERRAL: REID SILVA FOR THE YARD, INC.; Article 8 Section 8.3, Article 6 Section 6.6 and Article 6 Section 6.11; # 7 The Yard; Map 26 Lot 91:** Under Article 8 Section 8.3 the applicant seeks permission to allow the expansion and alteration of a pre-existing, non-conforming structure and use. The structure is currently and will continue to be used as a 4-bedroom dwelling and dance/performing arts theatre. The current structure ranges from 3.7 feet to 16 feet from the east lot line. The closest part of the addition will be 16 feet from the east lot line. Under Article 6 Section 6.6 the southeast corner of the addition will be approximately 3 feet from the interior south lot line and less than the 25-foot minimum setback distance. The east part of the addition will be range from 16 feet to 19.4 feet from the east lot line. The renovated portions of the existing structure will be the same distances from the east lot line as the current structure. Under Article 6 Section 6.11 the total living area on the lot will increase from 1,281 sq. ft. to 3,569 sq. ft. The proposed living area is + 471 sq. ft. above the amount requiring a Special Permit. The maximum living area requiring a Special Permit and allowed for the 1.39-acre parcel is 5,597 sq. ft. The project is in the Middle Road Roadside District.

**OVER**

**CONTINUED TO NOV. 28; PROBABLE MVC REFERRAL: REID SILVA FOR THE YARD, INC.; Article 8 Section 8.3 and Article 6 Section 6.6; # 6 The Yard; Map 26 Lot 95:** Under Article 8 Section 8.3 the applicant seeks permission to allow the expansion and alteration of a pre-existing, non-conforming use. The use will change from an artist's dwelling to an office and rehearsal area. Under Article 6 Section 6.6 the altered structure will be 11.8 feet from an interior lot line and less than the minimum 25-foot setback distance from this lot line.

**November 28, 2018 Agenda**

**POSTPONED TO NOV. 28 FROM OCT. 24: CHUCK SULLIVAN FOR STEVEN GALANTE AND LEANNE COWLEY; Article 8 Section 8.3 and Article 12 Section 12.6B; 18 Blacksmith Valley Rd.; Map 35 Lots 12, 13, 15:**

**CONTINUED TO NOV. 28 FROM OCT. 24; PROBABLE MVC REFERRAL: REID SILVA FOR THE YARD, INC.; Article 8 Section 8.3, Article 6 Section 6.6 and Article 6 Section 6.11; # 7 The Yard; Map 26 Lot 91:**

**CONTINUED TO NOV. 28 FROM OCT. 24; PROBABLE MVC REFERRAL: REID SILVA FOR THE YARD, INC.; Article 8 Section 8.3 and Article 6 Section 6.6; # 6 The Yard; Map 26 Lot 95:**

**GEORGE SOURATI FOR 18 PEAKED HILL , LCC; Article 4 Section 4.2A3; Article 6 Section 6.6; 18 Peaked Hill Road; Map 25 Lots 13, 14.1:** Construct 12' X 34' in-ground swimming pool, spa and deck in a location that does not meet the minimum 50-foot setback distance. The pool and pool fence are 33 feet and 27 feet respectively from the west lot line. The pool water will be heated. The pool equipment will be located in the basement of the main house. The power for the pool equipment will be offset with green energy purchased through one of three possible utility companies.

**DAVID HEILBRONER; Article 8 Section 8.3; 147 South Road; Map 17 Lot 9:** Reconstruct a pre-existing, non-conforming single-family residence that is currently 1.7 feet over his northwest lot line to a location that is on his property, 10.5 feet from the northwest lot line. The project is in the South Road Roadside District.