



Georgetown Zoning Board of Appeals
Memorial Town Hall ♦ One Library Street ♦ Georgetown, MA 01833

MINUTES OF A PUBLIC HEARING

21 East Street– ZBA FILE #12-02
Glenn & Mary Govostes
Special Permit – Accessory Apartment
March 13, 2012

Board Members Present:

Paul Shilhan, Acting Chairman
Gina Thibeault, regular member
Sharon Freeman, regular member
Evan O'Reilly, associate member

Absent: Jeff Moore and Dave Kapnis, regular member
Zoning Clerk: Patty Pitari

P. Shilhan opened the Hearing at **7:30pm**. G. Thibeault read legal ad; An application has been made by Glen Govostes of 21 East Street, Georgetown MA, 01833, for a Special Permit under; M.G. L. Chapter 40A, Section 9, and the Georgetown Zoning bylaws, Chapter 165 Sections 9, 11, 69, and 79 for an accessory apartment to an existing dwelling,. The premises affected is 21 East Street, in the RB district and identified on Assessor's Map 9A Lot 14A.

P. Shilhan introduced the board members.

Applicants Presentation:

Glen Govostes – We want to hook up an original stove, it's up 3 flights, we built a new kitchen on ground level, and disconnected the stove, we built a new kitchen on ground level, since then and my mother in law had a stroke and my wife had broken her knee cap and she has trouble going upstairs, we need to put that stove back in in order to cook for my mother in law without having to go up and down the stairs. The kitchen is still there, I never did anything with it.

The apartment has been in existence since it was built in 1987, purchase from Mr. Bussing in 1988. The apartment is on the 3rd Fl, we disconnected the stove when we built a new kitchen on the first floor (ground level).

P. Shilhan – asked for questions from the board, and stated if you sold the property the permit would be null and void and you also need to live in the primary dwelling.

G. Thibeault – Is it a full kitchen?

Glenn - It's a refrigerator and sink, everything is still there.

Sharon – Has the kitchen has always been on the 3rd. floor.

Glenn – Yes it has.

G. Thibeault – Inquired about the layout

Discussion follows on pictures the applicant brought in on the layout that almost looks like a duplex, but is a single family home.

Audience

Chris Rich – 292 Andover Street, - Is the house two separate dwellings, as far as the Board of Health.

P. Pitari – I checked with Deb Rogers the health agent, and the septic is fine as long as it's a 4 bedroom, 9 room maximum, Patty presented an email to P. Shilhan.

P. Shilhan stated yes there is an email here from the Board of Health.

Apartment size

Calculations: Total sq. ft of home is 2,375. Total minus apartment is 1,965 sq. ft.

Livable floor area of apartment is 407 sq. ft. Percentage of area of apt is approximately 20%.

The total apartment will be 570 sq. ft.

New Correspondence - None

Proposed Floor Plan was marked as Exhibit A

Motion –S. Freeman/E. O'Reilly I would like to make a motion that the board vote to grant a special permit to Glen Govostes of 21 East Street, Georgetown, MA under MGL Chapter 165 Sections 9, 11 and 69 & 79 for an accessory apartment in an existing dwelling, the board finds the application meets the requirements of Chapter 165-69 (a-g), and the apartment does not exceed the greater of either 700 sq. feet or 33% of the livable floor area of the primary building. The apartment has a total of 570 sq. ft.

The board also finds the application meets 165-79; being the requested use and alteration is essential or desirable to the public convenience and welfare; will not overload any public water or other municipal system so as to unduly subject any area to hazards affecting health, safety or general welfare, will not impair the integrity or character of the district or adjoining districts, and will not cause an excess of that particular use which could be detrimental to the character of the neighborhood.

This Special Permit shall have the following Conditions:

1. The Accessory Apartment only be occupied by relatives only, not to be used as a rental property and the primary dwelling must be owner occupied per bylaw Chapter 165 §69 (b).
2. If the house is sold or transferred the special permit lapses and the new owner must apply to the board for a new special permit.
3. The apartment shall be inspected by the Building Inspector before Occupancy; per Chapter 165-69 (d).
4. Floor Plan Layout marked as Exhibit A .

P. Shilhan took a roll call vote.

E. O'Reilly – yes, G. Thibeault – yes, S. Freeman – yes, P. Shilhan – yes.

Motion carried unanimously 4-0.

The Special Permit was Granted 4-0 in Favor.

P. Shilhan stated the Zoning clerk has 14 days to file a decision any appeal of this decision shall be made pursuant to Massachusetts General Laws Chapter 40A, Section 17, within 20 days after the date the notice of decision was filed with the Town Clerk.

Motion – S. Freeman/P. Shilhan to close the hearing for 21 East St. all in favor. Motion carried.

Patty Pitari
Zoning Administrative Assistant

Approved, April 3, 2012 business meeting