Hull Zoning Board of Appeals

Minutes

March 21, 2017

The March 21, 2017 meeting of the Board of Appeals was held at 7:30 p.m. at the Hull Municipal Building, 253 Atlantic Ave., Hull, Massachusetts.

Members present: Patrick Finn, Clerk
Andrew Corson, Member
Scott Grenquist, Alternate

Members absent: Neil Kane, Chair
Corina Harper, Alternate
Richard Hennessey, Alternate

Public Hearing: 17 Rockland Circle

Start Time: 7:35p.m.

Applicant: Maryann Boothroyd

General relief sought: To apply for a Variance to change interior commercial use to single-family residential dwelling as per plans pursuant to Hull Zoning By-Laws Chapter 40-A, Sec. 61, Non-Conforming Uses, para 61-2, sub-para f.

Sitting: Patrick Finn, Clerk
Andrew Corson, Member
Scott Grenquist, Alternate

Summary of discussion:

Prior to the meeting the applicants had requested a continuance to April 4, 2017.

Action Taken:

On a motion by Finn, seconded by Corson, the board voted unanimously to grant the applicants' request and continue the hearing to April 4, 2017 at 7:35 p.m.

Vote: Finn - Aye
Corson – Aye
Grenquist – Aye

Public Hearing: 10 Cadish Ave.

Start Time: 7:45p.m.

Applicant: Jodi Elliott

General relief sought: To apply for a special permit to demolish existing single family home 30% lot coverage) and construct new single family home 35 lot coverage as per plans pursuant to Hull Zoning By-Laws Chapter 40-A, Sec. 61, Non-Conforming Uses, para 61-2, sub-para f.

Sitting: Patrick Finn, Clerk
Andrew Corson, Member
Scott Grenquist, Alternate

Summary of discussion:

Elliot stated that he is rebuilding the same house on the same footprint other than extending the porch and adding a two-car garage. He stated that the footprint is extended 2' on one side. He further stated that he will be meeting with the Conservation Commission next week for approval.

Finn read aloud a letter from Building Inspector Bartley Kelly, which stated, in part:

> The existing front (12.1'), left side(2.7'), and rear(17.2'), and proposed front (6.4'), left side (2.6'), and rear(19.6')setbacks are less than required. The existing (30.7%)and proposed (35%)lot coverage is more than allowed.

Present at the meeting to speak in favor of the project was abutter John Liddington, 2 C St., who stated that the current building has been an "eyesore" and the proposed building will be an improvement for the neighborhood. He pointed out that the building is nonconforming to begin with and the addition of the garage will get cars off the street, which is a big problem in the area.

There were none present at the meeting to speak in opposition to the project.

Finn pointed out that the agenda item reads 30% existing lot coverage, but it is actually 30.7% as stated in the Building Inspector's letter. He stated that because the existing structure is already over the maximum lot coverage, only a special permit is required. The only requirement, he noted, is that the proposed structure be substantially less detrimental to the neighborhood.

Action Taken:

On a motion by Corson, seconded by Grenquist, the board voted unanimously to approve Jodi Elliot at 10 Cadish Avenue for a special permit to demolish existing single family home (30% lot coverage) and construct new single family home 35 lot coverage as per plans pursuant to Hull Zoning By-Laws Chapter 40-A, Sec. 61, Non-Conforming Uses, para 61-2, sub-para f, with the following conditions:

> (a) Compliance with all applicable laws and codes of the Commonwealth of Massachusetts and the Town of Hull is required;
>
> (b) The construction shall be done substantially in conformance according to the plans as submitted to the board on March 21, 2017, by David Ray, Nantasket Survey Engineering, dated 1/11/17, the building plan by Gene Anton, designer-draftsman, dated 11/16/16;
>
> (c) The owners shall submit an application for a building permit, to the extent necessary, along with an updated copy of a plot plan or survey, and an updated building plan, to the extent necessary, to the Building Commissioner for his review and approval in order to ascertain whether the existing residential structure is in compliance with all code requirements for single-family use;

(d) Following construction, no further expansion, change or alteration of the structure (vertically or horizontally) or extension, change or alteration of the structure into any setback areas (front, side or rear) shall be permitted at any future date, unless an application is submitted to the Board and a written decision is issued approving the proposed expansion or extension.

Vote: Finn – Aye
Corson – Aye
Grenquist – Aye

The hearing was adjourned at 7:55 p.m.

Public Hearing: 333 Beach Ave.

Start Time: 8p.m.

Applicant: Chris Clancy

General relief sought: To apply for a special permit to construct new porch as per plans pursuant to Hull Zoning By-Laws Chapter 40-A, Sec. 61, Non-Conforming Uses, para 61-2, sub-para f.

Sitting: Patrick Finn, Clerk
Andrew Corson, Member
Scott Grenquist, Alternate

Summary of discussion:

The owner of the home, Steven Clancy was not present. The board voted uninamously, on a motion by Finn, seconded by Corson, to allow his brother and contractor Chris Clancy, to present the request for relief.

Clancy stated they would like to extend the existing porch and make it a wrap-around. The foundation for a pergola, as well as some of the framing and footings were already done by the previous owner. Clancy stated that the front setbacks are fine and the sides are within inches. There will be a roof only on the side that goes out toward the railroad bed. They are also adding a kitchen and bath in the new living space.

Clancy stated that they have already been approved by the Conservation Commission.

Finn read aloud a letter from Building Commissioner Peter Lombardo, which stated, in part:

> The existing single-family structure lies in a single-family A zone, the existing and proposed side setbacks, as noted on site plan dated 2/19/17, are less than the required 10'; the rear setback (40.3') is compliant; the front setbacks remain as existing.

No abutters were present at the meeting to speak in favor of or against the project.

Finn noted that the lot coverage is increasing from 22.7% to 29.5%, which is under the maximum allowed.

Action Taken:

On a motion by Grenquist, seconded by Corson, the board voted unanimously to approvea special permit to construct a new porch as per plans submitted to the Board of Appeals pursuant to Hull Zoning By-Laws Chapter 40-A, Sec. 61, Non-Conforming Uses, para 61-2, sub-para f, with the following conditions:

(a) Compliance with all applicable laws and codes of the Commonwealth of Massachusetts and the Town of Hull is required;

(b) The construction shall be done substantially in conformance according to the plans as submitted to the board on March 21, 2017, by Hoadley Martinez Architects dated January 2017, and the plot plan by Nantasket Survey Engineering dated February 9, 2017;

(c) The owners shall submit an application for a building permit, to the extent necessary, along with an updated copy of a plot plan or survey, and an updated building plan, to the extent necessary, to the Building Commissioner for his review and approval in order to ascertain whether the existing residential structure is in compliance with all code requirements for single-family use;

(d) Following construction, no further expansion, change or alteration of the structure (vertically or horizontally) or extension, change or alteration of the structure into any setback areas (front, side or rear) shall be permitted at any future date, unless an application is submitted to the Board and a written decision is issued approving the proposed expansion or extension.

Vote: Finn – Aye
Corson – Aye
Grenquist – Aye

The hearing was adjourned at 8:20 p.m.

The meeting was adjourned at 8:25 p.m.

Recorded by Catherine Goldhammer

Minutes Approved: Natalie Finn clerk 4/4/17

All actions taken: All action taken includes not only votes and other formal decisions made at a meeting, but also discussion or consideration of issues for which no vote is taken or final determination is made. Each discussion held at the meeting must be identified; in most cases this is accomplished by setting forth a summary of each discussion. A verbatim record of discussions is not required.