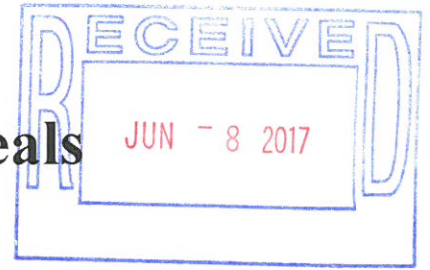


# Hull Zoning Board of Appeals

**Minutes: May 23, 2017**



The May 23, 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  
Corina Harper, Alternate  
Scott Grenquist, Alternate

**Members absent:**

Neil Kane, Chair  
Andrew Corson, Member  
Richard Hennessey, Alternate

## **Public Hearing: 34 Point Allerton Avenue**

**Start Time:** 7:50 p.m.

**Applicant:** Marcene Toma

**General relief sought:** To apply for a special permit to enclose existing rear porch for added living area, construct deck with garage beneath, and widen existing side porch as per plans pursuant to Hull Zoning By-Laws Chapter 40-A, Sec. 61, Non-Conforming Uses, para 61-2, sub-para f.

### **Summary of discussion:**

This case was opened on May 9, 2017, but immediately continued due to a failure of recording equipment. In addition, at that time Finn had noted that the denial letter did not address the front setback, which can be waived by the Building Department, and he recommended that the applicant discuss this with the department prior to the board's hearing of the case.

The board voted to allow John Boyd and David Ray to make the presentation on behalf of the applicant, on a motion by Finn, seconded by Harper.

Boyd stated that the property is a bungalow and they want to make it more functional. Ray stated that they want to enclose the left-rear small corner porch for living space and construct a set of stairs for that space. In addition they want to extend the front deck and put a garage underneath. He stated that the Building Department has now waived the front setback requirement, per a revised letter. A deck will be made on top of the garage. On right side they are expanding a portico over an open (not enclosed) doorway.

Finn read portions of a revised letter from Building Inspector Bartley Kelly, which stated, in part, as follows:

After having reviewed said application I have determined that this would be in violation of the Town's Zoning bylaw(s).

Section 61, Non-Conforming Uses, para 61-2, sub-para f, Pre-existing Structures. The proposed addition requires a special permit from the Zoning Board of Appeals.

Proposed existing/side setback is less than required, in the front and the rear. The front setback can be waived as per Article V, Section 50-2(a).

Finn said that he was comfortable with the Building Department's authority and that the applicant will be providing new plans for review as per conditions of approval.

No abutters were present at the meeting to speak for or against the project.

### **Action Taken:**

On a motion by Grenquist, seconded by Harper, the board voted unanimously to grant to Ms. Tobin at 34 Pt. Allerton Avenue, a special permit to allow an extension to a pre-existing nonconforming setback in front and in rear as per plans, 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 building plans as submitted to the board on May 23, 2017, by Nancy Kerber, Architect, dated April 20, 2017, and the plot plan by David Ray, Nantasket Survey Engineers, dated March 21, 2017, and revised April 25, 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.

(e) Subject to review and approval by Building Commissioner Peter Lombardo to waive front setback per Article V, Section 50-2(a).

**Vote:** Finn – Aye  
Harper – Aye  
Grenquist – Aye

The hearing was closed at 7:58 p.m.

The meeting was adjourned at 8 p.m. on a motion by Finn, seconded by Grenquist.

Recorded by Catherine Goldhammer

Minutes Approved:  6/6/17

*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.*