

Hull Zoning Board of Appeals
Minutes
December 19, 2017

The December 19, 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: Neil Kane, Chair
Patrick Finn, Clerk
Andrew Corson, Member

Members absent: Richard Hennessey, Associate
Scott Grenquist, Associate
Corina Harper, Associate

Also present: Sarah Clarren, Board of Appeals Administrator

Public Hearing: 121 Bay Street

Applicants: Beatrice Bergstrom and Steven Bergstrom

General relief sought: To apply for a special permit/variance to construct a new two-family home, each side with four bedrooms and 4 ½ baths, as per plans, pursuant to Hull Zoning By-laws Chapter 40-A, Sec. 61, Non-Conforming Uses, para 61-2. Building will replace previous three family unit. Proposed rear setback does not comply. Proposed front setback (13') may be waived.

Summary of discussion: This is a continuation of a hearing begun on November 21, 2017. Chairman Kane stated that because one of the board members presiding over the case was not present, it would be necessary to continue the hearing. David Ray, of Nantasket Survey Engineering, who was present at the meeting on behalf of the applicant, stated that in the event that one of the sitting members can't be there, there is a process by which another member can substitute for him or her after listening to the tape and reading the minutes. Kane stated that he would do so and be ready to sit in at the next meeting if necessary.

Action Taken: Finn made a motion to continue the hearing to January 2nd, which he then amended to continue the hearing to Tuesday, December 26. This was seconded by Corson and passed unanimously.

Administrative Business

In order to correct a misspelling of an applicant's name on a Board of Appeals' decision for 269 Main Street, the board voted as follows: On a motion by Finn, seconded by Corson, the board voted unanimously to change the "e" on the decision on 269 Nantasket Avenue.

In addition, the board voted on a motion by Finn, seconded by Corson, to approve the draft of the quarterly report to the Board of Selectmen, dated December 20, 2017, with any edits required regarding 121 Bay Street because that was not taken care of tonight.

Public Hearing: 51 Main Street

Applicant: David Flynn

General relief sought: To apply for a special permit/variance to construct a 1½ story two-car garage with porch connecting to existing structure; install pergola at side entrance, as per plans, pursuant to Hull Zoning By-laws Chapter 40-A. The proposed 1½ story two-car garage height is 23' that exceeds the 14' allowable height limit for a detached structure.

Summary of discussion: This hearing was begun on December 5, 2017 and continued to this evening at the request of the applicant. Flynn stated that his plans are designed to meet the historical character of the district, and the design has been approved by the Hull Historic District Commission. He said that attaching the garage would cause safety issues

regarding traffic and parking. He further stated that the garage is situated in the only location it can be. He said that the height will not have a negative impact on any abutter's view. The maximum height allowed is 14' and he is requesting a height of 23'. He stated that he realizes that if he connects the structures he doesn't need an approval, but he doesn't want to connect them.

Finn read aloud a November 1, 2017 letter from Building Inspector Bartley Kelly, which stated that the project would require a variance from the board because the proposed 1½ story detached garage height is 23', which exceeds the 14' allowable height limit for a detached structure.

Finn also read a letter from Don Ritz, Chairman of the Hull Historic District Commission, and a certificate of appropriateness dated September 20, 2017. [see document.]

No one was present to speak in opposition to the project. Ernest LaVoie of 57 Main Street was present, but did not speak.

Finn noted that this is a variance, per the building inspector, and read the applicant's variance questionnaire aloud. [See document.] The board noted that the setbacks are within limits and that lot coverage is 10.5% and is increasing to 16.2%, which is allowable.

Action Taken: On a motion by Finn, seconded by Corson, the board voted unanimously to approve a special permit for the Flynns at 51 Main Street [Finn correct this to state that this is a variance] to allow the addition of a 1½ story two-car garage with porch connecting to existing structure; install pergola at side entrance, 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 December 18, 2017, building plans designed by JAC, 687 Market St., Rockland, MA dated August 18, 2017 and revised on September 6, 2017; and site plan from Nantasket Survey Engineering, LLC, David G. Ray, 46 Edgewater Rd., Hull, MA, professional land surveyor #35412, dated 10/16, 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 proposed addition is in compliance with all code requirements for residential 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) Compliance with the Certificate of Appropriateness from the Historic District Commission dated September 20, 2017 for 51 Main Street.

Vote: Kane – Aye
Finn – Aye
Corson – Aye

The meeting was adjourned at 8:30 p.m., on a motion by Corson, seconded by Finn.

Recorded by Catherine Goldhammer

Minutes Approved: _____

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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.