



## Hull Zoning Board of Appeals

The May 7, 2015 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:     Roger Atherton, Clerk  
                               Mark Einhorn, Member  
                               Patrick Finn, Associate  
                               Phillip Furman, Associate  
                               Jason McCann, Associate

Town Counsel James Lampke was also in attendance.

Members unanimously voted that Finn be appointed Chair for the purposes of this meeting, on a motion by Atherton, seconded by Einhorn.

### **Update: 6 Montana Ave.**

Lampke explained that he was there regarding the postponement of the hearing for 6 Montana Ave. In that case there was a question of violations found by the Health Department, which he said were being worked out. In addition, Building Inspector Lombardo had been able to look into the internal layout and would state that it meets the criteria for a single family house. Lampke stated that the applicants plan to withdraw their appeal once they get a clarification letter from the Building Department. However, as it is getting near the expiration date for the extension on their case, the Board would need to formally continue the hearing in order to give them more time.

Lampke also noted that if and when the applicant wants to withdraw their appeal, they will need the Board's approval to request the withdrawal, as the hearing has already been initiated.

**Action taken:** Einhorn moved that the board continue the hearing to June 4. The motion was seconded by Atherton. The vote was unanimous.

## **Hearing: 1071 Nantasket Ave.**

**Start Time:** 7:40 p.m.

**Sitting:** Atherton, Einhorn, Finn

**Applicant:** Lawrence Trubia

**In Attendance for the applicant:** Lawrence Trubia, developer; Stephanie Aprea, co-owner; Tomas McDonagh, abutter

**General relief sought:** To apply for a special permit to construct a second-floor addition over existing lower level living area.

### **Summary of Discussion:**

Trubia explained that the current structure is a one-story home with a small existing second floor, which the owners would like to expand. The addition would not exceed the existing footprint of the first floor, but would extend it vertically.

The building is co-owned by Michael McDevitt and Stephanie Aprea. Aprea was in attendance at the meeting and said that they intend to live in the home and would like a little more elbow room.

Finn stated that the applicant had gotten a building permit and had started work on the project, but had received a stop work order on March 17, 2015. They need a special permit in order to continue because the building is a nonconforming property and the expansion extends the footprint vertically. Atherton illustrated on the applicant's plans how the current second floor is much smaller than the footprint of the first floor. The expansion will make it the same size as the first floor. The building has existing non-conforming side setbacks, which are not changing. Einhorn pointed out that the building would still be under the height limitations.

Tom McDonagh, the owner of 1069 Nantasket Ave., stated that he is in favor of the expansion as are other neighbors.

Finn proposed that because 1071 and 1069 are so close together, the construction should use cementitious siding and that there should not be windows on the east-facing wall. McCann noted that the plans show windows on that side. The applicant said that the windows had been framed out, but they are going to close them off. Finn suggested writing that into the decision. The Board agreed that a new plan showing no windows was not necessary.

Furman noted that conditions should be put in the decision to limit the actions of any future owners of the property.

**Action taken:** The Board unanimously voted to approve a special permit to add a second-story within the existing foundation footprint, based on the plans dated March 12, 2014, on a motion

by Einhorn, seconded by Atherton, with conditions on east-facing windows and fire-proofing to be specified in the decision, as required by the Building Inspector.

Vote: Finn	Yes
Atherton	Yes
Einhorn	Yes

The hearing was closed at 8:08 p.m.

Recorded by: Catherine Goldhammer

Minutes Approved: \_\_\_\_\_

 9/3/15

*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.*