



**BOARD OF APPEALS
TOWN OF WINTHROP
MINUTES OF SPECIAL HEARING MEETING**

Held on Thursday, January 29, 2014
Town Hall – Joseph Harvey Hearing Room
WINTHROP, MA 02152

Chairman Brian Beattie called the public meeting of the Board of Appeals to order at approximately 7:00 p.m. In attendance at the hearing were the following Board Members: Irene Dwyer, Thomas Chiudina, and Joanne M. DeMato, BOA Clerk.

Absent: Darren Baird, Fred Gutierrez, and Michael Power due to other commitments.

The following matter was heard:

AGENDA: Hearing of the following application(s) for variance and/or special permit and deliberation of pending matters and discussion of new and old business.

	Case No.	Applicant	Address	Type of Appeal	Voting Members
1.	#001-2014	Patrick Butler	20 Winthrop Shore Dr.	Variance – Chapter 17.16.J.1 Dimensional Reg.	BB/ID/TC
2.	Old business or previous cases T/B/A				
3.	Approval of meeting minutes				

Adjournment

#001-2014 – Patrick Butler, 20 Winthrop Shore Drive

In Attendance: Patrick Butler, Attorney Nicholas Martino

Sitting: BB/ID/TC

NM: We are just requesting a variance on the side yard. I've got a couple of pictures I can show you. The structure is an existing structure on the property. They are looking to enclose it and add a rooftop deck. Here's the structure in question on the left and here is a shot of the side yard. (Photos submitted as Exhibits #1 & #2). I believe that you have a copy of the plan.

ID: (Inaudible – questioning the plan.)

NM: The structure as it currently stands is 9 ft from the boundary line on the side yard. For them to continue to use it as it stands it's more or less uninhabitable. The plan is to enclose the structure and add a deck on top of it. Also they are not going to change the height of the structure it's going to remain as is.

BB: Basically you're just going from the bay window, going to enclose that and put a deck on top of it.

NM: Correct. There was an issue when they initially apply for the permit, I believe the plan that they submitted was incorrect it said it was 4 ft from the boundary line but in actuality it was 9 ft.

PB: We have a plot plan.

NM: I think it was miss-marked.

BB: Its wrong its here it says 4 ft but in actuality its 9 ft.

NM: Right, correct.

BB: You're looking for 1 ft on the side.

TC: So where this dumpster it that's our property?

NM: Correct.

PB: We noticed the mistake on the plot plan and we got that fixed and I gave that to the BI for the correct plot plan.

BB: So you're looking for 1 ft on the side and you're looking for what's this 11 ft on the front?

PB: Yes.

BB: So its 11 ft on the front and 4 on the side, ours is wrong also.

PB: This is the correct one.

ID: So the front should be 10 ft?

BB: The front should be 12 ft. it's supposed to be 15. It looks like he has 5-6.

ID: It depends on where you look.

BB: Or do you have 6 ft – I don't know what you have.

PB: If you look at this one from this point to the porch there's 8 ft there and the porch has another couple of ft.

BB: So you're looking for 7 ft?

PB: Actually no, on this one its 8 ft from the property line to the edge of the porch and were going to enclose back here.

BB: So where is the 8 ft to the porch? So you're looking for 4 ft?

ID: You're going to take off the porch?

PB: No if you look at the picture.

ID: The front yard is measuring 8 ft from the lot line.

BB: He's got 8 ft if he leaving the porch alone.

ID: Oh it overhangs the house, I got ya.

BB: So in the front he's actually looking for 14 ft and on the side he's got 9 ft there so your roughly looking for 2 ft instead of 4 ft? Anything else?

NM: I think that's it.

BB: Is there anybody that's opposed to this? Hearing none, is there anybody in favor to this?

Williams Baceda, 15 Carnest St.

BB: OK that part is closed are there questions from the Board?

TC: So from this face here you're building straight out?

PB: No.

BB: No they're building a deck on top of that roof.

TC: That's what I mean from here out that way this way to the side in other words that plane is going to continue?

PB: That's going to be a deck on top of the roof.

TC: So on here? So you actually have a little bit of coverage here?

PB: About 3 ft from the post to the house.

TC: So from where this wall is you're continuing out as far as the post? And it's going out as far as the post?

PB: Yes.

TC: And obviously you're placing the roof above?

PB: Yes

BB: And that's where you're placing the deck?

PB: Yes.

TC: Did you have an issue with the Conservation Commission that you wanted to bring up?

BB: Did you look into the work that you're doing there, have you gone to the Con Comm. at all for this project?

NM: We haven't yet but are going to if we need to apply.

TC: I would think they do from what they describe if it was just a resurfacing a roof or siding they don't have to see it but where you're enclosing more area I think you need to have their approval from understanding what you wrote here.

ID: (Reads from letter from Con. Comm. sec.) It says we do not issue permits for roofs, windows, and siding but they are concerned about debris blowing around and also into the resource area of the beach. If we find that the work is being done where a wetland permit is required that Mr. Butler would be notified. Obviously it would be subject for approval from another board. They're not saying you do just that you might.

BB: We have to find out if there is a wetland permit? We could finish this up based on a wetland permit that you have to go through the Con Comm. Ok you might not need a permit but you have to go to them.

NM: Right, we were planning on going to them.

BB: All right, fine. Anybody like to make a motion?

MOTION: (IRENE DWYER) – Move to grant the relief requested at 20 Winthrop Shore Drive by allowing a side yard variance of 2 feet and a front yard variance of 4 feet according to the plans submitted with the application #001-2014 for the purpose of closing an existing exterior porch and building a roof deck on that portion of that building. This variance is also conditional upon the property owner reporting the conditions the Con. Comm. may impose on this construction.

SECOND: (THOMAS CHUIDINA)

VOTED: ALL IN FAVOR

MOTION: (IRENE DWYER) – To accept the minutes of the meeting on January 9, 2014.

SECOND: (BRIAN BEATTIE)

VOTED: ALL IN FAVOR

MOTION: (IRENE DWYER) – To adjourn meeting.

SECOND: (BRIAN BEATTIE)

VOTED: ALL IN FAVOR

Meeting adjourned at 7:16 p.m.



Brian Beattie, Chairman



Dated:

Respectfully submitted By: Joanne M. DeMato, Secretary

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2014 MAR -3 A 9:40
TOWN CLERK