

**AMESBURY ZONING BOARD OF APPEALS
AMESBURY CITY HALL AUDITORIUM
62 FRIEND STREET
WEDNESDAY, JULY 25, 2013**

Present: Matt Sherrill (Chair), Donna Collins, Bill Lavoie, Olyce Moore, Bob Orem
Absent: Sharon McDermot
Also Present: Sue Yeames taking notes/recording. Transcription by Joan Baptiste.
Meeting was convened at 7:10 P.M.

Timothy Doucette is seeking a **Special Permit/Finding** under Amesbury Zoning Bylaws Section IX, Paragraph B; Extension and Alteration to construct a deck to a single family home at 11 Glenwood Street, Amesbury in an R-20 Zoning District, Precinct 3.

Timothy Doucette presents. I would like to construct a wooden deck in back yard. It's 16' x 37' with an existing slider.

Matt Sherrill the height of the deck will be 3 feet

Tim it will be at ground level and my yard slopes down 16 feet it will be three feet off the ground.

Denis Nadeau speaks from audience (inaudible)

Matt Sherrill Letter from Deb and Jeffrey Folsom, 9 Glenwood Street in support of the Special Permit/Finding is read into record.

Matt this is a Finding to construct a 16' x 37' deck. We have a letter of support from the closest abutter.

Motion to close and discuss by Donna Collins, second by Olyce Moore.

Proof that it predates zoning (1900 on Assessor's Field card)

How is it non-conforming? Area, frontage, front, left and right side set backs.

Detrimental – no change

Any new non conformity – no

Motion by Donna Collins to close and vote. Second by Bill Lavoie

VOTE

Bill Lavoie – yes

Olyce Moore – yes

Bob Orem – yes

Donna Collins – yes

Matt Sherrill – yes

MINUTES:

June 26, 2013: Motion to approve by Bob Orem. Seconded by Olyce Moore. Four in favor, Donna Collins abstained.

Rodney Zeller is seeking a **SPECIAL PERMIT / FINDING** under Amesbury Zoning Bylaws Section IX, Paragraph B; Extension and Alteration to reconstruct second floor, increase existing

deck (lake side), remove deck (right side) replace with entryway to a single family home at **80 Lake Attitash Road**, Amesbury in an R-20 Zoning District, Precinct 5.

Rodney Zeller present.

Purchased house at 80 Lake Attitash Rd. one and one half story structure, would like a full second story, increase the existing 8' x 15' deck to 12' x 24' to match width of house foundation. The Bik's who live across the street have written and submitted a letter of support. Matt due to Gloucester case determined to be already non conforming. We will view this as a finding.

Rodney Zeller I have had a structural engineer (John O'Connell) and he determined that the foundation will support the renovations. He has received approval from Conservation Commission.

Letter of support from Michael Bik, 81 Lake Attitash Rd. is read into the record. Also a note of support from James Ryan, 92 Lake Attitash Rd.

Motion by Donna Collins to close and discuss.

Predates zoning? 1940 assessor card
How non conforming? – area, frontage and all set backs
More or less detrimental? – less
Any new non-conformity? – no

Motion by Donna Collins to close and vote, second by Bob Orem

Vote
Bill Lavoie – yes
Olyce Moore – yes
Bob Orem – yes
Donna Collins – yes
Matt Sherrill – yes

Roland Couillard is seeking a **VARIANCE** under Amesbury Zoning Bylaws Section VI, Paragraph B; Table of Dimensional and Density Regulations to reduce the required front yard setback from 25 feet to 15 feet at **96 Friend Street**, Amesbury in an R-8 Zoning District, Precinct 6.

Nick Cracknell presents

Abutter to project and neighborhood representative. The applicant is requesting a reduction of the front yard setback from 25' to 15' to save the heavy stand of mature trees that create a buffer between the existing homes on Pickard Street and the proposed development of 5 homes on 96 & 98 Friend Street and Ellis Court. Some small trees will need to be removed from a gully. They will be trimmed. They will tolerate building impact at 40'.

David and Ellen Dow – 1 Pickard Street. In support change of frontage want the trees to remain. They muffle the traffic sound on Friend Street. They also provide privacy.

Michael McHugh – 7 Pickard. In full support of the reduction of front yard set back. The change will lesson impact to his property with a larger back yard. Good buffer between new homes and existing homes.

Charles Bassler - 11 Pickard. In support because it is within keeping with character of the neighborhood. A larger back yard and buffer from new development. The trees are very important and need to remain. We need to support the 40' backyard setback.

Denis Nadeau, Building Commissioner - Form A plan 6/24/13 issue – there is a right of way going through the rear of the property. They can keep the house same size if they reduce the front yard setback. Easement may create the hardship to move houses forward.

Motion by Bob Orem to close and discuss, second by Olyce Moore.

Substantial hardship

1. Mature trees at back of property line shall remain
2. Existing easement on Lot A
3. Shape and depth of the lot.

Do these features affect the district? - no

What is the substantial detriment? – none

Does the petition derogate from the intent of the bylaw? – no

stipulations

1. The exterior design and finish of the single family houses will be consistent with the information and images shown on the application
2. Lots require a 40' rear yard set back

Motion by Donna Collins to close and vote. Second by Bill Lavoie

Vote

Bill Lavoie – yes

Olyce Moore – yes

Bob Orem – yes

Donna Collins – yes

Matt Sherrill – yes

Variance is approved

Motion by Donna Collins to adjourn, second by Bill Lavoie.

Meeting is adjourned at 8:15 P.M.