

**ZONING BOARD OF APPEALS  
CITY HALL AUDITORIUM  
62 FRIEND STREET**

**APRIL 28, 2016**

**Meeting started at 7:00 PM**

**Present: Bill Lavoie, Donna Collins, Sharon McDermot, and Matt Vincent**

**Absent: Bob Orem, Matt Sherrill, David Haraske**

**Also Present: Susan Yeames, Recording Secretary; D. Nadeau, Zoning Compliance officer.**

**Minutes:** March 24, 2016 - Continued to May 26.

**Acting Chairman Sharon McDermot calls the meeting to order and reads the agenda items.**

**PUBLIC HEARING:**

**Ronald G. Poulin, 42 Monroe Street, Amesbury, MA** is seeking a **VARIANCE** under the Amesbury Zoning Bylaw, Section VI. The applicant is seeking a variance from the minimum side yard requirements in order to erect an addition on the right side of his existing home in order to add a family room and a screen porch at 42 Monroe Street, Amesbury, MA in an R-40 zoning district.

**Paul Gagliardi** representing the applicant, requests to continue the public hearing to the next meeting due to missing ZBA members. Attorney Gagliardi will submit a written request to continue.

**Motion by Donna Collins to grant the request to continue, second by William Lavoie. AIF**

**Benjamin Becker, BLB Custom Building, LLC, 11 Chestnut Street, Amesbury, MA** is seeking a **SPECIAL PERMIT/FINDING** under the Amesbury Zoning Bylaws, Section XI, K.2 to request an In-law apartment at **90 Prospect Street, Amesbury, MA** in an R-8 zoning district. Sitting on the case: Sharon McDermot, Donna Collins, William Lavoie, Matt Vincent.

**Benjamin Becker/ Barbara Lorenc** has an existing 2400 sq ft including basement. Wishes to create a 576 sq. ft. in-law apt above the garage. There is a common unlocked door.

**Denis Nadeau** – amend application #10. in 2002 there was a variance. No question - need to amend the app plenty of parking.

**John Sorgini, 82 Prospect Street** no objection, plenty of parking construction debris needs to be cleaned up.

**Barbara Lorenc** states they will clean up the debris in the yard.

**Motion by Matt Vincent to close and discuss, Donna Collins second.**

Summary of findings:

1. Does is currently exist in the Table of Uses – Yes
2. Is it essential/desirable to public convenience/welfare? Yes
3. Will it create undue traffic/impede pedestrian safety? – No
4. Will it overload the public systems? - No
5. Are the Special Conditions of Amesbury Zoning Bylaw Section XI satisfied? – Yes

**Donna Collins** reads in law apartment in bylaw.

The Special Permit shall be issued for an in-law apartment subject to the following requirements:

1. The special permit will be issued for a period of five (5) years and will be renewable upon request providing the applicant continues to meet the requirements of the special permit. The special permit shall expire if the conditions of approval are not maintained or the in-law apartment ceases to be occupied as provided herein;
  2. Where new kitchen appliances have been added, they shall be removed within six (6) months of the expiration of the special permit and the Building Inspector shall report such removal to the Zoning Board of Appeals;
  3. There shall not be separately metered electric or water service to the in-law apartment;
  4. All safety, health and building codes are to be met;
  5. There shall be no boarders or lodgers within either unit of the dwelling with an accessory in-law apartment;
  6. There shall be parking for one (1) additional car for the in-law apartment;
  7. If the in-law apartment becomes vacant, the owner must report the vacancy to the Building Inspector within 60 days and the owner will be given six (6) months to remove all the kitchen appliances.
6. Will is impair the character/health/welfare of the district – No
  7. Will it create an excess of use in the neighborhood – No

**Motion by Donna Collins to close and vote. Second by Matt Vincent.**

VOTE

William Lavoie – Yes  
Matt Vincent – Yes  
Donna Collins – Yes  
Sharon McDermot – Yes

Application is approved.

**Motion by Donna Collins to adjourn the meeting at 7:15 PM – second by Matt Vincent. AIF**