

TOWN OF SALISBURY
Zoning Board of Appeals
5 Beach Road
SALISBURY, MASSACHUSETTS 01952
978-462-7839

July 23, 2013
7:00 P.M.

MINUTES

Members Present:

Susan Pawlisheck, Derek DePetrillo, Charlie Mabardy, Tim Lamprey

Old Business

Case No. 12-25
Elaine Lacourse
39 Baker Rd (Map 10 Lot 58)
Status update pursuant to decision written 11/5/2012 and recorded 12/06/2012

Yard has been quiet, no complaints from neighbors about noise. Ms. Lacourse has questions for the board regarding her special permit: is it possible to extend her hours from 10-1 to 8-3/4, allowing for more flexibility; the current number of dogs allowed is six, can this be extended to 10 dogs; currently the special permit restricts overnight stays, is it possible to allow one or two overnight stays on occasion? NO ABUTTERS PRESENT. No abutters have been notified yet – concerns over abutters not having an opportunity to be heard regarding a change in the special permit or being able to express concerns. Also concern over whether or not overnight stays would be kennels – according to the bylaw, if the dogs are kept in pens then it would be considered a kennel, the dogs would be kept in the house so it would not be considered a kennel. Her course of action will be to refile for a special permit in order to have her requests addressed.

New Business

Case No. 13-15
Outdoor Media Properties, Inc.
100 Elm St (Map 17 Lot 178)

Request for a special permit to replace an existing free-standing sign with a new free-standing sign

Email request from Elissa Albertelli-Campbell to continue until there is a five member board.

Motion to continue – Derek.

Second – Charlie.

Vote, 4 in favor, 0 opposed.

Case No. 13-16

Mark Battle

104 Atlantic Ave (map 32 Lot 178)

Request for a finding to build a 12'x24' deck with setback

Use filed as a variance, Mr. Battle only needs a finding, so under Scribner's Law, Susan can open as a finding. The applicant is requesting a Finding to add a deck to the rear of his home; the home is a pre-existing non-conforming structure. The applicant is a year-long resident with his elderly mother and aunt visiting in the summer. The proposed deck will be built for recreational use by his family. The direct abutter, Edward Fisichelli of 102 Atlantic Ave submitted a letter supporting the request stating that he has no objections. NO ABUTTERS PRESENT.

Motion to find that the deck is not more detrimental – Tim.

Second – Charlie.

Vote, 4 in favor, 0 opposed.

Case No. 13-17

Thomas Bloch

5 Park St (Map 6 Lot 16)

Request for a finding to remove a 5'x5' landing and a 12'x20' shed, and add a 13'x15.5' sunroom

The applicant is requesting a Finding to remove a 5'x5' landing from the main home and a 12'x20' shed in order to build a 13'x15.5' sunroom onto the main home. The proposed sunroom will be 5.5' away from the detached garage; the existing shed is located behind the garage. This is an extension of a pre-existing non-conforming structure. NO ABUTTERS PRESENT.

Motion to find that the sunroom is not more detrimental – Derek.

Second – Charlie.

Vote, 4 in favor, 0 opposed.

Case No. 13-18

Tomasz Wegiel

44 Lafayette Rd (Map 6 Lot 74)

Request for a finding to add a second floor to a pre-existing non-conforming structure

The applicant is requesting a Finding to add a second floor to a pre-existing non-conforming structure. The property was considered derelict for many years before the applicant purchased it; he is hoping to remedy the property. Currently there is a roof-overhang creating a patio on the NW corner of the home; the applicant is proposing to fill this in when the second floor is built, but there will be no change in the footprint of the home. ABUTTERS. Ron Tirone, 40 Lafayette Rd – was under the impression that the home would now encroach on his property, after review of the plan this is not the case. Abutter has no issues with the second floor addition now.

Motion to find that the second floor addition is not more detrimental – Charlie.

Second – Derek.

Vote, 4 in favor, 0 opposed.

Minutes

Motion to approve the minutes of May 28th, 2013 – Derek.

Second – Tim.

Vote, 4 in favor, 0 opposed.

Motion to approve the minutes of June 24th, 2013 – Derek.

Second – Tim.

Vote, 4 in favor, 0 opposed.

Motion to adjourn from Charlie.

Second from Derek.

Vote, 4 in favor, 0 opposed.

Susan Pawlisheck - Chair

Derek DePetrillo - Clerk