



## **TOWN OF SALISBURY**

*Office of the Board of Appeals*  
Colchester Room, Town Hall 5 Beach Road

### **MEETING MINUTES – PUBLIC HEARING**

**Hearing Date: June 12, 2018 @ 7:00 pm**

**Members Present:** Susan Pawlisheck (Chairperson), Derek DePetrillo (Secretary), Linda Tremblay, Joseph Stucker. Kevin Henderson present for second case (**No. 18-13**)

Chair announces only (4) member Board. Does the applicant wish to still present. Representative for applicant, Attorney Lisa Mead (**Ms. Mead**) advises the Board, yes, they will proceed.

**Members Not Present:** Please note Kevin Henderson was not present for the first case (**No. 18-12**). All other members present at start of meeting.

**Additional Persons Present:** Scott Vandewalle, Zoning Officer/Building (**Inspector**)

(Chair) person Pawlisheck called the meeting to order @ 7:20 pm.

#### **1. NEW PUBLIC HEARINGS**

- A. Case No. 18-12 Petition for Relief – Finding by Special Permit:** regarding an extension of a non-conforming side setback.

**Address:** 369 North End Blvd.

**Applicant:** John and Kathy Williams

(**Ms. Mead**), from Mead, Talerman and Costa, LLC approaches the podium representing the applicants Mr. and Mrs. Williams. Advises that Mr. Williams and Matt Steinle from Millennium Engineering are present.

(**Ms. Mead**) advises the applicant wants to build a 24x24 carport with a deck on the top. The addition will extend the side yard non-conformity and encroach on the rear yard. This will not create a new non-conformity; it is only an extension and is not substantially more detrimental to the neighborhood. The proposed extension is in an area where there are no structures; it does not abut anything in rear of property. The whole area is currently paved and is not visible from North End Boulevard. It is strictly a carport, stairs up and a deck. (**Ms. Mead**) shows views of the rear and southerly side.

(Ms. Mead) states they have provided (10) letters of support from all neighbors/abutters. All are supportive.

(Chair) asks the Board if any questions?

(Mr. Stucker) questions why these (2) cases are separate? Should only be a single variance?

(Ms. Mead) responds that they are applying for two separate permits; a special permit for an extension and one for a variance. There are two different standards.

(Mr. DePetrillo) asks again for confirmation that the whole parking lot is paved. (Ms. Mead) confirms yes, always used for parking.

(Chair) asks if an abutters in the audience. None.

**MOTION:** Mr. Stucker made a motion to grant the finding for the extension on the side setback as it is not substantially more detrimental to the neighborhood. Mr. DePetrillo seconds the motion.

**VOTES:** Ms. Pawlisheck and Ms. Tremblay vote in favor of the motion. Motion passes unanimously. All members express their vote verbally. (4-0)

**B. Case No. 18-13 Petition for Relief - Variance:** regarding a rear yard setback encroachment.

**Address:** 369 North End Blvd.

**Applicant:** John and Kathy Williams

(Ms. Mead) advises the applicant is seeking a variance for a rear yard setback. The hardship is related to the shape of the lot, which is very unique condition of the property. Surrounding lots are much more uniform.

(Ms. Mead) continues that the purpose of By-Law 300-1 is to promote health, safety and convenience to the inhabitants of Salisbury. It is convention to have covered parking at the beach. Also, because of limited outdoor space in front of house, the added use of a deck is convenient in the rear of house. The entire property is now paved. The applicant is not adding any further pervious surface so there will be no change in storm water runoff. The proposed carport is in the rear of the house, so it will not impede on any neighbors. It is not substantially detrimental to the neighborhood due to uniqueness of lot.

Kevin came in.

(Chair) asks for any questions?

(Ms. Tremblay) asks for definition of hardship; (Mr. Stucker) explains the hardship is not the shape of the lot, but the size of it.

(Chair) explains the night's cases to Board Member Henderson, who has entered the meeting.

(Mr. Henderson) is present and will vote on Case No. 18-13.

**MOTION:** Mr. Henderson made a motion to grant the variance due to the shape of the lot. Mr. DePetrillo seconds the motion.

**VOTES:** Ms. Pawlisheck, Mr. Stucker and Ms. Tremblay vote in favor of the motion. Motion passes unanimously. All members express their vote verbally. (5-0)

**A. Minutes**

Mr. Stucker states minor typo in minutes. Change will be made.

April 24, 2018 meeting minutes needed to be approved and then signed by the (Chair).

Mr. Henderson makes a motion to accept with correction of typo; Mr. DePetrillo seconds.

Minutes approved by all Board Members.

**B. Correspondence and Other Board Business**

None

**C. Items Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting**

None

**Motion** for adjournment was made by Mr. DePetrillo and approved by a 5-0 vote. Meeting is adjourned at 7:50 pm.

- The Board reserves the right to consider items on the agenda out of order. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.

**Next Public Hearing: July 10, 2018**

Respectfully submitted by Teresa Mahoney, Board Secretary and accepted at the July 10, 2018, meeting of the Zoning Board of Appeals.

Accepted as Presented;

A handwritten signature in black ink, reading "Susan M. Pawlisheck". The signature is written in a cursive style with a large, stylized "S" and "P".

Chairperson Susan Pawlisheck

Cc: Town Clerk