



MEETING NOTICE

TOWN OF HAMILTON

Pursuant to MGL Chapter 30A, § 18-25
All meeting notices and agenda must be filed and time stamped in
the Town Clerk's Office and posted at least 48 hours prior to the
meeting (excluding Saturdays, Sundays and Holidays)

If posting is close to the 48 hour requirement it MUST be
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**Committee or
Governing Body**

ZONING BOARD OF APPEALS REVISED AGENDA

Meeting Location

Meeting Room MEMORIAL ROOM

Address 577 BAY ROAD, HAMILTON MA

**Day, Date and Time of
Meeting**

WEDNESDAY

Date

APRIL 4, 2018

Time

7:00 PM

**Signature of Chairman
or Authorized Person**

MARY - ELLEN L FEENER

Date

03/16/18

AGENDA

Please list below the topics the chair reasonably anticipates will be discussed at the meeting.

1. CALL TO ORDER
2. CONTINUATION OF A PUBLIC HEARING: FOR THE APPLICATION SUBMITTED BY GARY CORSETTI FOR THE PROPERTY LOCATED AT 46 HIGHLAND STREET, TAX MAP 54, LOT 96, ZONING DISTRICT R1A - THE PETITION IS TO OBTAIN RELIEF FROM ZONING BYLAWS SECTION 4.0 DIMENSIONAL AND DENSITY REGULATIONS FOR LOT SIZE AND SIDE AND REAR YARD SET BACKS SO PETIONER MAY EXTEND AND CONSTRUCT AN ADDITION TO THE EXISTING DWELLING.
3. CONTINUATION OF A PUBLIC HEARING: FOR THE APPLICATION SUBMITTED BY MARVIN & KATHERINE FROMHAGEN AND CYNTHIA BARRETT, FOR THE PROPERTY LOCATED AT 27 ELM STREET- ASSESSOR'S MAP 62, LOT 55 - THE PETITION IS TO OBTAIN RELIEF FROM ZONING BYLAWS 3.6 ACCESSORY APARTMENT, SO PETITIONER MAY TAKE 889 SQUARE FEET OF THE EXISTING DWELLING AND COVERT THE AREA TO BE AN ACCESSORY APARTMENT
4. PUBLIC HEARING: FOR THE APPLICATION SUBMITTED BY JAMES & LEAH BISHOP, FOR THE PROPERTY LOCATED ONE NORIS AVENUE, HAMILTON, ASSESSOR'S MAP 60, LOT 38. APPLICANTS ARE REQUESTING RELIEF BY THE ZBA FOR HAMILTON ZONING BYLAW SECTION 5.3, NON-CONFORMING STRUCTURES, IN ORDER TO CONSTRUCT AN ATTACHED TWO CAR GARAGE.
5. REVIEW AND APPROVAL OF MEETING MINUTES
6. UPDATES FROM THE CHAIR
7. MEETING TO ADJOURN

Items may be heard out of the listed order. The agenda items listed are those items which were reasonably anticipated by the Chair to be discussed at the meeting. Not all items listed on the agenda may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law. The next meeting of the Zoning Board of Appeals is scheduled for May 2, 2018, to be held at the Hamilton Town Hall, 577 Bay Road, Memorial Room, Hamilton MA 01938, and it will commence at 7:00 PM. Meeting dates, time and location are subject to change as allowed by the Open Meeting Law. Please refer to the Town web page: hamiltonma.gov for details regarding a specific agenda.

HAMILTON ZONING BOARD OF APPEALS

MINUTES

Memorial Room 299 Bay Road.

April 4, 2018

Members Present: Bill Bowler (Chairman), Kim Dietel, and John Rodenhizer.

Others Present: Bruce Gingrich (Associate Member)

This meeting was called to order by Bill Bowler at 7:00 pm with a quorum established.

Continued Public Hearing. 46 Highland St. Relief from Density and Dimensional Requirements for Side and Rear Setbacks. Gary Corsetti, owner.

The applicant submitted a letter requesting to withdraw the petition without prejudice. Motion to allow the applicant to withdraw without prejudice made by John Rodenhizer. Seconded by Kim Dietel.

Vote: Unanimous in favor.

Public Hearing. 1 Norris Ave. for relief for non-conforming structures to construct an attached two car garage. James and Leah Bishop owners.

James Bishop stated he wanted to build a two car garage attached to the front of the house. The septic was out front. The septic installation allowed room for a two car garage, according to Leah Bishop. Bill Bowler asked how close the corner of the garage would be to the sidelines to which Mr. Bishop responded the garage would be 4' 4" from the sideline. Presently 4' 1" was the existing nonconforming distance to the sideline. The garage was sited to accommodate the turning radius and avoid the septic system. Photos showing location stakes were presented. The Board of Health requested that a clean out be provided.

Norm Hanna (5 Norris Road), who was present at the meeting and a letter from the Mondelos (abutters) were in support. The Conservation Commission had signed off for the distance from the lake. The approval letters were provided. The garage helped the privacy of the abutting neighbor.

Conditions would include that an as-built be provided to ensure the garage corner was at least 4' 1" from the property line.

Motion made by John Rodenhizer to grant the extension of a pre-existing non-conformity.

Seconded by Kim Dietel.

Vote: Unanimous in favor.

Bill Bowler explained the process of filing, appeal period, and acquisition of a building permit.

Continued Public Hearing. 27 Elm St. for Relief from the Zoning By-law Requirements for an Accessory Apartment. Marvin and Katherine Fromhagen and Cynthia Barrett.

Bill Bowler recused himself from the application as he had conducted legal work for the petitioners. John Rodenhizer became the acting Chairman. The proposal was to convert 889 sf of existing dwelling into an accessory apartment.

Cynthia Barrett offered a history of the proposal to include that originally, the apartment could not exceed 900 sf so the proposal was reduced to 889 sf allowing it to fit under the accessory apartment regulations. An area would be partitioned off to create an entry way as the unit had only one egress. The door would be in the front of the house with lattice to screen the entry. Eight car parking was provided. The front walk would service both units. The lot was 2.1 acres. The existing house did not have 4,000. Town records were wrong, which was why the house did not qualify for the two family provision of the by-law so petitioner is applying for an accessory apartment. The proposed unit included one bedroom, a kitchen/living room, bath, and closet.

John Rodenhizer noted the plans were drawn by an architect and would condition the approval that the plans be signed by a registered architect for the building permit to assure the unit was 889 sf. No dimensions were provided on the submitted plan. The exterior remained unchanged with the screening. The existing home was over ten years old and no exterior stairs would be required. Mr. Rodenhizer recalled that neighbors had reservations in the past and wanted to ensure that the project was built as per plans submitted. Mr. Rodenhizer said the proposal met all stipulations of Section 3.6.

Motion made by John Rodenhizer to approve the application based on the condition to have an architect sign and stamp the plan that it would include 889 sf.

Seconded by Kim Dietel.

Vote: Unanimous in favor.

John Rodenhizer describe the process. The building department would receive the signed plan.

Review of Minutes

None

Updates from the Chair.

None

Adjournment.

Motion to adjourn made by John Rodenhizer

Seconded by Kim Dietel

Vote Unanimous to adjourn at 7:23 pm.

Prepared by:

Marcie Ricker
Marcie Ricker

Bill Bowler 3/1/15
Attest Date