


## External Email Warning 3 Beech Street Continuation

Sheila Laing <slaing44@gmail.com>

Fri 10/28/2022 2:06 PM

To: Mary Ellen Feener <permitting@hamiltonma.gov>

 1 attachments (992 KB)

3 Beech Street Porch Addition.jpg;

Sent from [Mail](#) for Windows

Town of Hamilton

Zoning Board of Appeals

In reference to 3 Beech Street Continuation of 3 Beech Street, ZBA Meeting November 2, 2022

Submitted by Sheila Laing

1 Beech Street

South Hamilton, Massachusetts 01982

Good afternoon,

In advance of the third continuation of the matter of 3 Beech Street, I would respectfully submit the following concerns and questions to the Zoning Board of Appeals.

It is clear to me that Mr. Mimmo is in violation of numerous Zoning by laws.

Mr. Mimmo's proposal in December of last year was for a one-story addition that was to be two offices and a Jack and Jill bathroom. No architectural plans or elevations were submitted, and the hearing was continued. Unfortunately, I was unable to attend the second meeting where apparently the non-conforming variance was permitted.

The length of the addition was clearly disproportionate to the existing dwelling and lot and the foundation/basement is solely above ground, making the addition, in effect already two stories.

Mr. Mimmo went ahead and began building a two/three story 'addition' to the existing dwelling without further permitting or scheduled inspections by the building department. If he is indeed a licensed contractor, or acting as his own contractor, this is clearly a violation of the rules and laws governing residential construction. Including, but not limited to calling the Building Department to schedule all required Building Inspections and that a Building Permit conveys no right to occupy any street, alley or sidewalk or any part thereof, either temporarily or permanently. Encroachments on public property, not specifically permitted under the Building Code, must be approved. For several months Mr. Mimmo has used the Beech Street Reservation and Beech Street itself daily for parking construction and personal vehicles.

For each continuation The Zoning Board of Appeals has requested that Mr. Mimmo submit a full set of plans for the addition; which is in fact a full house three times the size of the existing dwelling. The plans appear to be merely conceptual drawings with no external elevations from all sides, electrical, plumbing, and the floor plans change significantly with each submission. I have yet to see a full set of plans.

Mr. Mimmo has a well-documented history of noncompliance with numerous specific directives from The Conservation Commission and the Hamilton Police department. Many of the statements he has made before the board are not entirely true. This appears to be another campaign to circumvent any rules and regulations which

do not suit his plans. By removing every tree, bush and blade of grass and paving over his lot to accommodate eight to ten cars, motor home, trailers, boats, and motorcycles he has already significantly reduced the value of my property and those of the abutters.

Allowing the building of this grossly disproportionate size and scale will further devalue my property. The construction and added height will add more wall space for cameras, recording devices, bright exterior lighting and high-density motion activated security lights to further disrupt the neighborhood. I have attached a photo of the recent porch addition which shows what it looks like every night.

It appears to me that the construction at 3 Beech Street is not in line with many of the Zoning Board laws and restrictions, any of which would seem grounds for denying Mr. Mimmos appeal to add a second story or third to what can only be considered a structure not in keeping with the neighborhood.

Therefore, I would respectfully urge the Zoning Board of Appeals to deny Mr. Mimmos request for an additional story to this addition.

Sincerely,  
Sheila Laing  
1 Beech Street  
South Hamilton, Massachusetts 01982

1.1.2 to protect and conserve the value of property

1.1.4 To conserve natural conditions

1.1.5 To improve and beautify the Town by encouraging the most appropriate uses of land within the Town in accordance with the General or Master Plan, and under the provisions of Chapter 40A of the Massachusetts General Laws, as amended, and Section 2A of 1975 Mass. Acts 808.

5.3.3 proposed change does not increase the nonconforming nature of said structure by more than one hundred (100) percent of the Residential Gross Floor Area.

5.3.4 The existing structure is on a conforming lot but is nonconforming because it encroaches on a setback and the proposed alteration or extension will not change the setback which fails to conform, and the entire structure meets all other requirements of this Bylaw including but not limited to height and lot coverage.

6.8.1 The existing structure is on a conforming lot but is nonconforming because it encroaches on a setback and the proposed alteration or extension will not change the setback which fails to conform, and the entire structure meets all other requirements of this Bylaw including but not limited to height and lot coverage.