

JULY 27, 2020
REGULAR
ZBA



**City of Peabody
Zoning Board of Appeals**

City Hall • 24 Lowell Street • Peabody, Massachusetts 01960 • Tel. 978-538-5900

JULY 27, 2020 ZBA AGENDA
LEGAL NOTICE

NOTICE IS HEREBY GIVEN THAT THERE WILL BE A REMOTE PARTICIPATION MEETING
OF THE ZONING BOARD OF APPEALS ON
MONDAY, JULY 27, 2020, AT 7:00 PM

Pursuant to Governor Baker's March 12, 2020 Order suspending certain provisions of the Open Meeting Law, G.L. c. 30A § 18, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the Peabody Zoning Board will be conducted via remote participation to the greatest extent possible. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public adequately access the proceedings in real time, via technological means. In the event that we are unable to do so on matters not requiring a public hearing we will post on the City of Peabody's website an audio or video recording, transcript, or other comprehensive recording as soon as possible after the meeting. Individuals may participate remotely in the meeting via a participation platform called Zoom.

Members of the public and/or parties with a right and/or requirement to attend this meeting may access the remote participation through any one of the following ways:

- Enter this link into your web browser to join the meeting: <https://us02web.zoom.us/j/86069152387>
- Enter this link into your web browser to open the Zoom website: <https://zoom.us/join>. Enter the meeting/webinar ID# **860 6915 2387** as directed on the webpage and click "Join". Follow the on-screen instructions to join the meeting.
- Participants can dial a toll-free number **+1 646 558 8656** to join the meeting. When prompted, enter meeting/webinar ID# **860 6915 2387** and follow the instructions to join the meeting.

THE AGENDA FOR THIS MEETING IS POSTED ON THE CITY OF PEABODY WEBSITE.

PEABODY ACCESS TELEVISION WILL BE AIRING THIS MEETING LIVE ON CHANNEL 9, AS WELL AS STREAMING ON THEIR FACEBOOK AND YOUTUBE PLATFORMS.

IF YOU WISH TO COMMENT ON OR REVIEW ANY PLANS OR DOCUMENTS RELATED TO ITEMS ON THIS AGENDA PLEASE CONTACT CARLA MCGRATH VIA PHONE, E-MAIL OR WRITTEN LETTER. ANY E-MAIL OR WRITTEN COMMENTS MUST BE RECEIVED BEFORE JULY 23, 2020.

ZONING BOARD OF APPEALS
C/O CARLA MCGRATH, CLERK
24 LOWELL STREET
PEABODY, MA 01960
carla.mcgrath@peabody-ma.gov
978-538-5792

REGULAR MEETING

1. Application of **Margaret Carr c/o Attorney Jack Keilty** for a Variance from the Provision of the Zoning Ordinance 2019, as amended, Sections 7.2 and 10.5.1, as it applies to the premise known as **70 Washington St., Peabody, MA, Map 095 Lot 315**. Petitioner seeks a variance to convert an existing single-family home to a two-family and requires relief to **Front and Side Yard Setback, Lot Area and Landscaping**. The property is located in an **R2 Zoning District**.
2. Application of **Dee Jay Po**, for a **Variance from the Provision of the Zoning Ordinance 2019, as amended, Section 7.2**, as it applies to the premise known as **35 Paul Ave., Peabody, MA, Map 059, Lot 089**. Petitioner seeks to build a garage and requires a variance for Side Setback where 20' are required and 11' are proposed. The property is located in an **R1B Zoning District**.
3. Application of **Christopher Joyce**, for a **Variance from the Provision of the Zoning Ordinance 2019, as amended, Section 7.2**, as it applies to the premise known as **13 Janet Lane, Peabody, MA, Map 107, Lot 217**. Petitioner seeks a variance for a farmer's porch and requires relief to Front Yard Setback. The property is in an **R1 Zoning District**.
4. Application of **Glen Karakaedos c/o Attorney John Keilty**, for a **Variance from the Provision of the Zoning Ordinance 2019, as amended, Sections 7.2 and 10.5.1**, as it applies to the premise known as **276 Lynnfield St., Peabody, MA, Map 099, Lot 061A**. Petitioner seeks a variance to sub-divide lot and requires relief to the following setbacks... **Proposed Lot 1; Front Yard** where 25' are required and 10' proposed, **Rear Yard** where 35' are required and 13' are proposed, **Lot Area** where 20,000 sf are required and 10,023 sf are proposed, **Frontage** where 125' are required 118.97' are proposed, **Lot Depth** where 40' are required and 0 are proposed, **Landscaping** where 2 street trees per lot are required and 0 are proposed. **Proposed Lot 2; Front Yard** where 25' are required and 10' proposed, **Rear Yard** where 35' are required and 22.6' are proposed, **Lot Area** where 20,000 sf are required and 11,765 sf are proposed, **Frontage** where 125' are required 59.03' are proposed, **Lot Depth** where 40' are required and 2' are proposed, **Landscaping** where 2 street trees per lot are required and 0 are proposed. The property is located in an **R1 Zoning District**.
5. Application of **Meegan Carpenter**, for a **Variance from the Provision of the Zoning Ordinance 2019, as amended, Sections 7.2** as it applies to the premise known as **483 Lowell St., Peabody, MA, Map 048, Lot 077**. Petitioner seeks a variance and requires relief to **Right Side-Yard Setback** where 20 feet are required, and 13.9 feet are proposed. The property is located in a **R1B Zoning District**.
6. Application of **Dr. and Mrs. Herbert Levine** for a **Variance from the Provision of the Zoning Ordinance 2019, as amended, Section 7.2**, as it applies to the premise known as **14 Hamilton Rd., Peabody, MA, Map 008, Lot 106**. Petitioner seeks a variance to build an addition and requires relief to Rear Yard Setback where 35' are required and 33' are proposed. The property is located in a **R1 Zoning District**.

BUSINESS MEETING

Acceptance of July 6, 2020 Meeting Minutes

REPORTS

EXT MEETING TBD

Chairwoman Gallugi will bring the meeting to order with her opening statement and a brief overview of the process.

Secretary will read in Legal Ad (first page of your packet) and invite Applicant to present.

Applicant will state their name and address for the record as well as identify how they are related to the application (for example: are you the attorney, homeowner, contractor, sign company, property owner, etc.) Then the applicant will state what they are proposing and why they are proposing it. Please speak clearly and to the point.

The applicant will be muted and unmuted, as necessary.

The Zoning Board Members will ask questions of the applicant.

Applicant or applicant's representative will answer.

Chairwomen Gallugi will ask if there is anyone to speak in favor or in opposition to please use the "hand raise" option. Those connected via telephone will be asked if they would like to speak on the matter.

Abutters/Participants will be called upon and unmuted, one at time.

Abutters/Participants will first need to state name and address for the record. State if they are in favor or in opposition. State why they are in favor or opposition, keeping it relevant to the relief requested. If there are questions posed, the applicant will be allowed to answer.

Secretary will read in any e-mail or mail correspondence sent in by abutters.

Chairwoman Gallugi will give everyone a chance to speak before asking for a roll call vote.

Zoning Board will vote on the issue. You will receive an email on Tuesday with instructions as to the denial/approval.

Chairwoman Gallugi will move onto the next agenda item and may take applicant in any order she sees necessary. **Please be prepared to present at any time and become familiar with the raise hand feature and mute/unmute feature.**



CITY OF PEABODY
2020 SEP -3 A 9:38
CITY CLERK

July 27, 2020 ZBA MEETING MINUTES

A virtual meeting of the Peabody Zoning Board of Appeals was held on Monday, July 27, 2020 at 7:00 p.m. via Zoom.

MEMBERS PRESENT	MEMBERS ABSENT
Frances Bisazza-Gallugi, Chairperson	
Stephen Zolotas, Vice-Chairperson	
Daniel Sencabaugh, Secretary	
Julie Picardi	
Barry Osborne	
Ed Colbert (alt)	
	Keith Slattery (alt)

NEXT REGULAR MEETING TBD

(Ms. Gallugi read the opening statement according to Chapter 40A)

(Ms. Gallugi read opening statement in regard to how the virtual meeting will be run)

REGULAR MEETING

1. Application of **Margaret Carr c/o Attorney Jack Keilty** for a Variance from the Provision of the Zoning Ordinance 2019, as amended, Sections 7.2 and 10.5.1, as it applies to the premise known as **70 Washington St., Peabody, MA, Map 095 Lot 315**. Petitioner seeks a variance to convert an existing single-family home to a two-family and requires relief to **Front and Side Yard Setback, Lot Area and Landscaping**. The property is located in an **R2 Zoning District**. **(Secretary read Legal Notice)**

Attorney Keilty: My name is John Keilty. I have offices at 40 Lowell Street here in Peabody, Massachusetts. I'm appearing on behalf of Margaret Carr and Melanie Carr. They are the owners of a property located at 70 Washington Street here in Peabody, Mass which is the subject of this evening's hearing. We are requesting four very simple variances one is to allow a lot size which is existing of six thousand one hundred and twenty square feet where seventy-five hundred is required in order to construct in today's zoning ordinance a two-family home. We are also asking that we have a front yard of 3.8 feet which is an existing front yard the required front yard is 15 feet and we're proposing a left side yard of 4.5 feet where actually if you look at the plan you can see closely that the back left corner of this property is actually two feet uh from the side yard. It's important to note that the adjacent property at 62 Washington Street which is immediately adjacent to the left of this proposal where the 4.5 setback side yard setback is intended to be, that that is also owned by the Thibodeau family. Margaret Carr's maiden name was Margaret Thibodeau. She grew up in number 62. Her mom still lives on the premises. Her brother still lives in that premises and they're proposing to convert this property at number 70 Washington to a 2-family and there are four variances that are sought. One is the front setback which is existing. Second is the left side yard which is 4.5 feet. The third variance is for trees and landscaping and the fourth variance is area. We're not proposing to add two street trees to the premises as the existing dwelling takes up quite a bit of the space on the premises. There is no addition added to the premises in order to accomplish it's becoming a two family. The proposed landings on the second floor there is an existing porch which is going to be removed and the driveway is proposed to be widened and then we have added if you note the plan was originally prepared February 24th 2020 was revised on March 9th 2020 in order to add two parking spaces in front of the two-car garage. Those four spaces adequately address the need for parking in two-family R2 zoning district and we are not seeking any parking relief. I am happy to answer questions that the board may have.

Fran Gallugi: You know before I was on the Zoning Board I was on the conservation commission and when I see that two trees per lot are required but none are proposed, I went by and I can understand there really is no room to put any trees and you know it was a concern of mine and now it's not. Any questions by the Board? Anybody here to speak in favor? In opposition? Hearing none the matter is before the Board.

Barry Osborne: Motion to close the public hearing.

Stephen Zolotas: Second

Barry Sencabaugh: Motion to approve.

Dan Sencabaugh: Second

Fran Gallugi: Roll call vote.

(5-0) Motion approved. Variance is granted.

2. Application of Dee Jay Po, for a Variance from the Provision of the Zoning Ordinance 2019, as amended, Section 7.2, as it applies to the premise known as 35 Paul Ave., Peabody, MA, Map 059, Lot 089. Petitioner seeks to build a garage and requires a variance for Side Setback where 20' are required and 11' are proposed. The property is located in an **R1B Zoning District.**

(Secretary read Legal Notice)

Christine Po: Good evening everyone. My name is Christine Poe. I am representing 35 Paul Avenue. My husband depot cannot join us this evening. I am applying for requesting a special permission to build a two-car garage on an existing driveway that we currently have. Due to the harsh winter we have two small children and we have a public transportation coming across from the house and a lot of kids are walking by. We worry about their safety we want to get access to the car garage with the snow blow as quickly as possible. Last year I almost got fired for being late because I work on a grave shift. It's very difficult for me to go around the corner and shovel myself out while my husband's at work and that is pretty much all I have.

Fran Gallugi: I'm not quite understanding the public safety of other children. I don't really know what that has to do with your garage, but we understand everything else. So, it looks like you'll be building the garage on the existing driveway and it did look to me that there were other people in the neighborhood that also had some garages?

Christine Po: Correct and they have the upper storage as well. They have an extra room on top of the garage but we're just building the garage so that we have a place to move these things to.

Fran Gallugi: Okay that was my next question. Will you have any space for storage?

Christine Po: Just a little loft because we have 3 boys.

Fran Gallugi: Will the boys be playing and watching tv up there?

Christine Po: No, it's just for storage.

Fran Gallugi: Any other questions or comments?

Ed Colbert: I went there the other day and spoke with the homeowner. What they want to do makes total sense to me and it will fit right in the neighborhood no problem.

Leo and Michelle Merullo: Our concern was, we don't have a problem with them building a two-car garage, we just don't want windows because our bedroom is on that side of the garage.

Christine Po: There aren't any windows on that side. There will only be a garage door and in the back. We would not do that to our neighbor.

Michelle Merullo: Thank you Christine.

Fran Gallugi: Any other questions by the Board.

Dan Sencabaugh: I don't think we should condition this.

(Discussion ensued)

Fran Gallugi: Anyone else to speak in favor or opposition. Hearing none the matter is before the Board.

Stephen Zolotas: Motion to close the public hearing.

Dan Sencabaugh: Second

Barry Osborne: Motion to approve

Julie Picardi: Second

Fran Gallugi: Roll call vote.
(5-0) Motion approved. Variance is granted

3. Application of Christopher Joyce, for a Variance from the Provision of the Zoning Ordinance 2019, as amended, Section 7.2, as it applies to the premise known as 13 Janet Lane, Peabody, MA, Map 107, Lot 217. Petitioner seeks a variance for a farmer's porch and requires relief to Front Yard Setback. The property is in an R1 Zoning District. (Secretary read Legal Notice)

Christopher Joyce: So, I'm looking for the permit just for the farmer's porch. The existing porch is a little rotted. I need to take it down and we got to do an update on the house and make it you know a little more curb appealing and the existing porch is four feet. It goes out...I wanted the farmer's porch to go out six feet and that's basically all.

Fran Gallugi: Any questions by the board?

Stephen Zolotas: I'll just comment and say that I know the neighborhood very well and there were a lot of farmers porches in that neighborhood and it would be certainly in conformity.

Fran Gallugi: Anyone in the audience to speak in favor? In opposition? Hearing none the matter is before the Board.

Stephen Zolotas: Motion to close the public hearing.

Julie Picardi: Second

Stephen Zolotas: Motion to approve

Julie Picardi: Second

Fran Gallugi: Roll call vote.

(5-0) Motion approved. Variance is granted

4. Application of **Glen Karakaedos c/o Attorney John Keilty**, for a **Variance from the Provision of the Zoning Ordinance 2019, as amended, Sections 7.2 and 10.5.1**, as it applies to the premise known as **276 Lynnfield St., Peabody, MA, Map 099, Lot 061A**. Petitioner seeks a variance to sub-divide lot and requires relief to the following setbacks... **Proposed Lot 1; Front Yard** where 25' are required and 10' proposed, **Rear Yard** where 35' are required and 13' are proposed, **Lot Area** where 20,000 sf are required and 10,023 sf are proposed, **Frontage** where 125' are required 118.97' are proposed, **Lot Depth** where 40' are required and 0 are proposed, **Landscaping** where 2 street trees per lot are required and 0 are proposed. **Proposed Lot 2; Front Yard** where 25' are required and 10' proposed, **Rear Yard** where 35' are required and 22.6' are proposed, **Lot Area** where 20,000 sf are required and 11,765 sf are proposed, **Frontage** where 125' are required 59.03' are proposed, **Lot Depth** where 40' are required and 2' are proposed, **Landscaping** where 2 street trees per lot are required and 0 are proposed. The property is located in an **R1 Zoning District**.

(Secretary read Legal Notice)

Attorney Keilty: Thank you madam chairperson and members of the City of Peabody Board of Appeals. My name is John Keilty. I'm an attorney. I have offices at 40 Lowell Street in Peabody, Massachusetts, appearing this evening on behalf of Glen Karalaedos. He resides and owns the property at 276 Lynnfield Street in Peabody, Massachusetts. He is appearing before the board this evening in order to request a variance that would allow a subdivision of his 21 788 square foot lot resulting in two lots. One which would be ten thousand twenty-three square feet. The second would be eleven thousand seven hundred and sixty-five square feet in an area where twenty thousand square feet is the required area. We're also significantly proposing a division of the existing 170-foot frontage into frontage for Lot 1 of a hundred and eighteen point nine seven feet, and for Lot 2, 59.03 feet where 125 is required. I think it's important to note that the 59 feet of frontage would be devoted to Lot 2. Lot 2 currently is where the existing home would continue to be located the existing dwelling actually is accessed via a right-of-way which is to the south of the lots shown on our plan and the right-of-way extends up the hill if you will, passing beyond Lot 2 on this plan and beyond the residence and then there is a significant driveway which accesses the existing dwelling at 276 and also provides access to a garage which is located on the existing property. The proposed dwelling is in conformity with the size of the structures that have been in this area for a number of years. In 2001 a zone change was adopted by the City of Peabody City Council which changed the zoning in the South Peabody area, in particular in this area from a 10,000-foot requirement to its current requirement of 20,000 square feet. My client is essentially hoping to revert to a different day and era in which 10,000 square foot lots were allowed and he would construct a home for his daughter who currently lives in Lynn and he would like to bring her back to Peabody and she has school age children and they

are desirous of attending school in the Peabody school system and we have asked for a series of variances which are setback variances we have asked for a variance to provide that no trees be added but in this instance although we didn't show any trees on the plan there's plenty of room for two trees for each of these lots so we would happily waive requests for the landscape variance and add two trees to each of these lots. Our most onerous setbacks are in the interior area that is between the two lots that's where the rear yard setback is triggered front yard is triggered for the existing dwelling and side yard based on new lot lines. We're more than happy to answer any questions you may have. My client is here in the form of watching and listening in on the transaction on this proceeding and we're happy to answer questions that the board may have. We believe that the existing structure and the proposed structure are in conformity with respect to size in the general neighborhood with the exception of the new development that is almost at the entrance of (inaudible) Street. Those are considerably larger structures and in many instances are larger houses than any houses in the area.

Barry Osborne: Through the chair. Attorney Keilty did a great job of just of trying to describe what's up there now which is a nightmare. I was on the Council in 2001 when we did the Zoning and to be honest with you that's exactly why we did it. Because situations like that were occurring. You can't drive up there and figure out one lot from the other. I don't see how I could support this. I think it's a mess now. We can't pay for the sins of the past but we certainly when we change the zoning certainly try to rectify those type of problems and prevent what's being proposed. We're going up there now from happening again, never mind in areas that aren't already in that situation but in this case this location is well you got to drive quite a ways up that driveway to even get into that location and you want to put another structure in there. To me it's too much. I understand he has children he wants to get there but there's no room left up there for a subdivision then or one that that you could if you didn't have to sharpen your pencil as much as you did to get the setbacks and everything like that then maybe there's enough land out there but to fit it in with what's exactly there to me would be a nightmare and I don't see how I can improve that.

Fran Gallugi: Thank you. I have to agree with you Barry 100 percent. Anybody else from the Board?

Ed Colbert: I was also there and drove up that small private road and I can't see how another home or dwelling can possibly go in there, in the manner they're proposing for safety reasons.

Sean Dougherty: Sean Dougherty 262 Lynnfield St. I am against it. I'm actually two houses down from the residence that we're discussing and the few major problems I see first of all is parking. The residents that are currently living there do not park out on the property at all, they park on the main street because there is no parking there for the people who are living there now. Adding more vehicles there's only going to be more cars out in the main road which is not good for my property value and it's not good for the safety of the people who walk back and forth to the YMCA as well. My other concern is that the property is being discussed as a home for the owner's daughter but what happens if the daughter decides that the house isn't big enough for her or something else happens and now it's just a rental property or a property for income jammed in into a very small space and it just you know I moved to Peabody to get away from that. That's East Boston all over again. If this happens it's just way too close. You can reach out and touch

each other if that's how close that establishment is, not to my home but to Mr. Hobie's home which is next door to me. So, that's my other concern and then of course construction. Because they even build up there you would have to blast because this is all ledge up here. My house is 1895. I still have original windows, original fieldstone foundation, original horsehair plaster walls and any kind of blasting or heavy construction going on in there is going to destroy my home, I can guarantee you that now. So, those are my major concerns. I guess I just don't think it's going to look right. I think aesthetically it's going to look horrible for the neighborhood and I agree that it already looks horrible where it is now to be quite honest with you.

Matt Oliver: Hi. My name is Matt Oliver owner of 274 Lynnfield St. So, I'm voting... I wanted to approve this... I'm in favor of it as Glen's neighbor and to actually kind of rebut what Mr. Dougherty, who just spoke um those are mine and my girlfriend's cars that are parked on the street due to limited parking not Glen's cars. He actually does have a driveway where my property doesn't. It's a single-family. So, I just want to make that point clear. That it's not Glen's because it's our cars. It's not just us that park on the road it's YMCA folks so it's not the parking. I do understand where Mr. Dougherty is coming from just the kids and all that but regardless if there's a couple car there isn't not going to make that much more of a difference in terms of safety especially when it's regular cars and also like Mr. Dougherty said yes it is ledge but the way but I do have plans provided to me by Glen himself that kind of shows where the property is which again is viewable as you guys have on your website and it looks to be from my perspective based off of where I know my house is compared to this house it's down it's in a way that wouldn't necessarily be I wanted it doesn't concern me. I think it's past the ledge given that I believe my village is from out on my property. So, I think the large concern isn't necessarily that big of a factor.

Neil Hobie: My neighbor Sean (Dougherty) said it all and um it's just gonna be too much too close to my house. I'm 15 feet away from the line you know, and it's been surveyed four times or three or four times in the past five years. I think it's just too much.

Glen Karakaedos: Hello. So, I'm not sure who some of these other guys are but my existing neighbors and I'm not sure what happened to my lawyer if he got disconnected but I'm not trying to do anything else that my neighbors just haven't recently done to the left of me on the other side of that new development Antonio Drive. He just split his property on the corner of Bartholomew Street and put a huge house what he told me was for his daughter so and as you guys say it's tight I think you think I'm putting the house somewhere up on top of that hill. I'm not. I'm just trying to put it out front. It's all woods there. The land's already cleared. There's just trees growing on it. There's plenty of frontage there for a pulling garage just like my neighbor just did two doors down so I'm not trying to do anything. I would have just built the garage with the apartment to get my daughter and grandchildren over here but the bank wouldn't give me the money without the separate equity for the separate lot so that was the only true reason I'm trying to go about it but as for the other two guys that are speaking I'm not sure exactly where they're at, but I know I have facing Lynnfield Street from my kitchen I have Matt to the right and Rick to my left and then Pat and Steve behind me. Other than that, I've just been a good neighbor to everybody for 18 years.

Attorney Keilty: My client Glen had spoken to... both of these lots have plenty of parking. Both of the lots are accessed directly from Lynnfield Street. There is a curb cut directly in front of where the proposed dwelling would be located and there's a curb cut at that right away which I mentioned, which currently provides access to Mr. Karakaedos' house however were he to need to be coming directly from Lynnfield Street he most certainly there's enough frontage for him to be able to do that. The history of this particular area has been to utilize that right away and um I think that my client's suggestion that this is similar to what has occurred in the neighborhood in the past is correct and it is dissimilar if you will from the houses on Antonio Drive which are significantly larger both the square footage of those houses in the houses themselves are significantly larger than what we're proposing. We're proposing a structure that would be somewhat modest in size and fit into the neighborhood and the newly proposed structure would be down at street level not up the hill accessed by one of these paper streets or rights OF away.

Barry Osborne: Through the Chair? We talked if i could and you know we talked about the history of the past and that's why they changed zoning and that's why they have zoning that's where they modify zoning because sometimes the history of the past just doesn't work out well. So, they revise zoning and it's an arduous task... you're going to attack the zoning...it's an arduous... it is unbelievable. It's a lot of work and there's a lot of thought as to why they want to make these zoning changes, so really when it comes to the past you know other than pre-existing non-conforming uses, past really as we're trying to change the past and that's what we're trying to do and I'm not saying that those houses right on Lynnfield Street, but look at the area as a whole okay and what you're going to be creating by adding more to that area that is already I don't want to say overcrowded but over utilized.

Ms. Gallugi: Thank you. So, I think that's it for everybody that wanted to speak. Hearing no other comments, the matter is before the Board.

Stephen Zolotas: Motion to close the public hearing.

Julie Picardi: Second

Stephen Zolotas: Motion to approve

Julie Picardi: Second

Fran Gallugi: Roll call vote.

(0-5) Motion not approved. Variance is denied.

5. Application of Meegan Carpenter, for a Variance from the Provision of the Zoning Ordinance 2019, as amended, Sections 7.2 as it applies to the premise known as 483 Lowell St., Peabody, MA, Map 048, Lot 077. Petitioner seeks a variance and requires relief to Right Side-Yard Setback where 20 feet are required, and 13.9 feet are proposed. The property is located in a R1B Zoning District.

(Secretary read Legal Notice)

Meegan Carpenter: My name is Meegan Carpenter. I'm the homeowner for 483 Lowell Street. I'm seeking a variance to the right side setback to be able to tear down a 6'x8' rotting deck and replace it with an 11'x25' deck to be able to use some of the wasted space and make it usable and add a little curb appeal to the home and of course make it safe. So, 20 feet are required. I am proposing 13.9'

Fran Gallugi: Anybody on the Board have any questions or comments?

Barry Osborne: Through the Chair? I did give a quick look. I gotta say that I don't really see a problem with it. I think looking at the figures on the paper and your application...I don't really see a problem. It looks like it's going to be a good project. So, I would have no problem.

Fran Gallugi: Any other comments by the Board? Anybody in the audience to speak in favor? Opposition? Hearing none the matter is before the Board.
and there's nobody in the audience so

Dan Sencabaugh: Motion to close.

Stephen Zolotas: Second

Dan Sencabaugh: Motion to approve.

Julie Picardi: Second.

Fran Gallugi: Roll call vote.
(5-0) Motion approved. Variance is granted

6. Application of Dr. and Mrs. Herbert Levine for a Variance from the Provision of the Zoning Ordinance 2019, as amended, Section 7.2, as it applies to the premise known as 14 Hamilton Rd., Peabody, MA, Map 008, Lot 106. Petitioner seeks a variance to build an addition and requires relief to Rear Yard Setback where 35' are required and 33' are proposed. The property is located in a **R1 Zoning District.**
(Secretary Read Legal Notice)

Dr. Levine: Thank you. My name is Herbert Levine. I am the owner of 14 Hamilton Rd. I asked this because we can only build and still access the apartment the in-law apartment in one place to be able to break through the foundation so that's why we're building it in the back of the house if you allow and the second thing I wanted you to know is that even with the addition this will be under the 700 square foot maximum. It's actually 699 sf. We originally proposed a larger structure but working with the building department we found out that we had a 700 sf maximum. So, we made sure that it was under.

Fran Gallugi: Well it looks like you've done your homework. I'm glad you mentioned the addition was to the FALA. Any other comments by the Board?

Barry Osborne: Through the Chair? You did address my only concern and we're glad to know that you've been working with the building inspector and you know that it has to stay under the 700 feet.

Fran Gallugi: Anyone in the audience to speak?

Mr. Lyman at 16 Hamilton had no objection.

Fran Gallugi: Anyone else to speak inf favor or in opposition? Hearing none the matter is before the Board.

Dan Sencabaugh: Motion to close.

Barry Osborne: Second

Dan Sencabaugh: Motion to approve.

Julie Picardi: Second

Fran Gallugi: Roll call vote.

(5-0) Motion approved. Variance is granted

Meeting Minutes were approved and seconded by Barry Osborne and Stephen Zolotas

Next Special Meeting scheduled for August 17, 2020

Next Regular Meeting scheduled for September 14, 2020

Meeting adjourned.