

APPROVED ON MAY 26, 2015

AMESBURY ZONING BOARD OF APPEALS

April 23, 2015

CITY HALL AUDITORIUM

62 FRIEND STREET, AMESBURY, MA. 01913

MEETING STARTED AT 7:05 PM

ATTENDANCE: Matt Sherrill, Sharon McDermot, Donna Collins, William Lavoie, Matt Vincent, David Haraske.

ABSENT: Bob Orem.

ALSO PRESENT: DENIS NADEAU, BUILDING INSPECTOR, SUSAN YEAMES, RECORDING SECRETARY.

No audio recording of this meeting

Brad Beaudoin is seeking a **Special Permit/Finding** under the Amesbury Zoning Bylaws Section V.B, Section V.D and Section X.J to establish an orthodontic office at 223 Main Street, Amesbury, MA in an R-8 Zoning District, Precinct 6.

Matt Vincent-Donna Collins-Matt Sherrill-Sharon McDermot-David Haraske

Dr. Beaudoin represents himself. He wants to establish an orthodontic office at 233 Main Street. He would eventually live upstairs. Asked if read the conditions:

One doctor practice

Concerned about neighbors

Has 15 parking spots available on the property. Likes location of office near middle school- his typical clients age group,

David Haraske: In practice by himself with two person staff?

Do you have a site plan for the building? Shows a blueprint. Keep old building style. Explains how he will change the space, with four treatment chairs, maximum.

Matt Sherrill says it needs a site plan review, usually done by the Planning Board. Matt explains the ZBA only wants to know what he plans to do now and for the next 3-4 years. Can he use the structure as it is?

Dr. Beaudoin wants to be upfront with his plan and realizes he will need to come back for new plans

Jacqueline Hyer, 8 ½ Wells Avenue

Complains of traffic and lack of parking, doesn't think it is fair to have an entrance on Wells Avenue. Do you want a parking lot on Main Street? Cannot accommodate 15 parking spaces. Safety issue for children walking from the Highlands.

Carlos Diaz, 225 Main Street across from property in question: Lived there 14 years. Safety issue for cars parked on Wells Avenue. Has had his car hit by people parked across the street. Questions the space and whether it can accommodate 15 parking spaces. Unsafe for children walking to school. Recommends other commercial spaces. Needs conditions. Current footprint, minimum number of chairs. Could regulate the hours of operation to be during busiest time of day.

Kathy Thompson, listing agent for property: Crossing guard is at Wells Avenue and Main Street after the 7:45 AM traffic is gone. His parking could help.

Kate Ayers, 12 Wells Avenue: Lived there 5 years. Very busy road during school time and during events.

Carlos Diaz, 225 Main Street: Comes back up to podium and says that additional parking on Wells Avenue will not help but will hurt.

Matt Sherrill: Reads letters from abutters. Opposed to the applicant rather than appeal the granting.

Asks Mr. Beaudoin to respond to the abutters. Thanks everyone. Parking and traffic is a valid concern. Would be willing to start his business later in the morning when school is in session. Wants to keep as many cars off the road as possible. Wants to be a reasonable neighbor. Might want to have 1-2 nights late for parents who both work.

Matt Vincent: Contingency regarding the Purchase and Sale.

David Haraske: What will parking be like at first- parking on grass until later time? Could not open the business in the building as it is.

Denis Nadeau, Building Inspector: Reviewed the site plan. Planning Board needs site plan approval. That spells out what is required for parking spaces. Asks that everyone read Section 1.

David Haraske: Motion to close and discuss.

Sharon McDermot: Second.

Asking for an accessory use of an existing dwelling.

Matt Vincent: We need to encourage this type of business, especially if he plans to live there. Feels for Wells Avenue homeowners, but this will not change the traffic as it is. Need more traffic control. Feels it should be approved with appropriate conditions.

Donna Collins: Agrees with Matt Vincent. Parking should be ok.

Matt Sherrill: Question for Denis regarding the site plan review. Needs to prove that he has parking he needs and the room for them to turn. 80' long and 36' wide. Should enforce a site plan review. Site plan for just parking and continue to next meeting. Maximum amount of parking on the property.

Sharon McDermot: Agrees that site plan review would help.

David Haraske: Has a discomfort level . Sees a lot of traffic if business expands. A lot of ifs and no plans.

Matt Sherrill: Need new business Lots of medical uses in that area. This is a very scattered application. If you come back for an addition, need to think through his plans

1. yes
2. yes
3. not sure w/o site plan review.
4. 4. Not sure w/o site plan review.
5. no

Section 10 Special Conditions, Matt reads.

1. yes
2. yes
3. no

Discuss stipulation. Site plan review showing parking and access to parking. Maximum number of spaces on the property. Offering applicant: continue application to next month and get a site plan review. Need a business model in place. Take a strong look at expansion and see someone familiar with zoning regulations and will future plans be viable? Need to pave the parking lot.

Brad Beaudoin, applicant: Agrees with Matt's comments and will come back with full plans.

Denis Nadeau said that he can help him.

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Applicant agrees to continue to the next meeting and will submit a site plan review.

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**Patrick Dooley** is seeking a **VARIANCE** under the Amesbury Zoning Bylaws, Section VI.E to build a shed that is two feet from their property line that aligns with their neighbor's shed which abuts the property line. Currently there is no other existing structure. The proposed accessory structure will be located at One Belmont Street, Amesbury, MA, in an R8 zoning district, Precinct

Sitting on case: Bill Lavoie, Donna Collins, Matt Sherrill, Sharon McDermot, David Haraske.

Lives in an R8 district.

Extremely small yard.

Wishes to build a shed as close to property line and back to back to the neighbor's shed.

Submits a letter from the neighbor, approving of the application.

**Sharon McDermot:** Motion to close and discuss.

**Bill Lavoie: Seconds the motion.**

Shed does not meet zoning bylaws.

1. Small size of the lot.
2. Small slope and placement of the house.
3. no
4. none
5. no

No stipulation.

**Sharon McDermot:** Motion to close and vote.

**William Lavoie:** yes

**Donna Collins:** yes

**Matt Sherrill:** yes

**Sharon McDermot:** yes

**David Haraske:** yes

**Application has been granted.**

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Andrew and Jennifer Greenfield of 14 Hillside Drive, Georgetown, MA are seeking a **Special Permit / Finding** under Amesbury Zoning Bylaws Section IX(B)(1) for extension or alteration of a pre-existing non-conforming structure to allow an extension of a pre-existing deck by five feet (for an expansion of 160 s.f.). at **13 Lake Shore Drive**, Amesbury, MA in an R-20 Zoning District, precinct 5.

Sitting on case: William Lavoie, Matt Sherrill, Donna Collins, David Haraske, Matt Vincent

Alan Roscoe, Cammett Engineering: Does not have written permission from home owners to represent them. They are away on vacation. Matt finds a document naming Mr. Roscoe with permission to represent the owners. Mr. Roscoe hands out a site plan of the project on Lake Attitash.

Shows plans.

Add 5' to the rear of the deck= 160 square feet being added.

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David Haraske: Rebuild retaining wall? Coming out.

Matt Sherrill: Would like to see less metal mass.

It is an oversized lot with a seasonal deck. They will be replacing walkways and landscaping, included in a long term plan.

David Haraske: Motion to close and discuss.

Bill Lavoie: Seconds the motion.

Finding question.

1. yes

2. area non-conforming Front and Rear set backs

3. no

4. no

No stipulations.

Matt Vincent: Motion to close and vote.

David Haraske: Seconds the motion.

Bill Lavoie: yes

Donna Collins: yes

Matt Sherrill: yes

David Haraske: yes

Matt Vincent: yes

Application was approved.

Discussed spite fence and minutes. Matt Vincent reviewed them.

Donna Collins moved to close. Vote was all in favor.

Meeting adjourned at 9:00 PM.

Minutes transcribed by Paul Bibaud.