



CITY OF NORTH ADAMS, MASSACHUSETTS

Zoning Board of Appeals

REGULAR MEETING

MINUTES

September 21, 2020

Members present virtually Chairman Ross Jacobs, Paul DiLego, Jr., Peter Milanesi, and Christopher Thomas

Members absent Gregory Roach

Others present virtually Brian Miksic – Very Good Properties, LLC, Chris and Mary Chiodo, and Jason and Katie Murphy

Call to order Chairman Jacobs called the meeting to order at 7:00 p.m.

Chairman Jacobs read the following statement regarding virtual meetings:

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 limitations on the number of people that may gather in one place, this public hearing of the North Adams Zoning Board of Appeals is being conducted via remote participation. No in-person attendance of members of the public will be permitted, but the public can listen to this meeting while in progress by via teleconference at zoom.us. Members of the public attending this meeting virtually will be allowed to make comments if they wish to do so, during the portion of the hearing designated for public comment, by teleconference.

Chairman Jacobs read the Zoning Board Chairman's statement:

Any application for a variance or a special permit may be withdrawn by the petitioner without prejudice by requesting this Board's permission to do so. This request by the petitioner must be made prior to any vote or final action by the North Adams Zoning Board of Appeals. Any variance or special permit request so withdrawn may be re-submitted at a future time by repeating the application process. Any variance or special permit request which is unfavorably and finally acted upon may not be re-submitted for a period of two years from this date unless this Board agrees by vote that the new request is substantially different than the first one.

Chairman Jacobs announced that former Chairman Don Pecor has resigned his position on the board. Chairman Jacobs expressed sincere gratitude to Mr. Pecor for his thirty years of service to the board. Chairman Jacobs announced that Alternate Christopher Thomas would now be a promoted to a permanent board member. Chairman Jacobs stated that a unanimous vote would be required to take action. Chairman Jacobs requested recommendations for new members for the available seats be sent to him via the building inspector.

Approval of minutes Chairman Jacobs requested a motion to approve the minutes from August 17, 2020. Member Milanesi made a motion to approve the minutes. Member DiLego seconded the motion. All in favor. Motion passes.

New business

- **Case No: Z2020-03** Application of Rachele V. Duplantis for property located at 68 Cleveland Avenue. Side yard variance requested in an R-5 zone to construct a carport; ten (10) feet required, five (5) feet requested.

Chairman Jacobs requested questions or comments. There were no questions and no abutters present.

Member Milanese made a motion to approve the variance from the minimum side yard variance; 10 (side yard) feet required; 5 (side yard) feet being requested to the applicant to add a carport in an R-5 zone subject to the following conditions:

1. The variance is for the purpose of allowing the applicant, Rachelle V. Duplantis to add a carport as described in the narrative submitted with the application.
2. The site will be reviewed in six months to verify conditions are being complied with.
3. Any changes to the plan submitted will require review and approval of the Board.
4. The permit must be filed with the Registry of Deeds within 30 days of being certified by the City Clerk's Office.
5. This permit will lapse on September 23, 2022 if not implemented.

Member Thomas seconded the motion. All in favor. Motion passes.

- **Case No: Z2020-04** Application of Christopher E. Chiodo for property located at 186 Hawthorne Avenue. Front yard variance requested in an R-4 zone to construct a two-car garage; twenty (20) feet required, ten (10) feet requested. Building coverage variance requested; twenty-five (25) % required, twenty-eight (28) % requested.

Chairman Jacobs opened the meeting to Christopher Chiodo to explain the request to the board. Mr. Chiodo explained that they are requesting the variance for the front setback to be changed to ten feet. Mr. Chiodo explained that they would be about 350 feet over the maximum required for the lot. They will be adding a second garage to be on the same level as the house.

Chairman Jacobs inquired about the state that the work is in. Mr. Chiodo explained that the work is in progress as they are doing an extensive renovation on the house. They are hoping to break ground as soon as possible.

Chairman Jacobs clarified that the setback would only affect one neighbor. No abutters were present. Chairman Jacobs requested questions from the board. No questions. Chairman Jacobs requested a motion to approve the variance request.

Member Milanese made a motion to approve the variance from the minimum front yard and building coverage variance; 20 (front yard); 25% (building coverage) feet required; 10 (front yard); 28% (building coverage) feet being requested to the applicant to add two car garage in an R-4 zone subject to the following conditions:

1. The variance is for the purpose of allowing the applicant, Christopher E Chiodo to add two car garage as described in the narrative submitted with the application.
2. The site will be reviewed in six months to verify conditions are being complied with.
3. Any changes to the plan submitted will require review and approval of the Board.
4. The permit must be filed with the Registry of Deeds within 30 days of being certified by the City Clerk's Office.
5. This permit will lapse on September 23, 2022 if not implemented.

Member Thomas seconded the motion. All in favor. Motion passes.

- **Case No: Z2020-05** Application of Jason and Katie Murphy for property located at 4 Lamoureux Place. Rear yard variance requested in an R-3 zone to rebuild a mudroom; twenty-five (25) feet required, ten (10) feet requested. Side yard variance requested; fifteen (15) feet required, five (5) feet requested.

Chairman Jacobs opened the meeting to Jason and Katie Murphy. Mr. Murphy explained that their mudroom is in disrepair and they would like to add a small bathroom. Mr. Murphy turned the meeting over to their contractor, Brian Miksic to explain the specifics of the project. Mr. Miksic explained that they will be removing the current mudroom and replacing it with a slightly larger mudroom. There is no rear neighbor that would be affected. No abutters were present.

Chairman Jacobs inquired about a retaining wall on the property. Mr. Miksic explained that they would build short of the retaining wall. They are being conservative in their numbers. Chairman Jacobs inquired about Inspector Meranti approving the site plan. Mr. Miksic confirmed.

Chairman Jacobs requested questions from the board. Member Thomas inquired about abutters. No abutters were present. Chairman Jacobs explained that abutters would not be affected very much due to the layout of the lot.

Member Milanese made a motion to approve the variance from the minimum rear yard and side yard variance; 25 (rear yard); 15 (side yard) feet required; 10 (rear yard); 5 (side yard) feet being requested to the applicant to rebuild a mudroom in an R-3 zone subject to the following conditions:

1. The variance is for the purpose of allowing the applicant, Jason and Katie Murphy to rebuild a mudroom as described in the narrative submitted with the application.
2. The site will be reviewed in six months to verify conditions are being complied with.
3. Any changes to the plan submitted will require review and approval of the Board.
4. The permit must be filed with the Registry of Deeds within 30 days of being certified by the City Clerk's Office.
5. This permit will lapse on September 23, 2022 if not implemented.

Member Thomas seconded the motion. All in favor. Motion passes.

Adjournment Meeting adjourned 7:24 p.m.

Respectfully submitted,



Michelle Ells
Zoning Board of Appeals Secretary