



TOWN OF HULL Zoning Board of Appeals

**253 Atlantic Avenue
Hull, Massachusetts 02045**

**Tel: 781-925-2117
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June 22, 2017

To Chairman Richardson,

The Town of Hull Board of Appeals, Attorney Neil Kane (Chair), Patrick Finn (Clerk), Andrew Corson, and Associate Members Attorney Richard Hennessey, Dr. Scott Grenquist, and Corina Harper respectfully submit the following Quarterly report for April thru June 2017:

During the second Quarter of 2017, the Board of Appeals reviewed eight (8) applications from Hull property owners requesting zoning relief. The Hull ZBA voted unanimously to grant zoning relief in seven (7) cases whose hearings have been completed. There was one withdrawal.

All approved minutes are posted online and are on file with the Town Clerk. As ZBA Clerk, I wrote seven (7) decisions, which are on file with the Building Department, Community Development and Planning Office, and Town Clerk:

- **April:** 269 Nantasket Ave. SPECIAL PERMIT to construct all season patio and raised deck with the same setback (0') as the existing restaurant, as per plans.
- **April:** 58 Edgewater Rd. SPECIAL PERMIT to make revisions, in regards to windows and doors, to the previously permitted plans to remove an existing roof and 2nd floor walls and reconstruct the 2nd floor and raise height to use attic for an additional room, as per plans
- **May:** 34 Pt Allerton Ave. SPECIAL PERMIT to allow an extension to a pre-existing nonconforming setback in front and in rear, enclose existing rear porch for added living area, construct deck with garage beneath, and widen existing side porch, as per plans.
- **June:** 6 A St. SPECIAL PERMIT to operate an auto body repair business in an existing building located on the premises of 6 "A" Street.
- **June:** 190 Samoset Ave. SPECIAL PERMIT to enclose a section of the existing farmer's porch and create new living area in the side setback and the front setback.
- **June:** 62 Holbrook Ave. SPECIAL PERMIT to raze existing single family residence and erect new single family residence with a two car garage, as per plans.
- **June:** 52 Salisbury St. SPECIAL PERMIT to continue to operate a Bed & Breakfast for five years.

The Board of Appeals also reviewed an application for 17 Rockland Circle (formerly an Art Gallery). The Applicant sought a USE variance to change permitted commercial use to single-family residential use in a Commercial Recreation "B" Zone.

On 4/18/17 the Board voted unanimously to accept the request of the applicant at 17 Rockland Circle, Maryanne Boothroyd, at the request made by Attorney Brodsky, to withdraw without prejudice their application for a variance. The Board is reviewing Rules & Regulations to change rule to specifically allow withdrawals after hearings have started. In this case, withdrawal was approved on advice of Town Counsel based upon ZBA Rules & Regulations Section: Hearings II (E) Waiver of Requirements, and based upon current ZBA Rules & Regulations Section: Hearings II (D) Withdrawal; being a Non-Statutory provision.



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II. HEARINGS

D. Withdrawal:

An appeal, petition or application may be unilaterally withdrawn without prejudice by notice in writing to the Board prior to the publication of the legal notice. No vote of the Board approving such withdrawal is required.

After the notice of the hearing an application may be withdrawn without prejudice only by a request in writing to the Board. Said request to withdraw may be made either prior to or at the public hearing. The vote of the Board must be unanimous. ~~If the request to withdraw without prejudice is made at the public hearing, such request must be made to the Board before the petitioner or his representative has begun his presentation to the Board.~~ Any party who withdraws an application after publication of the legal notice shall forfeit the filing fee.

E. Waiver of Requirements:

Notwithstanding the foregoing, the Board may, in its sole discretion, in public session waive any of the non-statutory provisions of this Article III, or may require additional information as it deems necessary.

Respectfully submitted,

ZBA CLERK