



Hull Zoning Board of Appeals Minutes

Applicant: Kevin St. George

Property: 100 Atlantic Avenue

Date: 2-5-2015

Time meeting began: 7:40 pm

Time meeting concluded: 8:05 pm

Place of meeting: Hull Town Hall, Main Meeting Room

Members present:	Alana Swiec, Chair	Sitting	Attending	Absent	Abstain
	Roger Atherton, Clerk	Sitting	Attending	Absent	Abstain
	Mark Einhorn, Member	Sitting	Attending	Absent	Abstain
	Patrick Finn, Associate	Sitting	Attending	Absent	Abstain
	Phillip Furman, Associate	Sitting	Attending	Absent	Abstain
	Jason McCann, Associate	Sitting	Attending	Absent	Abstain

In Attendance: Kevin St. George, Applicant
Pauline Sweeney, Owner
Bob Crowell, Crowell Engineering, Plymouth

General relief sought: To apply for a variance: move house to higher elevation on pilings. Remove existing foundation and fill.

General discussion: Atherton pointed out there is a lot coverage issue as it is going from 24.8% to 31.2%. Finn added that the whole project needs a variance because they are moving the dwelling out of the existing footprint, so it's non-conforming in all respects. Crowell explained their plan is to pick it up and move it from the present foundation with basement and put it on pilings, where it will not have a basement. They want to enclose a little deck on the left corner and make it a utility room to enclose the utilities that are now in the basement. They are also correcting the problem where part of the house is on the next door neighbor's property. Finn noted they are squaring off the structure.

Crowell explained that currently the A/C and such are on the ground and they want to move them onto a proposed new left side deck. Atherton asked why that is important as it is adding to the lot coverage and creating a new non-conformity. Finn explained that to move the structure they need to square it off to a rectangular shape and to remove that small section, representing

1.2% lot coverage, would make it very difficult to move and put on pilings. Finn added that it is a big improvement – moving it back from the seawall and off the neighbor’s property. He indicated he believes the Board should approve this project.

Mr. O’Brien, 108 Atlantic Avenue, an abutter, indicated he is in favor of moving the dwelling. Einhorn said it that lifting the A/C off the ground is a good idea. Swiec added that putting the building on pilings is also good from a conservation point of view.

Atherton asked where is the financial hardship – if the ZBA is going to grant a variance, it needs to review the requirements and determine whether the proposal meets the criteria. Furman said that every time there’s a storm the house gets hit and that is the financial hardship. Swiec said it is a life-safety matter. Atherton explained that is why he focused on the lot coverage, trying to avoid the need for a variance. Finn explained that a variance is required because the dwelling being moved will be in the setbacks in its new location and will create new non-conformities. The lot itself is undersized and grandfathered, so a variance is required for everything but the front and rear setbacks which are OK. He added the financial hardship is being in a flood zone and the need for flood insurance.

Swiec stated that the voting members are: Atherton, Einhorn, and Swiec. McCann stated there should be discussion about how this proposal meets the requirements of a variance, even though it might be justifiable. Einhorn stated the hardship is there, the topography and soil conditions are an issue. Swiec commented that it is on the neighbor’s property. Finn added it’s in a flood zone and that has been considered a hardship in other decisions. Einhorn asked about uniqueness – Swiec answered being on the neighbor’s property makes it unique. Einhorn added that is the closest dwelling to the seawall in that area. He also commented that desirable relief can be granted without nullifying or substantially derogating from the neighborhood and will in fact enhance the public good. Finn stated that it will eliminate the encroachment on the neighbor’s property. In other appeals, applicants are often trying to push the envelope beyond what is needed and so do not meet the requirements of a variance, but in this case the goal cannot be reached without a variance.

Action taken, if any: Atherton made a motion to approve the variance request of the applicant. The motion was seconded by Einhorn. The vote was unanimous to approve the request. Finn added with the usual conditions.

Was final vote taken?	Yes	No	
Final Vote:	Alana Swiec	Yes	No
	Roger Atherton	Yes	No
	Mark Einhorn	Yes	No

Recorded by: Roger Atherton

Minutes Approved: _____