

## HULL ZONING BOARD OF APPEALS

**Applicant:** Laurence and Jeanne Robicheau

**Property:** 3 Moreland Avenue

**Date:** Thursday, March 20, 2014

**Time Meeting Began:** 7:30 p.m.

**Time Meeting Concluded:** 7:45 p.m.

**Place of Meeting:** Hull Municipal Building, Louis C. Costa Room, 253 Atlantic Avenue

**Zoning Board Members Present for Hearing:**

Alana Swiec, Chair	<b>Sitting</b>	Attending	Absent	Abstain
Dr. Roger Atherton, Clerk (Sitting in for Mark Einhorn)	<b>Sitting</b>	Attending	Absent	Abstain
Atty. Mark Einhorn, Member	Sitting	<b>Attending</b>	Absent	Abstain
Phillip Furman, Associate	<b>Sitting</b>	Attending	Absent	Abstain
Jason McCann, Associate	Sitting	<b>Attending</b>	Absent	Abstain
Patrick Finn, Associate	Sitting	<b>Attending</b>	Absent	Abstain

**Others in Attendance:**

*Laurence and Jeanne Robicheau, Applicants*

*Karen Morgan, Recording Secretary*

**General Relief Sought: Opening** – Of a Public Hearing on an application filed by Laurence & Jeanne Robicheau regarding property at **3 Moreland Avenue**, Hull, MA which according to the application seeks: To apply for a Special Permit to remove part of an existing roof deck and construct master bedroom addition; pursuant to Hull Zoning Bylaws, Section 61-2f.

**General Discussion:**

Ms. Swiec - Have you been before the ZBA before?

Mr. Robicheau – We were in 2004.

Mr. Finn mentioned that this hearing can be taken care of this evening.

Ms. Swiec – We could, we typically do a site visit; but if it is straight-forward, we can take care of it this evening. We occasionally do that.

Mr. Robicheau – We put in an application in 2004. We did an expansion of the back of our home. We only did the first floor. On the first floor we had a large deck. After we built the deck, we realized that

to have any company utilize the deck, they would have to go through our existing bedroom to go to the deck, so it became impractical. We are now trying to put a standard bedroom upstairs. I would like to use the existing bedroom as an office and use the existing deck which is not an extension of the footprint. We are just going to take the deck off and put the bedroom in to replace of the deck.

Mr. Finn – They didn't include the condition, that former Chairman Duffy usually put in, with no further expansion is allowed, which is helpful.

Mr. Robicheau - It was because of conservation land in the back. The restriction was that we couldn't go out any farther. We're not intending to go out any farther. We're just going along with the existing footprint.

Mr. Finn – That seems fine to me. I just thought that the previous decision wouldn't allow you to expand, but that wasn't in there. You are not adding a bedroom; you're making a new bedroom and using your old one...

Mr. Robicheau – Actually I'm using it as an office.

Ms. Swiec – The building commissioner said that you were thinking of becoming full-time residents?

Mr. Robicheau – Once I have a place to sleep. That's our intention.

Mr. Atherton – So you are retiring?

Mr. Robicheau – I am retired.

Mr. Finn – There is no change in the existing lot before us?

Mr. Atherton – Correct.

Ms. Swiec – Roger, for every application does an engineering analysis and we have a copy for you to keep.

At this point, Mr. Atherton discusses the analysis sheet to the applicants.

Mr. McCann – I noticed when you put the existing lot coverage as 16.9%, you put the proposed as 24.

Mr. Finn – They are not expanding the footprint.

Mr. Atherton – Yes, it is in the footprint. It says 50 ft. on the plan.

Mr. Finn – Front set back is 12.

Mr. Atherton – Let me look at the other plan. I found it, David Ray stamped the other plan and I copied David Ray.

Mr. Finn – Is there a portion that is lower than 5 ft. that didn't count? But the existing deck wouldn't count as the footprint if it is lower than 5 ft. We're just trying to find out why David would make that error.

Mr. Robicheau – In 2004, we did work on the deck.

Ms. Swiec – You changed the deck.

Mr. Atherton – This is dated 2004 and I looked at this and copied it.

Ms. Swiec – They needed to have all new renderings done and I looked at the paperwork and I said that I don't think that they need that information. I didn't look at the detail and I said that I think they are good.

Mr. Finn – You just reused the old plan.

Mr. Atherton – 30% is the maximum we allow, you are at 24. At least we discovered the source. This is a pre-existing non-conforming structure, he is not increasing the size; it's not more detrimental.

Ms. Swiec – I don't see it any more detrimental that what is already here. It's not going beyond the footprint.

Mr. Einhorn – No one else is here for the application?

Ms. Swiec – Anyone here in the audience that would like to speak on behalf of 3 Moreland?

No one in the audience responds.

Ms. Swiec - I don't think we need a site visit.

**Motion:** Mr. Atherton makes a motion to accept the request as made by the Robicheau's.

Ms. Swiec – We need to make a note of the error on the plan that was carried through to Roger's analysis of the coverage as is 24% and will not be changed as they are building within the footprint as of 3/20/14.

At this point, Mr. Robicheau signed and dated the plan with the correction.

Member	Motion	Second	For	Against
Alana Swiec, Chair			X	
Dr. Roger Atherton, Clerk	X		X	
Atty. Mark Einhorn, Member				
Phillip Furman, Associate		X	X	
Jason McCann, Associate				
Patrick Finn, Associate				

**Action Taken, if any:**

Mr. Atherton will write the Decision.

*Recorded by Karen Morgan*

Approved by Roger Atherton

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**All actions taken:**

*All action taken includes not only votes and other formal decisions made at a meeting, but also discussion or consideration of issues for which no vote is taken or final determination is made. Each discussion held at a meeting must be identified; in most cases this is accomplished by setting forth a summary of each discussion. A verbatim record of discussion is not required.*