



Haverhill

Board of Appeals
4 Summer Street – Room #201
Haverhill, MA 01830
Phone: 978-374-2330 Fax: 978-374-2315
jdewey@cityofhaverhill.com

The regular meeting of the Haverhill Board of Appeals was held on Wednesday evening, January 17, 2024 at 7:00 P.M.

Those Present: Chairman George Moriarty
Member Lynda Brown
Member Louise Bevilacqua
Member Kassie Infante
Assoc Member Magdiel Matias

Also, Present: Jill Dewey, Board Secretary
Tom Bridgewater, Building Commissioner

Chairman Moriarty called the meeting in to order on January 17, 2024

Chairman: I just want to announce that WHAV is here and they are going to be recording this meeting. It is a public meeting so it is allowed, we just have to announce it in the beginning so everybody know they will be recorded

Joel Taveras for 624 Main Street (Map 615, block 508, lot 1B)

Applicant seeks a special permit to change former non-conforming use (real estate office) of existing structure to a barber shop in a RH zone. (BOA 23-47)

GRANTED 5-0

Jerome Imanti Jr: I am the owner of 624-628 Main Street. We are basically here to get a use change, it was previously a Century 21 real estate office and now we are looking to put in a barber shop and the signage will stay in place, just new inserts will be placed, so we are not changing or adding any other fixtures

Chairman Moriarty: Are you changing the footprint of the building at all?

Jerome Imanti Jr.: No changes

Chairman: All the changes will be internal?

Jerome: Interior stuff if anything

Chairman: Thank you. Any comments or questions from the board?

Tom Bridgewater: So this is in a residential zone, the reason he is here is because the use that was previously used is not allowed, you are only allowed a residence in a residential zone. So nonconforming uses, the board of appeals can grant a special permit to change a nonconforming use in a non code section, only if it determines that such change or extension shall not be substantially more detrimental than the existing nonconforming use. We are trying to bring up on the screen here, but we are not having much luck. There was a pizza place sign there, which is still on there.



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Jerome: It was a pizza place, it was a variety store for many years, I ran it for 3 years myself, but I have owned the building 40 years now. I think at one time, that location was a barber shop once back in the day.

Chairman: And right next to it is a hairdressing salon?

Jermone: Yes.

Chairman: Any other questions or comments from the board? Entertain a motion

Member Brown: I make a motion we accept the application for 624 Main Street, 2nd by member Infante

Member Infante: Yes, it meets the criteria for 255-10.4.2

Member Brown: Yes it meets the zoning the criteria for 255-10.4.2

Member Bevilaqua: Yes, it meets the criteria for 255-10.4.2

Member Matias: Yes, it meets the criteria for 255-10.4.2

Chairman Moriarty: Yes, noting the same criteria, so it is granted

Pinnacle Builders, LLC for 57 South New Street (Map 715, block 692, lots 4 & 5)

Applicant seeks a dimensional variance to create two new building lots and construct two new duplexes in a RH zone. Application involves demolition of existing single-family dwelling. Requested variance for new Lot 4 sought for lot area (8,648 sf where 9,600 sf is required). Proposed new Lot 5 shall be a conforming lot. Proposed new Lot 4 and Lot 5 shall each include a new duplex. (BOA 23-48)

DENIED 3-2

Attorney Russell Channen: I am here on behalf of Pinnacle Builders seeking a special permit tat 57 South New Street, for area for one of the lots. Pinnacle Builders and their manager Mark Salvo have been involved with construction here in Haverhill for a number of years, having built approximately 35-40 homes in this area. This property has been either in the Cole family or the Belmont family for approximately 50 to 60 years, in fact lots four and five have remained lots 4 & 5 on the property since the time the City of Haverhill deeded off the property in roughly 1940, so there has been no change to the configuration or the lots. One thing that the board looked at on the website, it was pointed out by John Pettis, that there was a discrepancy in the lot area, and I would like to point that out to the board, the current lots totaled 17,780 square feet by the way of the city of Haverhill assessors office, the application with the board suggests that there is a total of 18,255 sf or for a difference of 475 sf. I spoke with Bob Masys who did the engineering and the survey out there and they indicated that during their survey, that some of the deed measurements or the deed lines that were listed from the City of Haverhill back in 1940 were incorrect, resulting in additional 475 sf of land owned by now Pinnacle Builders, so incase the board was questing how we came up with our numbers, it was based on the fact that a new survey reflected that, and clearly when we sell the property and file plans with the4 registry of deeds it will reflect the current square footage for each lot. The proposal frankly is quiet simple and that is, we are looking to ask for a variance of area on lot 4, where there is 8,698 sf and there is a requirement of 9,600 for a duplex lot in the RH zone. As I have indicated in my brief, my brief, by right we can, would be intitled to build a single-family home on one of the lots and a duplex on the other lot, one lot already has the appropriate frontage and area for a duplex lot, what we are really seeking to do is on the other lot,



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ask for a 10% variance for area to build two duplex lots, rather than by right having a single-family home on one lot, and a duplex on the other lots. Again when I did the calculations of 8698 sf when it requires 9600, we meet 90% of the area, so again my thought is a 10% variance request is minimal in nature. As I have mentioned lot 4 and 5 have remained the same throughout, my client has not created this hardship, these lots have been like this for roughly a hundred years. We believe that the request is minimal and we also think that the need for housing in Haverhill is extra ordinary, so my thought with the board is again there is a need for housing in Haverhill, two duplex lots would be appropriate. Now I know that the board has received and I have also received a laundry list of objections from people and my client is attuned and is aware of the comments and concerns of the neighbors that live in that area, a few things that I would like to point out and ask to reserve the right just after somebody may speak, thoughts are this, the property is in a RH zone, which does allow for multi-family homes, one of the things I provided the board, is a map of the area in question and I have highlighted those lots in the area in which they are multi-family homes, so this is not a request in which we would be the first one looking to change the area in question, that a direct abutter has a two-family home and there are two homes that are also multi-family, so we are aware of the concerns of the neighbors. One of the concerns that we heard was the issue of water runoff and my client may be better to explain this but, what I would tell the board is that the proposed development of these homes Mr. Salvo intends to build, includes a drainage system on the roof, he calls it a roof drain drywall system, and what that basically does is any rain that comes down on the roofs of these properties gets, goes through the drain system and then goes underground on their property, so in fact there is no runoff from the roofs of the properties that he is looking to build, that would exacerbate the current concerns of the neighbors, so in fact right now there is a single-family home there that does not have a system so the rain falls on the roof and again is part of the problem in the area, what MR. Salvo is looking to build whether it is a single-family or a duplex or what we are hoping for is two duplex lots, will allow for the rain that gets captured on that lot and put underground, so in fact it will alleviate the current problem that the neighbors have, in fact my client drew a sketch of the area because he went out there to check it out and in fact at the top of 125, there is no catch basin, so what happens is as he explained to me is that behind both South New Street and Germain Ave the water runs down in between the properties and there is not a catch basin until you get to the Wood School, if there was a catch basin at the top, that would help to alive the problem that is a city issue, rather than an issue for Mr. Salvo, but what we are suggesting is whatever be built there as by right we have the right to build a single-family home and a duplex home on those lots, whatever is going to be built there, the water that goes on to that property is going to be captured underground, and will not effect the current problem from the neighbors, so we did hear that concern. They also talked about it's a quiet neighborhood, and we understand that, again this is within the RH zone and frankly there is going to be either one duplex lot and a single-family, we believe having 4 families new to that area, will not create a situation that results in a substantial hardship to the neighbors, deviate from the current use of their property, the water issue is something ,my client is willing to work with, with the neighbors, if there is a concern, but again what he is going to build there will not create any additional hardship to them. I know there was an objection filed by the direct abutter Mr. Sofos and again I know that Mr. Sofos also filed for a request for a variance a few years ago and he was denied, I would just suggest to the board that, that request and that application was for a number of variances and in fact the hardship in that, the hardship was caused by Mr. Sofos in subdividing his lot and trying to create two lots, again I am just going back to the fact that these lots, we are not changing these lots, they have been the same for over a hundred years and we would request that the board accept the application and the variance request.

Chairman: Ok, thank you. I have questions, if you can build a duplex and a single by right, than why now just do that?



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Attorney Russel Channen: Well we also thought that based upon the fact that the variance request was only for 10% and the need for housing, that it wasn't a hardship caused by M. Salvo when he purchased the property, that those factors, when you look at the cost with the benefits and the burden, that two duplex lots would fit in nicely with the area and again we would not create a hardship for the neighborhood and the variance request was not egregious.

Chairman: If you were to do a duplex and a single, would there be any difference in the impact with two duplexes.

Attorney Channen: Again Mr. Salvo is able to speak better to that, but I did ask him the question about the size difference whether it is a single or a duplex and the size of the structure would be similar in size, we don't believe that there would be any additional burden to the neighborhood if there were two duplexes, I mean someone could say there's an extra car on the street, but as far as the concerns with the water issues, those again I think have been addressed and whatever is going to be built there the water table will not rise due to the fact that we have two duplex lots rather than a single and a duplex.

Chairman: No no impact

Attorney Channen: We think it would be minimal. I understand the concern of the neighbors, it is a quiet neighborhood, I have driven down it, it is in a RH zone that does allow for multi families and it is all subject to change, things change over time and again there are multi families in the area already, so we don't believe that the allowance of the two duplex lots other than the one duplex and one single family, is going to just turn the whole neighborhood upside down

Chairman: Questions from the board?

Member Brown: Attorney Channen, I was looking at the drawing but it is a little hard to see, the existing house is 1200 square feet, is that correct?

Attorney: I believe so

Member Brown: What is the square footage of the proposed buildings?

Mark Salvo (621 Riverside Ave Haverhill): I am the developer of this site, planning to build duplexes with 18000 sf lots, 3 bedrooms, 2.5 bath, 2 car garage and the single family or if a duplex will be the same size as a duplex, the single family would probably be a 25000 sf colonial

Member Brown: Are the garages under?

Mark Salvo: Yes

Chairman: Any other questions? Is there anyone who wants to speak in favor of this? Is there anyone who wants to speak against? Two things I want to discuss, we welcome anybody who wants to speak, we welcome you to speak, you have a right as a citizen of this city. What I would ask you to do though is if someone else gets up speaks about something makes a point, then move on to another point, we don't need to hear the same thing over and over again, I am not saying you are



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going to do it, but sometimes that happens. Like if drainage is an issue and then 7 people after get up a speech about drainage, drainage, drainage. So new information for anyone who wants to speak would be very, very helpful. The second thing is a lot of these issues that people might bring up, like drainage and other issues are actually going to be addressed, if this moves on, they would be addressed in the next step, which is Developmental Review where the commissioner and the department heads get to review the entire application, every aspect of it from every different department. So a lot of the issues that we as an appeals board, don't have any statutory or authority over, would be addressed at developmental review, thank you.

Jennifer Carter (27 Germain Ave): My mother has owned the property for 42 years and in meeting with many of my neighbors from not only South New Street and Germain Ave, but also from surrounding streets, we have several concerns, we will certainly not belabor the situation of drainage or the other water issues, I know that the city is now aware of this for a variety of reasons. We do have some other concerns about the adverse of the potential of adverse effect of the enjoyment of individuals who currently reside there and have been, their own property based on what we see to be a bit of extended over building, although we do understand that there is currently a need for development in general, we are also a neighborhood that is abutting a very large multi-use project that is going in right down the street where the railroad station is, we also have an additional large apartment complex that has gone in right down 125 and all of these things we believe are certainly an indication of progress and also could be necessary, but we don't see how there is necessarily a hardship or difficulty to build one property that is a single-family and a duplex versus instead also potentially harming current residents, in terms of their use and enjoyment of their property. As far as the water issues goes, I know that some of my colleagues have sent over a video or photographs of their back yards and we know that's something to be addressed in a general way by the city but it was a matter of concern in 2021 when the prior application was denied and we would like to respectfully request not only an additional study, but also in terms of looking at the improved system of water management Pinnical has, we would definitely be interested in seeing if that could be documented as a realistic way to avert any additional problems on top of what we are currently facing. A third concern which I think is a concern for any neighborhood would be the increase and strain on resources that everyone in the city does partake on and that includes but is not limited to our public schools which we have one right here in Bradford that is being used and is currently overpopulated and also is going to be impacted by both new and multifamily development as well as the new complexes that are going to be being built, hopefully not in an adverse way but it does add additional strain. We understand that there is certainly a 10% difference in what the variance requests, but we think it would be a much larger percentage impact on the neighborhood. There are definitely other multifamily units in the neighborhood, however none of them are very new and the majority of the homes in the neighborhood are between 50 and 100 years old, some with improvements and some without, but as stated before it is a quiet neighborhood and the residents there just feel that it is an additional reach to ask to put four properties on two lots, especially when the house footprint is so small and to put those much, much larger units that would directly impact peoples use of their land.

Chairman: Thank you. Any others want to speak?

Josiah Morrow (134 Brickett Hill): I was a former longtime resident of 19 Germain Ave in Haverhill. My family owned property near the Wood School for over 100 years, including the house next door to 57 South New Street, was owned by my great aunt and uncle for over 50 years. I think that you have to know the Wood School neighborhood in order to understand why this is a concern. This is an enclave in Bradford, it is much different than other parts of the town, it is very quiet and secluded and practically this part of South New Street that we are talking about is more open, which there are



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other two-family multifamily homes in the area, at the upper part of Germain behind it is much more congested. So this is a change of quality of life for the neighbors there and it is also a point where we need to consider president, there are several other lots and properties right in this neighborhood, many of them on South New Street where there would be the possibility for considerable expansion, which will cram the neighborhood significantly into becoming a series of row houses, if we set this president now, we are enabling the possibility for incentive buyers in the future and that would be an even more dramatic change. This neighborhood and neighbors have always fought to keep it as is, when the city decided to sell the property where the Wood School is, the neighbors fought to keep that, the neighbors need to have the space for their property, it would be a dramatic change for the neighborhood, we have intermit familiarity and it would be a problematic resident going forward. Thank you.

Chairman: Thank you, other comments?

Tom Bradly (46 Germain): I lived in the neighborhood for 44 years and I feel like with all their reports, I have a question, you said you were doing a one car garage, if you do 2 two-families that is up to about 12 cars eventually if they have kids, their mothers whatever, where are you going to pout those cars, because there is no on street parking there. Where are they going to put all those extra cars? So even if its 8 cars, so I just wounder where they are going to put all that. And every other point they have made, I agree with also.

Chairman: Great thank you very much. Any others.

Paul McElroy (28 South Spring): I do agree with everything so far. Where we actually live, we are actually the catch basin for everything that runs down this hill. In the summer time I can dig down a foot where my shed is, and I hot water. I understand the builders point, I have been in construction for 30 years . When you catch water from a house and it goes into the drainage system and you are on top of a hill, where does the water go? It goes down to Front Street, it goes down to everybody else down that way, so it is not just a question of you catch it and drop it here, because it runs, as you can see it runs right to me initially and then goes further down and just keeps going down. We have streets that are washing out in front of peoples yards, because of either what's not being done or what hasn't been done, and this is only happening, more so in the last two years, so now we can't enjoy or do anything with this. SO I am at the point, if this continues I am latterly going to wait and watch my basement implode in with all of this. Just so everyone is aware. Thank you.

Chairman: Great thank you very much. Any others.

Bert Lacerte Jr (9 Germain): I am Frans brother and unfortunately and the thing is I have lived here for 74 years, so I know everything about the whole entire neighborhood, especially South Spring Street. South Spring is a really nice area and I don't know if you caught on Facebook I put on, we put on Haverhill a page about the development and I have over 150 people protesting about the development, for many reasons. One lawyer kind of hinted about affordable housing, these houses are not going to be affordable, he paid \$520K for the house, if he puts two houses on it, tearing down that old house is going to be 150K and to put up two houses is going to cost lets say \$400k, so we are talking about 1.3 Million invested in that area, these are not going to be affordable houses, this is actually going to impact the taxes on all the other houses, because of the fact is that is how they determine taxes. So this is going to be a big factor on our taxes. The other thing about South New Street is they mentioned many times about the water, I know the city can address the water, but



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when he puts in two foundations, the water is actually going to be shifted to Bill's house, who you've turned down and it is going to flow more, ok the city can address that, but the city has to also address that there are no sidewalks on either side, so now you are going to have multifamily in those homes, do you want the children walking on the streets at night? The city has to build sidewalks, otherwise you know it is a danger for them, you know the other impact about it is on Facebook was the fact is that Haverhill has been inundated with so many houses and so much development, where is the infrastructure gonna come from, when all these houses

Chairman: Let me interrupt you for a second, all these are issues, but it is going away from what we have any kind of control over

Bert Lacerte Jr (9 Germain): But this impacts the whole neighborhood, because of the fact is that once you put the two, once you get the four families in there and they have at least two children each, this is going to have a big affect on the neighborhood and the schools, where the Hunkin is already over got too many students already. The other thing is, if you know anything about the developer, I don't know anything about the gentleman, I am sure he is going to do a marvelous job because he already invested too much money into the project, he is going to quickly put on vinyl siding and if you know about vinyl siding and the reflection off the glass windows, like on South Spring Street where they put up two condos similar to what his is, the reflection of the glass melts your neighbors siding

Chairman: Again we are moving into an arear where we have little control over

Bert: I understand that but this is what is going to be all impacted by these two condos. So if the gentleman whats to put up a duplex and a house, I guess he cane, but he doesn't want too, because he knows that he has so much invested, into the property now, he needs to make a profit, he needs to do the condos

Chairman: Thank you. Ok Attorney Channen. Hold on are there more people who want to speak?

David Gaiero (42 Garmin): Our property abuts the property at 57 South New Street, we are right behind it. The only ting I want to say is one thing about water, where he has a system go into the ground instead of off the roof, we have never had trouble with that house off the roof, we have trouble with ground water, so if it goes into the ground, it is going to get worse, so what his proposal is, is not going to help at all, it is going to make it worse.

Chairman: Thank you David. I don't want to ignore anyone else, is there anyone else?

Alicia Rochon (44 Germain): The ground water is a whole thing, I have a finished basement that gets flooded anytime we have anything and it is ground water, David is correct. I will say also that, what I think Bert was trying to say is we have to huge glomerates going in, and they are coming into Hunkin School, we got a lot of grants to have a STEM program that never happened, because we need that space for the over crowding we already have, and we are going to have more students, so to just add more kids is just horrific and I am part of the PTO, so I work with this all the time and I just want to say it is just going to get worse, and worse and it doesn't go unnoticed that these places are opening at the end of the school year, in the summer, so it is going to come right into the school year for next year, so I'm just going to put that out there and put more kids there, and I also am going to be directly affected, I live right where Ronny Laplumes house is, it is



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going to be right behind me and I have a pool, I have a nice backyard and I have children of my own and I really don't want huge buildings overlooking my backyard. I know that sounds selfish but it's the truth.

Chairman: Thank you very much.

Karly Roberts (14 South New Street): I am concerned about traffic, the traffic of the residents that will live there, the traffic of any visitors. There is a significant uptick in traffic on our street and as Bert and several other neighbors alluded to you, there are no sidewalks on our street, we have now got school busses coming from the Hunkin school down our street because of the way they come out of the school and I have almost been hit by several school busses, so it is a significant concern for safety.

Chairman: Thank you.

Member Bevilaqua: Excuse me do the children on that street walk to Hunkin?

Karly Roberts: Yes, everybody walks to school in that neighborhood.

Member Bevilaqua: They don't take busses, they walk?

Karly: They walk, and just about half of the neighbors walk in our area on almost a daily basis and it is frightening sometimes. So increasing the level of traffic in our neighborhood is a hardship. An that not only is an issue with these two buildings, but the building of the others by the railroad tracks and the new building at Diburrow's, because people cut through our neighborhood now, and don't go up to the lights and it's scary, it really is.

Chairman: Thank you.

Attorney Russel Channen: I guess I would suggest that this application has done some good, in that it brought to light a number of concerns in tis area, the sidewalk, the drainage, which frankly is something that needs to be addressed by the city in respect of our application, I don't think our application is a situation that creates the problem exacerbates the problem, it is a problem that has been going on, again there has been no sidewalks, there has been an issue with kids there, that is an issue for the city. So again, I don't think this is a situation allowing the duplex lots is going to create a situation that makes this worse than it already is. The last thing that I would like to point out is, a gentleman has said that allowing this could open up quote a pandoras box with others, well again people who own property in the city, do have those rights if they chose to proceed on its own and to deny my client the right to potentially experience because of a hypothetical situation that may occur in the future, I just don't think its an appropriate defence.

Chairman: Thank you. Entertain a motion

Member Brown: I make a motion to accept the application for 57 South New Street, second by Infante

Member Brown: Yes

Member Infante: Yes, I think it does meet the criteria



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Member Bevilaqua: I am going to have to vote No, I am reminded of a case that came before the board a few years ago and when a multifamily home was going to be the rest of a single family, it wasn't even as much of a change as this and that multifamily home one of their rationality's was there's other multifamily homes on Grove Street which was very close to the street, but the street Janet Rd was very close and a midcentury cluster of single family homes, so I am looking at these houses that are really 100 years old and on that street, there is only one 2-family house, I think that, that does change the character of this neighborhood and I am also somewhat moved with the idea of what is going on with what is being built where Skateland is, more than that I am concerned about altering the character of a hundred year old neighborhood and on that street of all single-family homes, except for one. I would advise that the owner to reconsider which he has every right to do.

Chairman: Thank you. Member Matias

Member Matias: I vote yes, it meets the criteria.

Chairman: I vote no, since you can buy right put a single-family and a duplex, even though the impact will be somewhat the same, but again it will go before developmental review. So the application is denied.

Luis A Caguana Saeteros for 16 Philip Street (Map 640, block 3, lots 13)

Applicant seeks a Special Permit to convert existing two-family dwelling into a three-family dwelling. Applicant also seeks dimensional variances for lot frontage (50 ft where 80 ft is required) and lot area (6,837 sf where 9,600 sf is required) for conversion to a three-family dwelling in a RH zone. (BOA 23-46)

DENIED 0-5

Luis Caguana (16 Philip Street): I am trying to do the attic for a third unit

Chairman: You are creating an attic to create a third unit. You are already doing a lot of work on that building already, right?

Luis: Yes, except the attic, I am not doing anything in the attic yet.

Chairman: It looked like the windows were changed, right?

Luis: Yes, windows yes.

Chairman: Ok, but nothing interior on the attic yet, just the other floors.

Luis: Yes nothing, just the window and the exterior wall, but nothing inside the attic, I am not doing anything yet.

Chairman: Questions from the board?



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Member Brown: This is just in your attic right, so you are not building out, you are working within the space that is already there, correct?

Luis: Yes

Member Brown: Nothing else is going to change

Luis: Nothing

Member Brown: Ok. Tom is there an entrance on the front and back?

Tom Bridgewater: Yes they have to have two means of egress, in each unit

Member Brown: So it is going to be coming from the front and the rear, correct?

Luis: Yes

Chairman: And also the fire department commented, that you have to comply with NRA13 so a fire suppression system will be required for the additional unit and any associated work areas, so you have to have a system in there

Luis: Yes

Tom: He will have to sprinkle the work area of the building

Luis: Yes

Chairman: Ok. And I just want to reiterate, there is no external changes at all

Luis: No

Chairman: And do you have adequate parking for 3 units?

Luis: I do, yes

Chairman: How many parking spaces do you have?

Luis: For six cars

Chairman: For six cars

Member Infante: I see a two stall garage, two spaces and then two spots right in front of the garage.



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Luis: Yes, two inside the garage, and two outside on each side of the house (I couldn't hear what else he said,

Member Brown: About the parking, the parking in the driveway

Luis: Yes two cars in the driveway, two cars in the garage, two cars on the left side of the garage

Member Brown: Ok, will they be parking like behind each other or beside each other?

Luis: I think it is side by side, it looks like

Member Brown: Theres enough room for them to go side by side?

Tom: Theres tandem parking on the one out by the front of the house

Member Brown: Ok. Tom how may parking does he need for that?

Tom: So it is one space per unit, two spaces for 3 bedrooms or more and he meets the parking.

Member Brown: He meets the parking, ok thank you.

Chairman: Any other questions from the board? Opposition?

Ryan Guol (10 Philip St): I think I am the closest one here to them, I don't see how they can have side by side parking in their driveway, there is a very narrow lane to get into that garage in back, the house next to it has a very similar setup, they are unable to do tandem parking, so they have two cars in the street, and that is a single-family house with two cars on the street and two cars in the driveway. I have a shorter version of their driveway and I can only fit two cars in back to back

Member Brown: Yeah I drove by it, I thought it was one behind each other to be honest with you.

Ryan G: So I don't know how they are not changing the footprint, that is beyond us. I guess my bigger issue is if the parking doesn't workout they are going to push it out on the street, that street is a dead end, so this parking situation becomes pretty hairy and there is plenty of kids on the street running up and down, including ,my own so I think that needs to be looked at a little bit further, because I don't see how it is possible.

Chairman: Ok, thank you. Any other people want to speak?

Philip Wisecky (8 Philip St): I have lived on Pilip Street for probably 50 out of my 71 years, when I was born and raised there and when I came back. This is not the nature of the neighborhood, looking at the request for variances and in the lot area required for a three family 6,837 square feet that they have and 9,600 is required, so we are looking at about 33% in the neighborhood request for a variance on that and also in the frontage required 80 feet is required and they only have 50 feet of frontage, I am not here to question the wisdom or the reason for the requirements in the first place, I don't see the



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hardship in putting a third floor apartment in here when he is going over and above by 33% on both of these requirements that our four fathers have set forth, because they thought it through, that you need that much square footage for a 3 unit dwelling and that much frontage for a 3 unit dwelling, and I agree with Ryan, there is not adequate parking there, they will be stacked up, they will be shuffling cars all the time or they will just end up parking on the street, extending out on the street and it is a way overuse and it is an attic, I don't see how it is going to have proper egress from the third floor without changing it significantly with fire escapes and it is not the spirit of our neighborhood, it is a quiet neighborhood. I don't want to speak for anyone else but there are others that want to speak also.

Chairman: Thank you very much. Anyone else

Tom Delrosha (20 Edwards St): I live directly across from the house Like Phil a longtime resident in the neighborhood, I am going to admit for my whole life anyway with that all said, you know changing the whole neighborhood would be significant, when you go up Lawrence Street you go past commonwealth Ave you go past Columbus Ave, you go past Brunford Ave, past Brockton Ave, Stanly Drive Qwinby Street, there is not one 3 unit building on any of those streets and I feel like yes there are some 3 units down south on Elm Street, but it changes the neighborhood dramatically. Parking, I know what parking is all about, because I am on the corner and consistently people are parking in front of my house, and that is fine, I have an open driveway where I can park, actually a 3 car garage, ut people are always parking in front of my house, so I feel that on that corner, just this past snow storm we had, where they through the snow and agreeably they don't push the snow like they used to with big heavy equipment so on the corner there it is horrible, there is not way they are going to have say two cars per house, so what six cars, if there is anymore on the street beside the two that are always out there, there is just going to be no availability for plows or cars, so I think the winter would be a horror show, but I just think the character of the neighborhood, I don't think it adds any value to the homes other than this young mans, and you know, I can understand as an investment, but it is not all about investments and it is about a great neighborhood and we have a lot of neighbors here that have been here a long time so, that is all I have to say.

Chairman: Great thank you. Anyone else that wants to speak?

Tom Bridgewater: George I need to say something... Something just came to light, so an area for a three-family is 11,700, not 9,600, so it was advertised wrong

Chairman: Ok, so it is off by a considerable amount, 5,000. Ok, do you want to respond to that? It is way below

Luis: yeah, just um I'm thinking I tried to do it, but if I can not do anything it just is

Chairman: Can you reduce this just to a two-family?

Tom Bridgewater: It is a two-family now

Chairman: Retain it as a two-family and not have a third

Luis: Yeah no problem, that is fine



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Member Brown: Did you understand, what he said that the square footage was for a three family has gone up, it is not 9600 it is 1170, so it is like 2000 more feet, it wasn't listed correctly

Member Bevilaqua: It is more than a third, it is more like 40%

Chairman: Ok, entertain a motion

Jill Dewey (Secretary: There is two votes

Member Brown: Oh yeah sorry

Chairman: Thank you yes. So we are voting on the special permit to convert from a two-family to a three-family, lets do that one first

Member Brown: I make a motion to accept the application for 16 Philip Street for the special permit 2nd by Member Infante

Member Infante: Yes, meets criteria for special permit 255-10.4.2

Member Brown: No

Member Bevilaqua: No

Member Matia: No

Chairman: No. So the special permit is denied. Entertain a motion on the variances that are requested.

Tom B: It doesn't matter

Jill: We still have to record the decision sheet

Tom: We don't have to do it

Matt: You should do it

Jill: The decision sheet is already written up for two votes

Member Infante: I am so sorry chair, I voted incorrectly, I apologize, I got confused, I want to vote no on the variance

Chairman: Ok, thank you

Member Brown: We haven't voted on the variance yet

Member Infante: Sorry not the variance

Chairman: It was the special permit. Obviously it is nullified if it doesn't a special permit, but lets do a vote on the variance anyway. I entertain a motion on the variances



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Member Brown: I would like to make a motion to accept the variance for 16 Philip street

Chairman: Motion made by Member Brown, seconded by Member Infante

Member Infante: NO

Member Brown: No it does not meet the zoning criteria for 255.4.2.2(2)

Member Bevilaqua: No and what was brought to life by the commissioner it even more enhances the concern of the amount

Member Matias: No

Chairman: And the chairman votes no, so it is denied.

Members voted to accept December's meeting minutes... All 5 votes in favor