



Georgetown Zoning Board of Appeals

Memorial Town Hall ♦ One Library Street ♦ Georgetown, MA 01833

Phone: 978-352-5742 ♦ Fax: 978-352-5725

MINUTES OF A PUBLIC HEARING

ZBA File #20-01

13 Parish Road/Accessory Apartment Special Permit

Map 20 & Lot 20 Georgetown MA

July 9, 2019

Board Members Present:

Shawn Deane, Chairman, regular member
Jeff Moore, regular member
Paul Shilhan, regular member
Dave Kapnis, regular member - Absent
Gina Thibeault, regular member - Absent
Sharon Freeman, associate member

Applicant/Owners (s) present: Kenneth and Stacy Carpenter

Architect, Kenneth Savoie, of Savoie Nolan Architects of Ipswich, MA

Zoning Administrative Assistant: Patty Pitari

*Note Board Member are referenced by their initials & Kenneth Savoie, Architect (Savoie)

Chairman Shawn Deane opened the hearing at 7:36 pm, and introduced the board members.

SD read legal ad; A Public hearing will be held on July 9, 2019 at 7:30pm at the Georgetown Town Hall 2nd Fl. Meeting Room for an application filed by Owner/Applicants Kenneth J. & Stacy E. Carpenter of 13 Parish Road, Georgetown MA, located in the RB district and identified on Assessor's Map 20 Lot 20. The applicants are requesting to construct an Accessory Apartment which requires a Special Permit under; M.G. L. Chapter 40A, Section 9, and the Georgetown Zoning bylaws, Chapter 165 Sections 9-11, 69 and 74 -79.

SD introduced the board, and he let the applicants know that we only have 4 board members and that if they wish to continue, they would need a unanimous vote; the applicant agreed to proceed.

Applicants Presentation:

Ken Savoie, Architect – Presented the drawings to the board, he went through the project starting with plot plan, and the floor plans, Convert existing garage and lower level area to the accessory apartment, the previous owners it seems had make one bay of the garage an area with a kitchen in the lower level, not sure of history of that or if relevant.

Ken Carpenter (applicant) we were told when we purchased the home, the previous owner had a daughter who fell ill and they moved her into downstairs, the kitchen was completed and nothing else and she passed away, and then the owner passed away after, so when we purchase it had 2 kitchens. It looks like it was a 2 car garage at some point and previous owners took on of the bays and built a kitchen into it.

Savoie – My clients are asking for an accessory apartment for Ken's mother. We are proposing to take the existing garage space and create an accessory apartment for his Mother, we are also proposing to build a new 2 garage connected to the home by a new breezeway, with we can do by right. In addition there is a "sunroom" on the back of the house that we hope to become part of her living space. It's a split level house, he shows both levels and stated there was an addition built on in the 1980's and the original house was built in 1969. We are

to build above it as well to expand the main dwelling, master bedroom. The existing garage space as well as the sunroom as part of living area.

Savoie – Accessory apartment shall be **559 sq. ft. livable floor area**. On plans we showed new construction for garage and shaded area will be the living area for the accessory apartment. See the calculation table.

The apartment will function on the ground level, for Ken Carpenter's mother, Diane, a one bedroom. Also the size of the septic system is being increase for a 5 Bedroom, more than sufficient. There will be access through the side through the porch, and there will be an access directly out of the back the secondary means of egress.

JM – Is the garage is for main residence? Savoie. – Yes for the main house or come through the apartment.

Savoie - He show on plans, the 2nd level, we will use the 2nd level of new sunroom to enlarge the 2nd bedroom space. He shows elevations, the appearance from outside view doesn't not change because the accessory change is pretty much incorporated in the lower level in the back of of main house. From the rear this is the new sunroom underneath the deck and the master above near garage and breezeway. On left side not change.

JM – The rear of sunroom, is that a covered area, looking at rear elevation, so the stairs come down off the deck, is that the side of the sunroom or is that an open covered area?

Savoie – Yes, it extends, he shows plan, and so it's a covering as you come out those doors and that would connect with the stairs leading up or you can go straight out. We considered moving stairs.

JM – I think overall as far as the single family characteristics, you have done a pretty nice job. The single family characteristics for this type of permit need to remain.

PS – Looks fine, you don't step down from that lower level, it's all ground floor correct?

Savoie – Correct so she can go right in and make it accessible and the breezeway will be same.

PS – I have no issues with this.

JM – Reviews conditions of accessory special permit with the applicants in regard to ownership, selling the home, no rental of property, and built per plan submitted (unless it's something small with building inspector) can't change the sq. ft. of accessory apartment.

Ken Carpenter – That would not include thing like changing windows?

JM – No that's fine and the other addition piece, has nothing to do with this permit, so you can change that.

JM – Parking is the parking area shown already there?

Ken – No, we have a little turn around, and it's a long driveway, plenty of room.

SF – Asks about Septic.

Savoie – So the Board of Health is having us upgrade the leaching field, they said the existing tank is big enough.

New Correspondence - None

Exhibits – S. Deane to read into the record

Exhibit A – Plot Plan Certified by John J. Decoulos stamped & dated 5/20/19

Exhibit B – Existing Lower Level, stamped and dated May 21, 2019, by Kenneth J. Savoie, of Savoie Nolan Architects, 4 South Main St. Ipswich, MA 01938

Exhibit C – Existing Upper Level Floor Plan, by Kenneth Savoie dated May 21, 2019
Exhibit D- Proposed Lower Level Floor Plan, by Kenneth Savoie dated May 21, 2019
Exhibit E – Proposed Upper Level Floor Plan, by Kenneth Savoie dated May 21, 2019
Exhibit F – Proposed Elevations, by Kenneth Savoie dated May 21, 2019

SD stated because the board is short we can do a straw poll so you can see where we are at.

SD –I am in favor it's a nice thing and the plan is well thought out.

SF agrees. JM and PS agreed.

Findings

J. Moore - I move the Board find the proposed addition met the prerequisites of the Georgetown Zoning Bylaw Chapter 165-79 (a-d) being;

- a. The application is desirable to the public convenience or welfare;
- b. Will not overload any public water or other municipal services so as to unduly subject any area to hazards affecting health, safety or the general welfare;
- c. Will not impair the integrity or character of the district or adjoining districts;
- d. Will not cause an excess of that particular use which could be detrimental to the character of the neighborhood.

I further move that in making those findings, I move that board Grant a Special Permit to Kenneth J. & Stacy Carpenter owners of 13 Parish Road, Georgetown MA, located in the RB district and identified on Assessor's Map 20 Lot 20, for an Accessory Apartment on the lower level of the primary dwelling. Pursuant to; MGL 40A, Section 9, and the Georgetown Zoning bylaws, Chapter 165 Sections 9-11, 69 and 74 -79. The Accessory Apartment shall be 559 square feet of livable floor area;

With the Following Conditions:

1. The Accessory Apartment be occupied by relatives of the owner only, not to be used as a rental property and the dwelling must be owner occupied per bylaw Chapter 165 §69 (b).
2. If the house is sold, transferred or if there is any change in residence of the owner, the special permit lapses and the new owner must apply to the board for a new special permit.
3. The apartment shall be inspected by the Building Inspector before Occupancy; per Chapter 165-69 (d), per plans submitted marked as Exhibits A-F.
4. Be built per plans submitted at the hearing, marked as Exhibits A-F.

Seconded by S. Freeman, Discussion; J. Moore – I just wanted to say it's a well done design.

SD – Asked all in favor – all 4 members vote in the affirmative. Motion carried 4-0 unanimously.

SD read The Zoning Board has 14 days to file a decision and any appeal of this decision shall be made pursuant to Massachusetts General Laws Chapter 40A, Section 17, within 20 days after the date the notice of decision was filed with the Town Clerk. An applicant may file this decision before the 20 days but does so at their own risk.

SD reads: Lapse of Special Permit - Per M.G.L. 40A §9, Special Permits granted shall lapse within a specified period of time, not more than 3 years, which shall not include such time required to pursue or await the

determination of an appeal referred to in Section 17, if a substantial use thereof or construction has not commenced, unless upon timely application this Board finds good cause to extend such period.

Motion to close the hearing for 13 Parish Road moved by J. Moore, seconded by P. Shilhan, all – yes. Motion carried. Hearing is closed.

Patty Pitari
Zoning Administrative Assistant

Approved 9-1-19