



HALIFAX ZONING BOARD OF APPEALS

Meeting Minutes

Monday, April 13, 2015

The Halifax Zoning Board of Appeals held a public hearing on Monday, April 14, 2015 in Meeting Room #1 of the Town Hall with the following Board members in attendance:

Debra Tinkham, Robert Gaynor, Kozhaya Nessralla, Peter Parcellin and Robert Durgin were in attendance.

Chairperson Tinkham called the meeting to order.

Correspondence/mail/notices:

Chairperson Tinkham reviews the mail. She reads a letter from the Planning Board regarding Amanda's Estates stating that the Planning Board received a revised plan which was not approved. Ms. Tinkham explains that the applicants are returning to the Zoning Board to present the old plan for Amanda's Estates. Ms. Tinkham reads an email from Marion Wong (Zoning Board secretary) to Susan Becile regarding Amanda's Estates. Ms. Tinkham reads a copy of a letter forwarded by the historic commission from the Commonwealth of MA (William Galvin), the enforcement branch of the army of engineers, regarding Amanda's Estates. Ms. Wong reads her email to Mr. Kotowsky regarding Amanda's Estates (Petition #823); resubmitting plans and re-applying for this petition. Ms. Tinkham reads into record an email from Scott Clawson to Charlie Seelig regarding moving his event due to snow. Ms. Tinkham reads a letter from Charlie Seelig regarding the 2015 Edition of Halifax and Lights. Ms. Tinkham reads a letter from Charlie Seelig regarding Michael Zarella's interest in a position on the Board.

Appointments:

7:00pm – Petition #827 Wilmar D. Ladeira – Use of Existing In-law Apartment - 402 Holmes Street, Halifax

ZBA Secretary reads the Public Hearing Notice into record and explains the applicant called and requested to continue at 7:59pm.

Motion to continue hearing until 7:59pm:

MOTION: Kozhaya Nessralla

SECOND: Peter ParcellinAIF

Passes: 5-0-0

7:59pm – Petition #827 Wilmar D. Ladeira – Use of Existing In-law Apartment - 402 Holmes Street, Halifax

Chairwoman Tinkham reads public hearing notice into record.

Present: Wilmar Ladeira

Mr. Ladeira confirms to Ms. Tinkham that he purchased this house a month and a half ago and it already had the in-law apartment on it. Ms. Tinkham states that there are pictures and that this was first granted in January 1988. It was last renewed on January 3, 2008 (5-year). The in-law is over the garage with one bedroom upstairs. Ms. Tinkham confirms with Mr. Ladeira that his niece is moving into the apartment. Ms. Tinkham observes that it's a small apartment. She confirms that there is only one set of utilities and one septic system. Mr. Gaynor asks Mr. Ladeira if there is any part of the apartment in the house that both parties will use.

Motion to waiver the on-site inspection.

MOTION: Robert Gaynor

SECOND: Kozhaya Nessralla AIF

Passes: 5-0-0

Ms. Tinkham states that because this in-law has less square footage than most, has been updated by previous owners, cannot be shared and a family member is going to live there, she feels this is a good-looking project. Mr. Nessralla confirms that Mr. Ladeira is not going to make any changes. Mr. Gaynor explains the new criteria for in-law apartments to Mr. Ladeira – avoiding a two-family home on one piece of property and hopes for compliance. Mr. Ladeira is given a copy of this criteria. Mr. Ladeira says he understands. Ms. Tinkham appreciates and thanks Mr. Ladeira for coming before the Board and for following the rules. ZBA Secretary explains what happens in five years - renewal process.

Motion to accept Petition #827 with no conditions.

MOTION: Robert Gaynor
SECOND: Kozhaya Nessralla
Passes: 5-0-0

Discussion

Secretary Wong explains that there will be a public meeting regarding Petition #826 (formerly Petition #719) to discuss Proposals and Bids for Technical Review. Ms. Wong talks about the prices of each engineering bid. Paul Brogna (Seacoast) is at \$4,995 with \$125/hour for anything additional. Ed Peschi (recommended by Town of Marshfield – Zoning Board) was a close second at \$7,230 with optional services. Eric Diaz (recommended by BOH) came in third at \$12,500 with hourly rates for additional services. Niche Engineering came in at \$16,900. Green Seal (recommended by BOH) came in at \$19,250.

The Board decides to interview three: Paul Brogna (Seacoast), Niche Engineering and Ed Peschi.

Motion to request (in writing) to meet with Seacoast Engineering, Niche Engineering and Ed Peschi as the three finalists for a Peer Review on Monday, April 27, 2015.

MOTION: Robert Gaynor
SECOND: Kozhaya Nessralla AIF
Passes: 5-0-0

In the letter to each engineer, Mr. Gaynor recommends the following condition: The engineer chosen must be aware that accepting the position will require their presence for the May 4, 2015 meeting.

Adjourn:

Motion to adjourn meeting.

MOTION: Kozhaya Nessralla
SECOND: Robert Durgin AIF

It was unanimously voted to adjourn the meeting.

Respectfully submitted,

Deborah Tinkham
Chairperson, Zoning Board of Appeals