

## Minutes for Board of Appeals

### Call to Order

**Time/date:** March 2, 2020 at 7:00 p.m. Tape on File

**Place:** Everett City Chambers on 3<sup>rd</sup> Floor of City Hall

### Attendees

Mary Gerace, Chairman

Michael Dantone

John Frasier

Roger Thistle

Paul Colameta

### Approval of Minutes

Date of meeting: February 18, 2020

The rules for the meeting were explained by the Chairperson Mary Gerace.

### Minutes of the Meeting

#### **1. Petition # 2461: 10 Plumber Street, Everett, MA 02149 Audames Nelson- Special Permit**

In the application filed with the City of Everett on January 27, 2020, Applicant, Audames Nelson, 10 Plumer Street, Everett, MA 02149, the applicant seeks a permit to construct an addition above the existing rear addition (which was granted a variance in 2019) to the existing single family dwelling located in the Dwelling District on a 3528 sf lot. Plan submitted by Paul Lindholm, P.E. dated Feb. 11, 2019 and T Design LLC dated November 20, 2019.

#### **Spoke in Favor:**

Andre Thomas -56 Cottage Street- Was happy with the fence

#### **Spoke Against:**

Pedro Hernandez and Hernia Hernandez – 50-52 Cottage Street

Wrote a letter why they were against which was accepted by the Board and read by Chairperson Mary Gerace. Letter filed by the Clerk.

2020 MAY 14 A 10 57  
CITY OF EVERETT, MA  
OFFICE

*The Chairman Mary Gerace explained that the public part of this meeting is over and they were only taken questions from the petitioner. The board went over the decision with the petitioner and the conditions for this petition are as follow:*

**Questions asked by the Board:**

- Mike Dantone asked “What was the reason the first addition did not get completed? “What was the reason for the delay?” The Applicants response was “We were waiting in order to get an approval for this job so we could complete the entire project together. Mrs. Nelson Spoke this was in order to help the growth of our family. Then Mike asked “When will the whole project be completed?” Applicant stated “2-3 Months.”

**Favorable Motion:** Michael Dantone

**Seconded:** Roger Thistle

The Board voted unanimously 5-0 to Grant the Petition.

**2. Petition # 2462: 66 Wilbur Street, Everett, MA 02149  
Rosa Martinez – Special Permit and Variance**

In the application filed with the City of Everett on February 3, 2020, Applicant, Argueta Properties LLC and Rosa Martinez, 66 Wilbur Street, Everett, MA 02149, proposes to convert the existing single family dwelling to a two (2) family dwelling located in the Dwelling District on a nonconforming 4500 sf lot originally built in 1886. The conversion requires two (2) compliant parking spaces that have been represented in the plot plan dated Aug. 8<sup>th</sup>, 2019 by Acres Engineers Surveyors.

**Speaking In Favor:** N/A

**Speaking Against Petitioner:**

Monica Pavia 70 Wilbur Street – Property is falling apart and has been neglected for a long time there is a wall and fence that is leaning into my property and has not been repaired. There are rodents and lack of up keep.

Maria Pavia 70 Wilbur Street - she agreed with her daughter she had no problem with two family just wanted wall and fence repaired and property cleaned up

*The Chairman Mary Gerace explained that the public part of this meeting is over and they were only taken questions from the petitioner. The board went over the decision with the petitioner and the conditions for this petition are as follows:*

### **Questions asked by the Board**

- Mike Dantone asked “Will the 2<sup>nd</sup> driveway need a curb cut?” Jim Soper responded D.P.W. Engineers –No Variance Non-conforming.
- Mike asked “How quickly will this renovation take from start to finish 5 to 6 months it should be completed?”
- John Fraser spoke to neighbors stating “We believe this Applicant is trying to do the right thing and work with you so please work with them.”
- Mary Gerace – Recommended Applicant work with neighbors
- Mike Dantone – Recommended Fix wall fence and post.

**Favorable Motion:** Michael Dantone

**Seconded:** Roger Thistle

The Board voted unanimously 5-0 to Grant the Petition.

### **3. Petition # 2463: 66 Main Street, Everett, MA 02149 Ziad Odeh – Variance**

In the application filed with the City of Everett on February 6, 2020, Applicant Mr. Ziad Odeh 68 Main Street, Everett, MA 02149 asking for a Variance of the Zone Ordinance of the City as applied: The owner/applicant proposes to alter the existing building which is under construction as a six (6) unit residential building into a nine (9) unit residential building maintaining the same footprint and floor area and maintain the original twelve (12) parking spaces which are under and behind the building. Upon completion there will be six (6) one bedroom units and three (3) two bedroom units.

**Speaking in favor:** N/A

**Speaking Against:**

Chairperson Mary Gerace asked that one person represent the residents of 66 Main Street, but all would give their name as present.

Several Residents from 66 Main Street

Charles DiPerri – Parking was the main issue and property had been neglected for 10 years they also mentioned their concern for the tanker accident on the rotary several years ago.

Sharon Gavigan  
Alice DeCoste  
Carol Olen  
Maryellen Melanson  
Jean Granowski

*The Chairman Mary Gerace explained that the public part of this meeting is over and they were only taken questions from the petitioner. The board went over the decision with the petitioner and the conditions for this petition are as follows:*

**Questions asked by the Board:**

- Paul Colametta – “You wanted twelve (12) units then six (6) now nine (9) why?” Applicant stated “Because it would make sense for me to move into the apartment, I live in Graton now if I move I would be a hands on landlord it would make sense and be affordable to me it is just me and my wife and we have own car we would take a one bedroom unit.”
- Mary Gerace – “The main issue for the area was at 66 Main Street they have a lot of visitors come for health care, meals on wheels, social service visits and so on. There is not enough parking for them on certain days.”
- Mary Gerace asked what are you considering affordable rent for a 1 bedroom unit?” Applicant stated “\$1600-\$1800 hundred Dollars.” Mary asked “is heat separate?” Applicant “yes”

**Conditions:**

Mary Gerace stated the conditions should be no street parking and no residential stickers will be given out to your tenants. This must be written in the lease as well.

As stated by Applicant units will be Six (6) one (1) bedroom get 1 spot which one unit will be for the applicant and three (3) two (2) bedrooms will get two (2) spots and noted no extra parking available cars will be towed.

**Favorable Motion:** Michael Dantone

**Seconded:** Roger Thistle

The Board voted unanimously 5-0 to Grant the petition.

- 4. Petition #2464: 18-20 Floyd Street, Everett, MA 02149  
Rigoberto Calderon & Ms. Rosairo Landavere - Variance**

In the application filed with the City of Everett on February 6, 2020, Mr. Rigoberto Calderon & Ms. Rosario Landaverde 18-20 Floyd Street, Everett, MA 02149 asking for a Variance of the Zone Ordinance of the City as applied: Applicant seeks a building permit to enlarge the porch/deck with a set of stairs at the rear of the house 6'x 23'3" on the west side.

Speaking in Favor: N/A

Speaking Against: N/A

***The Chairman Mary Gerace explained that the public part of this meeting is over and they were only taken questions from the petitioner. The board went over the decision with the petitioner and the conditions for this petition are as follows.***

The owner/applicant wanted to repair extended deck, porch attached to deck was worse than expected, and porch was illegal no permits on record were ever pulled. This inspection was first inspected by an Inspector who no longer worked for the City of Everett. Owner states they only repaired deck and porch, they did not enlarge the existing porch. Chairperson, Mary Gerace asked the question to James Soper the Commissioner of Inspectional Services. "Jim Do you r remember this?" Jim responded. "He recalls." He had a photo from the previous owner September 20<sup>th</sup>, 2012. Jim stated "This porch was possibly in existence prior to new owner." Mary then said "is this up to code yet?" Jim stated "This document was from 8 years ago if it was 10 years it would be cleared." Mike Datone asked a question to the owner "Do you have a current photo?" Owner showed current photo on her cell phone. Based on new photo and The Commissioner's document the Board would grant the petition providing the final building inspection meets all aspects of the Building Inspector and the Department.

**Favorable Motion:** Michael Dantone

**Seconded:** Roger Thistle

The Board voted unanimously 5-0 to Grant the petition.

**5. Petition # 2465: 357 Third Street, Everett, MA 02149  
Mr. Luis Flores - Special Permit**

Applicant did not show at the hearing, Board requested that the clerk find out why Applicant did not show and report back to Board. Petition was tabled until next meeting.

The Board voted unanimously 5-0 to table until next meeting.

Adjournment 8:10 p.m.      Tape is on File