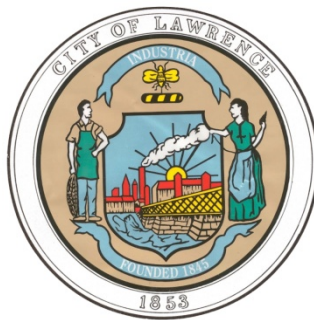


PLANNING BOARD



LAWRENCE MASSACHUSETTS

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Vacant

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Voting Members
Antonio Reynoso
Brenda Rozzi
Betty Camilo-Correa

Land Use Planner
Daniel A. McCarthy

Associate Voting Member
Manuel Nunez

CHAIR
Tamar Kotelchuck

LAWRENCE PLANNING BOARD

Due to the COVID-19 Outbreak and the policy changes made by Governor Baker and Mayor Rivera, this meeting of the Zoning Board of Appeals was done remotely.

October 7th, 2020

Minutes to the Meeting/Hearing

This meeting was held using the GoToMeeting Platform

Upon a roll call the following members were present:

Tamar Kotelchuck, Chair
Brenda Rozzi
Betty Camilo-Correa
Antonio Reynoso
Manny Nunez

Also Present:

Jorge Martinez- Minute Taker
Daniel McCarthy- Land Use Planner
Michael Armano- Acting Inspectional Services Director
David Palumbo- Acting Building Commissioner
Lt. Graeme Millar- Fire Prevention

Upon a motion made by Mr. Reynoso and seconded by Ms. Rozzi, the members of the board unanimously decided to open the public meeting.

CONTINUED CASES

21-23 Brookfield Street
Agron Topi

Upon a motion made by Mr. Reynoso and seconded by Ms. Rozzi, the members of the board decided to withdraw the petition without prejudice.

76 South Bowdoin Street
Maria Vidal

Present to address the members of the board were Marcos and Lunara Devers and Maria Vidal.

Mr. Devers stated that he has been before the board before. He then stated that the addition is 24'x20'. He added that it is a substantial addition that is needed. He then stated that he is in compliance with the city ordinances. He added that the height and location of the addition were two major issues. He stated that the addition appeared to be another home and as a result he used matching materials and the front porch will be removed. He stated that he is willing to lower the pitch of the roof to make it appear similar to the existing buildings in the area.

Mr. Devers then stated that the height limit in the neighborhood is 35 feet. He then stated that the highest point in the building is approximately 26 feet. He then stated that the home has plenty of greenspace. He then stated that the addition is strictly for more space, for the family. He stated that the addition will be used for more living space and that the home will remain a single-family home. He stated that the addition would improve the family's quality of life.

He then stated that the addition would meet the needs of the family. He added that the applicant did not want to orient the addition in such a way that it would block light and the views of the neighborhood. He stated that the applicant prefers that the addition be farther back. He then stated that the project is in compliance with the setbacks.

He then stated that he is willing to take the concerns of the neighbors into account and use their feedback to reach some sort of compromise.

Mr. Devers and the applicant's daughter translated for the applicant.

Ms. Vidal then stated that she has her grandchildren and her son and his wife who live with her. She stated that they have space which they do not use. She added that moving the porch forward would obstruct a set of windows which she does not want to lose. She then stated that addition is not extending the footprint of the existing building. She then stated that the reality of the situation is that the porch is very big and the house is very small. She added that there is not much space on the inside. The applicant's daughter then stated that the family is growing and that the applicant's son and his wife are expecting a child soon. She stated that the grandchildren stay the night often. She added that she does not want to lose the natural light.

Upon a motion made by Mr. Reynoso and seconded by Mr. Nunez, the members of the board voted unanimously to open the public hearing.

Tiesha Hernandez of 80 South Bowdoin Street was present to address the members of the board. She stated that her main concern was the fact that many of the houses in the area are all the same. She added that the addition would alter the design of the home so that it is dissimilar to the rest of the homes in the area.

Ms. Kotelchuck then asked if Mr. Devers and the applicant had a chance to meet with the neighbors and address many of the concerns. Mr. Devers stated that he did not have the opportunity to meet with the neighbors. He wanted to apologize for that.

He then stated that he tries to meet and address the concerns. He stated that the direction of the roof was changed. He then stated that the roof was made similar to the roof of the existing home. He added that he is trying to make other adjustments and make the home appear as a single-family home.

He stated that based on the concerns mentioned, he is also willing to reduce the pitch of the roof. He stated that he is willing to improve the facade of the addition as well. He added that he would be willing to accept more conditions to satisfy the neighbors. He then stated that the applicant has the right to improve their quality of life. He also added that the growth of the home is in response to the family growing as well.

Councilor Abdoo then spoke. He asked Mr. Devers to go through the layout. He stated that the layout of the home has not changed. He stated that the only change was the direction of the gable roof.

Mr. Devers then stated that the first floor has a master bedroom which will be used by the grandparents. He added that there will also be a family/ living room. He then stated that a wall will connect the new and existing structures. He stated that the wall will be around 6 feet and the wall will not call for a door, merely an arc. There will also be a bathroom. He added that two bedrooms and a bathroom will be on the second floor. He stated that the addition will be perfect to service a growing family.

Mr. McCarthy then stated that one of the concerns of the neighbor to the north of the home was about the overall height of the building. He then stated that another concern was the fact that

there were two different styles of architecture. He then stated that he spoke with Mr. Devers and he fixed the way the roof faces which made the addition look more similar to the rest of the home. He stated that the home looks like a combined scape.

He then stated that the third concern was the fact that the design called for two doors which made the home look like a duplex. He stated that the city does not want to give the appearance that they are allowing people to build two family homes in the area. He stated that he was glad that the roof has been changed and also that he spoke with Ms. Devers and the idea of lowering the roof was mentioned. He stated that it will be dropped by several feet and gable dormers will be used in the front and a shed dormer in the rear which will help retain floor space. He stated that designing it that way would make the addition look a lot smaller. Mr. McCarthy then stated that the two front doors gives the appearance of a two-family home. He stated that the doors appear to be very close to each other.

Lt. Millar then stated that he agrees with Mr. McCarthy. He added that the use of two doors makes it look like a duplex. He then asked why the applicant did not consider constructing the addition in the rear of the building. He stated that there would be enough room. Mr. Devers stated that he wanted to fulfill his client's wishes.

Ms. Kotelchuck then asked if his question was pertinent to fire safety or was just a general comment. Lt. Millar answered that it was just a general question.

Mr. Armano then stated that there are not any specific public safety concerns regarding the proposal. He then mentioned that he would like to echo the comments that Mr. McCarthy had made earlier. He stated that if the proposal were to be accepted, then the board has to be mindful that the home will look dissimilar from the rest in the neighborhood. He then stated that there may be other residents who want to come in and perform the same type of thing.

He then stated that if the design were more thoughtful, then the board needs to be cautious. He stated that the city will make sure that the proposal is safe, but that he wants to make the board aware that this proposal will indeed set a precedent.

Mr. Soto then stated that he would like to echo the sentiments made by his colleagues. He then stated that the proponent did not want to eliminate some of the windows. He then stated that there are some ways to architecturally address the concerns to retain the natural light and also situate the addition in a way that it appears architecturally similar to the rest of the neighborhood. He then stated that the massing of the two structures can match up better. He then mentioned that he would like to take a look at the floor plan.

Ms. Kotelchuck then stated that the floor plans were included in last month's materials. Mr. Martinez then stated he did not receive any new materials.

Mr. Soto then asked Mr. Devers to go through the floor plan. Mr. Devers reviewed and explained the floor plan similar to when he did when Mr. Abdoo asked him previously.

Ms. Kotelchuck then asked for clarification regarding the front porch. She stated that the floor plan calls for a deck across the entire addition, as opposed to the rendering which calls for a small porch. Mr. Devers stated that the porch was changed and made smaller. He then stated that it may be possible to change one of the windows that the applicant would want to preserve from a window to a door. He then stated that this suggestion may not be realistic due to the fact that two doors are going to be very close. He stated that keeping one door may be the best option.

Ms. Vidal then spoke. She stated that at the moment the porch has a home that faces the front. She then stated that there is another door that leads to the front. She did not understand the issue with having the two doors in the front. Ms. Kotelchuck then stated that the concerns is the fact that the home appears to be a two family home. She stated that one possible solution that the members of the board may consider is revising the design of the home so that it does not look like a two-family home. She then stated that she does not know what the board members will do regarding the design.

Upon a motion made by Mr. Reynoso and seconded by Ms. Camilo-Correa, the members of the board unanimously decided to close the public hearing.

Ms. Camilo then stated that most capes do look like the one that are proposed. She stated that it seems like a single-family with an addition, not as it did last time.

Mr. Nunez then asked where the windows were that the applicant thought would be blocked if the addition were to be oriented farther back. He then stated that when he was examining the plans it appeared that things were a bit confusing.

Mr. Devers stated that the existing porch is enclosed. He stated that he is keeping what is already existing, but adding more living space. He then stated that the existing door will be eliminated so the two structures can be connected.

Ms. Kotelchuck then stated that the owner stated that the applicant does not want to close the windows off. Mr. Nunes then stated that lighting would still be able to get into the home if the addition were set further back.

Ms. Kotelchuck then stated that she is interested to hear what the board thinks. She stated that the board has many possible solutions, which include:

1. The board can accept the case as it is proposed.
2. The board can request that the developer make certain changes.
3. The board can approve the petition contingent on the requested changes.
4. The board can suggest that the applicant continue the case and return the following month with a new design.
5. The board can reject the proposal all together.

Ms. Camilo-Correa stated that she has no objections to the proposal.

Ms. Kotelchuck stated that she believes that the design can be better. She then stated that she does not have an idea of whether or not she wants to ask the applicant to come back or approve with conditions. She then asked the rest of the board members for their opinions.

Ms. Rozzi then stated that she believes that the current design makes the home look like a two-family home. She stated that the area does not call for two-family homes. She suggested revising the doors and that other changes need to be made. She stated that it would not be good for the area. Mr. Reynoso agreed.

MR. Nunez also agreed and stated that he agrees that this case will set a precedent. He stated that a balance needs to be made between keeping the appearance in the area consistent, and also giving the family the space that they need.

Ms. Kotelchuck then stated that it appears that the board does not have any concerns regarding the addition itself or the square footage, but rather the design and whether not it can be done in such a way that it will not make the home appear dissimilar to the rest of the homes in the area.

She asked if the board members would like to ask the applicant to improve the design and accept the proposal contingent on the Planning Departments design review.

Mr. Reynoso and Mr. Nunez agreed. Ms. Kotelchuck stated that the board's requirement is that the home look like a single-family home, she stated that the board can suggest ways to do that. Mr. Nunez stated that a suggestion can be revising the front doors and the position of the addition. He also stated lowering the ceiling would help.

Ms. Camilo-Correa then stated that the only thing that makes the home look out of place is the height of the structure. She added that most cape style homes and specifically ones with additions have two doors. She then stated that the height makes it look larger than it really is, but that the doors are good for two means of egress.

Ms. Kotelchuck then stated that if the applicant were to remove a door from the front, then it would have to be placed on the side. She added that the side door may bother the neighbor.

Mr. McCarthy then made a suggestion. He suggested that the applicant convert a window into a door which will preserve light and also make the home appear more consistent with the rest of the homes in the area. He stated they can centrally locate two windows and it would not look so

odd and the door would not face the street directly, but the door would structurally be in the same area.

Ms. Kotelchuck then stated that the idea that Mr. McCarthy suggested is a good one. She then stated that ultimately the decisions on the revisions that need to be made are up to the applicant and Mr. Devers. She stated that the door would appear more to be a side door.

Ms. Kotelchuck then stated that it appears that the proposal on the table is to accept the proposal contingent on making some design changes to make the proposal appear more like a single-family home. She stated that this can be done by lowering the height of the building and attempting to revise the front door.

She asked if Mr. Devers and the applicant would be amenable to the suggestion. Mr. Devers then stated that he would be willing to accept the proposal and that he would be willing to work with the building inspectors and the Land Use Planner to find some common ground.

The following condition was suggested to the applicant:

1. Applicant must coordinate with the Land Use Planner to revise the design of the home in such a way that it does not appear to be a two-family home.

With no further discussion,

The board voted and the results are as follows:

Tamar Kotelchuck, Chair- Yes with the condition.

Betty Camilo-Correa- Yes with the condition.

Manny Rivera- Yes with the condition.

Brenda Rozzi- Yes with the condition.

Antonio Reynoso- Yes with the condition.

The applicant's petition was unanimously accepted.

The members of the board then discussed the potential cases for next month.

Upon a motion made by Mr. Reynoso and seconded by Ms. Rozzi, the members of the board voted unanimously to accept the meeting minutes from September and August.

Upon a motion made by Mr. Reynoso and seconded by Ms. Camilo- Correa, the members of the board voted unanimously to adjourn the public meeting.