

**MINUTES
MANCHESTER-BY-THE-SEA
ZONING BOARD OF APPEALS**

Meeting March 27, 2019

Members Present: Bridget Murray (Chairperson), James Diedrich, (Clerk), Sarah Mellish, John Binieris, and Kathryn Howe. Matthew MacDonald and James Mitchell (Alternates).

Members Not Present: All members were present at this meeting.

Ms. Bridget Murray, the Chairperson, called the Meeting of the Manchester-by-the-Sea Zoning Board of Appeals ("ZBA") to Order at 7:02 p.m. Ms. Murray introduced the ZBA members to those in attendance. Ms. Murray stated that this meeting will be digitally recorded by the ZBA Administrative Assistant. It is noted that the typed minutes represent the permanent record of the Board. The format of the hearing was explained to those in attendance by the Chairman.

Ms. Murray explained the standard ZBA meeting procedures to the applicants and to the members of the public.

NEW APPLICATIONS

Ms. Murray introduced the application of **Mirza and Nora Cifric**, for a Special Permit under Sections 6.1.2, 7.5.2, and 4.1.10(f) of the Zoning By-Law, and/or other relief as may be necessary, to install a 18 x 36 foot in-ground Gunite swimming pool, at **16 Smith's Point Road**, Assessor's Map No. 20, Lot 6 in District E, filed with the Town Clerk on February 26, 2019.

Mr. Steve Reale of Custom Quality Pools introduced himself and explained that the proposed project involves installing an 18 x 36 foot steel reinforced Gunite swimming pool, replacing most of a paved driveway. There will be two low-level lights and two steps in the pool, with an automatic safety pool cover, and it will be located within all the setbacks. There is a drywell plan for water runoff drainage from the patio space. There will be low-level LED path lighting. A portion of the 4 foot fencing will be tall black mesh with a tension cable, the rest of the fencing will be 6 foot cedar ship lap for privacy screening. All fencing gates will be self-latching placed four feet above ground level and not accessible to children. The design team includes Mr. James Hickey from Kalmia Design (landscape design and construction) and Mr. Brian Stein from BDS Design.

Mr. Reale stated that the Cifrics have reached out to the neighbors, and there is no opposition to the proposed project.

There was not anyone present from the neighborhood, and the ZBA members had no additional questions or comments.

Ms. Murray made a motion to approve the of **Mirza and Nora Cifric**, for a Special Permit under Sections 6.1.2, 7.5.2, and 4.1.10(f) of the Zoning By-Law, and/or other relief as may be necessary, to install a 18 x 36 foot in-ground Gunite swimming pool, at **16 Smith's Point Road**, Assessor's Map No. 20, Lot 6 in District E, filed with the Town Clerk on February 26, 2019. Provided that the fencing conforms to the state regulations, and that the fencing surrounds the pool entirely, low level lighting, and that the pool is constructed according to the plans provided with the application, which includes: 1. Color Schematic, 2. Proposed Pool Design by Kalmia Design, 3. Existing Plan prepared by Jarosz Land Surveying, 4. Associated Proposed Walkways, Patios, Fencing, and Lighting photos and Description, 5. Pool Layout Plan, and 6. Manchester-by-the-Sea GMS Plan.

Ms. Howe seconded the motion. Vote: Ms. Murray, Mr. Diedrich, Ms. Mellish, Mr. Binieris, Ms. Howe, Mr. MacDonald, and Mr. Mitchell voted unanimously in favor of approving this application.

Ms. Howe will write the decision, and Mr. Binieris will review it.

Documents Produced: 1. Color Schematic, 2. Proposed Pool Design by Kalmia Design, 3. Existing Plan prepared by Jarosz Land Surveying, 4. Associated Proposed Walkways, Patios, Fencing, and Lighting photos and Description, 5. Pool Layout Plan, and 6. Manchester-by-the-Sea Property GIS Map of 16 Smith's Point Road. Each one page, 8.5" x 11".

Ms. Murray introduced the application of **Mirza and Nora Cifric**, for a Special Permit under Sections 6.1.2 and 7.5.2, of the Zoning By-Law, and/or other relief as may be necessary, to add a new roof deck and dormer to the existing carriage house structure, at **16 Smith's Point Road**, Assessor's Map No. 20, Lot 6 in District E, filed with the Town Clerk on February 27, 2019.

Mr. Brian Stein of bds design introduced himself and explained the proposed project as follows: We proposed to add a roof deck to the existing non-conforming accessory structure (shed). A small portion of the proposed deck (62 square feet, 8.5 feet x 9 feet) will be within the 15 foot side yard setback, but will not go further into the setback than the existing building. The lines of the existing roof will not change. The proposed deck will sit within the area of the existing roof, projecting about 4 feet above the surface of the roof at its highest point. There will no neighborhood views or vistas impacted by this proposed project.

Mr. Stein continued to explain that the extended dormer will not be within the setback. The height of the proposed extended dormer will be below the height restriction of 25 feet. The proposed roof changes will not impact the footprint of the existing building.

Ms. Mellish asked Mr. Stein to clarify the use of the accessory structure, and Mr. Stein replied that the first floor will serve as a pool house, and the second floor will be Mr. Cifric's office space. Ms. Murray asked if the existing structure is presently an accessory structure, and Mr. Stein replied that it is, and currently has a garage and horse stalls on the first floor and living space on the second floor.

Ms. Murray asked if the roof deck will have railing, and Mr. Stein replied that the short sides will have a 3.5 foot high shingled solid rail, and the front will have a stainless steel cable rail system.

There has not been any neighborhood opposition to the proposed project.

There was not anyone present from the neighborhood, and the ZBA members had no additional questions or comments.

Ms. Murray made a motion to approve the application of **Mirza and Nora Cifric**, for a Special Permit under Sections 6.1.2 and 7.5.2, of the Zoning By-Law, and/or other relief as may be necessary, to add a new roof deck and dormer to the existing carriage house structure, at **16 Smith's Point Road**, Assessor's Map No. 20, Lot 6 in District E, filed with the Town Clerk on February 27, 2019. Based on the finding by the ZBA members that the proposed project and changes is not substantially more detrimental to the neighborhood than the existing structure. Also, with the condition that the proposed structure be in compliance with the attached exhibits, which include Existing Conditions Survey/Site Plan, Plan C1 Proposed Site Plan, Plan X1 Existing Carriage House 2nd Floor Plan, Plans X2-X5 Existing Elevations, Plan A1 Proposed Carriage House 2nd Floor Plan, and Plans A2-A5 Proposed Elevations.

Mr. Diedrich seconded the motion. Vote: Ms. Murray, Mr. Diedrich, Ms. Mellish, Mr. Binieris, Ms. Howe, Mr. MacDonald, and Mr. Mitchell voted unanimously in favor of approving this application.

Mr. Diedrich will write the decision, and Mr. Mitchell will review it.

Documents Produced: Manchester-by-the-Sea Property GIS Map for 16 Smith's Point Road; Existing Conditions Survey/Site Plan, prepared and stamped by Jarosz Land Surveying; Plan C1 Proposed Site Plan; Plan X1 Existing Carriage House 2nd Floor Plan; Plans X2-X5 Existing Elevations; Plan A1 Proposed Carriage House 2nd Floor Plan; Plans A2-A5 Proposed Elevations, all prepared by bds design inc. Each one page and 8.5" x 11".

Ms. Murray introduced the application of **Meghan and Owen Nichols**, for a Variance under Section 7.4.6 of the Zoning By-Law, and/or other relief as may be necessary, to clarify the size of the garage approved by the ZBA on September 17, 2018, and to allow the garage to be 22 feet, at **15 Friend Street**, Assessor's Map 42, Lot 22, District D, filed with the Town Clerk on February 28, 2019.

William E. Heney, Esq. introduced himself as the attorney representing Meghan and Owen Nichols, who are also present, along with Mr. Scott McInnis of McInnis Design, the contractor for this project.

Mr. Heney explained the issues as follows: 15 Friend Street is a 6,233 square foot corner lot. The ZBA granted a Variance for this property in 1985, allowing the owners at the time to tear down and rebuild the garage and connect the garage to a breezeway. The ZBA granted a Variance to the Nichols in August of 2018, and the Decision was filed on September 17, 2018.

This Decision was not appealed during the appeal period, and the Nichols proceeded with construction. At some point during the construction process the neighbors became concerned about the length of the garage, leading to the Building Inspector's concern.

The plans that were submitted in June and approved in August of 2018, were drawn to scale and accurate, but these plans did not include the writing of the 22 feet on the garage. The project is on hold at this time. The application submitted February 28, 2019 was a two-part application. We believe that this issue can be resolved by simply clarifying what the Nichols' intent was to request a 22 foot garage. We have provided revised plans with minor changes and adding those measurements. In the alternative, we would like the ZBA to amend the Variance to acknowledge and clarify that the garage is 22 feet in length. In that case, the hardship has been determined twice—that the size and shape of the corner lot is a hardship that has already been recognized by this board. The other determination will be that is this proposed project of a 20 foot vs. 22 foot garage substantially more detrimental to the neighborhood than the existing structure. Mr. Heney provided six (6) color photographs of the various stages of the Nichols' construction project.

Ms. Mellish asked what the length of the existing garage was, and Scott McInnis replied that the garage was 20 feet in length. Ms. Mellish stated that the application stated that only a second story over the existing garage was proposed. Ms. Murray added that this was also her concern regarding amending this decision. Mr. Heney replied that omitting the 22 feet from the garage plan was an honest mistake, and we are here to clear it up. Ms. Mellish stated that the ZBA members haven't received the exact dimensions from the front and rear corners of the garage, with respect to the lot line and setbacks. Mr. McInnis replied it will be 1/4 inch closer to the property line. Mr. McInnis stated that the plans with these dimensions on it were submitted to the Town. Ms. Murray explained that one of the conditions of the initial Variance was for the applicants to submit corrected plans that depicted all the setbacks and the lot lines. Mr. Diedrich stated that the ZBA hasn't received these plans. The ZBA Administrative Assistant gave Ms. Murray a copy of the set of plans from the Building Inspector's office, and the stamped plan was not included in that packet. Mr. McInnis produced the requested plan, and the ZBA members reviewed it.

Ms. Murray read a letter in support of the Nichols' project, dated March 8, 2019, for the record. This letter was signed by neighbors residing at 64/66 School St., 7 Friend St., 8 Burnham Lane, 4 Friend St., 54 School St., 6 Friend St., 2 Burnham Lane, 16 Friend St., 22 Friend St., 1 Sumac Lane, 4 Sumac Lane, 4 Burnham Lane, 68 School St., 8 Friend St., 14 Friend St., 56 School St., 1 Burnham Lane, and 20 Friend St.

Deborah A. Eliason, Esq. introduced herself as the attorney representing Sarah Pierce and Timothy Braier, the owners of 9 Friend Street, and distributed a packet of a plan, e-mails, and color photographs to the ZBA members. Ms. Eliason explained as follows: My clients are direct abutters to this project. The new addition has two (2) large picture windows that overlooks their back yard, which was previously referred to as a vacant lot, but it is their back yard. This hearing isn't about getting permission for an additional two (2) feet that was added to an already imposing building with two picture windows, it's about the integrity of the process. It is about whether this Board and the neighbors can rely on representations that are made to the board. If they can't, the entire process fails.

If you look at the plan that was submitted and the plan that was submitted tonight, the representation was that the garage is shown at the 22 feet. However, I would like to point out to the Board that the area that was 3 feet 10 inches that was also part of the application is shown by a dashed line—that's proposed. If you look at the overhang on the garage is shown by a dashed line. Why is there not a proposed shown on the garage. I would suggest that the dark line is actually the existing garage, and that is what my clients and the Board thought. Madam Chair is correct that everything in the Decision states that the proposed project involves adding a second story above the existing garage. The garage was 7 feet down to 6.8 feet on my clients' side of the line. Even 2 feet makes a big difference on a two-story garage, when you are looking at it from your back yard and up. There is an e-mail on the second page of my packet, which was from Mrs. Nichols to her neighbors, informing them of the proposed project, which includes "the plan does require a small bump-out of back of house of 3' 10". . . . We wouldn't anticipate any concerns about the addition, given its limited scope, but we wanted to be certain that the bump-out will require approval of the Zoning Board of Appeals." There is no mention about extending beyond the garage.

Page 3 of the packet (color photo) is the first indication my client had that the garage was going to be longer than 20 feet, and the beam is beyond the 20 feet, and I would suggest that it goes to the pad that was poured, and that extends beyond 22 feet of the garage. My clients contacted the Building Inspector and on February 13th the Building Inspector sent an e-mail to them, "I viewed the site and met with the contractor yesterday. I informed him that the second floor of the garage cannot extend in the rear beyond the wall of the 1st floor below, as that was not represented on the plans approved by the ZBA." Ms. Eliason read the e-mail from Paul Orlando to Meghan Nichols, dated February 14, 2019, stating that he had reviewed the ZBA file and minutes relative to the 15 Friend Street project, and "[T]here is no mention of extending the garage toward the rear of the building, and no such expansion is described or indicated on the approved site plans. It is, therefore, a requirement of this office that the horizontal expansion of the garage toward the rear be removed and that the construction in that area be 'over the existing garage' as represented and approved." On page 8 there is a color photo from February 14th that shows the end of the garage, as well as the 2 foot extension. The color photo on page 9, February 17th, shows that the second floor addition had been enclosed, after the Building Inspector asked the Nichols not to go any further with the project. The rest of the color photos from my packet shows the construction of the rest of the building (garage). There is also an issue with construction debris piled against my clients' fence. The final color photo from my packet shows the Pierce/Braier back yard how it used to look.

Ms. Eliason stated that she respectfully requests that the ZBA members deny the Variance request. There is hardship to support the extra 2 feet. If the hardship is that the building has already been constructed, the Nichols knew as of February 14th that they were not supposed to continue with the project.

Mr. Binieris asked why construction continued after Mr. Orlando had instructed the construction to stop. Mr. McInnis replied that he had met with Mr. Orlando and was informed of his decision to stop construction. Mr. McInnis asked Mr. Orlando if they could continue with the project and get the frame up. Mr. Orlando replied, yes, but you will be doing it at your own risk and stated that this application has to go before the ZBA again for clarification. Mr. McInnis stated that Meghan and Owen Nichols told him to proceed at their own risk.

Mr. Binieris explained that he is concerned because there were two ZBA meetings for this application, approximately 4 ZBA hours discussing this in a public forum. I wrote the decision, and I do not recall the 2 foot bump-out ever being discussed.

Mr. Timothy Briar stated that when he was invited into the conversation between Mr. Orlando and Mr. McInnis, Mr. McInnis was only going to the middle of the building, then rip off the side of the building and do that framing. The Building Inspector was not of the understanding that the building would be going further to the right.

Mr. Mitchell asked Mr. McInnis to briefly explain the construction procedure. Mr. McInnis explained that the wooden beams come in different sizes, and this project required going up 22 feet, so we ordered the next size, which was 24 foot beams on the LDL, instead of 20 foot beams, and then cut them down and square them off.

Mr. Heney stated that the garage is built to 6 feet 8 inches, as the ZBA had approved. Ms. Mellish stated that we were under the impression that the 6 feet 8 inches was from the existing garage, but from what I am hearing tonight, perhaps it was from the corner of the 22 feet.

Mr. Heney stated that a Cease and Desist Order was not issued by the Building Inspector. The Nichols made the decision to close it off at their own risk, because it was the middle of winter. The Nichols are homeowners, not developers, and it was a misunderstanding and an honest mistake. They thought that they were going to have a 22 foot garage. Also, the building is well beneath the height restriction in Manchester-by-the-Sea. The Nichols house is set back a good distance from the road, and they wanted an addition that was commensurate with their home and the neighborhood. The Pierce/Braier house is 70 feet from the Nichols' garage.

Mr. Mitchell asked Mr. Braier if he recalled that the two windows on the 2nd floor of the Nichols' garage was represented in the original application. Mr. Braier replied that he did know about the windows and had voiced our opinion against them at the meeting. There isn't a vacant lot on the property. That vacant lot is part of our yard, and that is why we purchased the home at 9 and 11 Friend Street.

Ms. Murray opened the meeting to the public.

Mary Foley asked for an explanation of the appeal period, and Ms. Murray replied that the appeal period begins the day the Decision is filed with the Town Clerk and is up after 20 calendar days.

Margaret Coleman, 20 Friend Street, a resident at this address since 1972, was strongly in support of the Nichols' proposed project and stated that the intent of the project was so that they could raise their three (3) boys in a home that had more room for them and not have to move to another location. Ms. Coleman suggested that the Town should consider making allowances like this, so that people do not have to leave Manchester-by-the-Sea because their needs change—a growing family. 15 Friend Street was the original Catholic Church in Manchester, and then moved to the property on School Street in 1904 to build a larger church.

Ms. Murray replied that the role of the ZBA members is to review the plans and respond to applications by applying the By-Law, and added that she appreciates that people are here tonight to support the family and their intent of this building project. The ZBA members do try to balance all that.

Mr. Binieris explained that at the prior two ZBA meetings, the ZBA members commented that they supported the project, because it accommodates a growing family. We recognize this and we are all residents in this town as well.

Mr. Diedrich stated that he supported this application at both ZBA meetings in June and August, 2018. At both meetings, the Nichols had the opportunity to make sure that the ZBA members knew the details of their proposed project, beyond what was written on the applications, but that was not done. The ZBA members were under the impression that the proposed project was to add a second story to the existing garage, and the back wall was to move out approximately 3 feet. The ZBA is the guardian of the By-Law, and we try to accommodate people, because it is important to allow families to make accommodations for their growing families.

Camilla Blair, 2 Burnham Lane, stated that an existing foundation is grandfathered and was under the impression that this would apply to the Nichols' project. Ms. Murray replied that the Nichols got permission from the ZBA to build on the existing structure, not the foundation.

Ms. Nichols explained that she always looked at the slab as being the footprint of the garage. Ms. Nichols continued that during the site visit, she pointed to the garage slab and stated that she intended to use that part in order to make the garage larger, so a car could fit inside. The architect drew the drawings to 22 feet.

Ms. Murray explained that the confusion is that the application requested building on top of the existing structure, so the fact that the plans were drawn to scale was not called out in the application. Ms. Nichols replied that she looks at that slab as being grandfathered in. Ms. Murray replied that we are talking about the building, not the slab.

Mr. Heney stated that we need to have a discussion about whether or not the 2 feet will be detrimental to the neighborhood.

Ms. Murray closed the meeting to the public for ZBA member discussion.

Ms. Mellish explained that when we started reviewing this application, we had concerns regarding the specificity in what was presented to us. We went into detail about the 3 feet 10 inches in the back of the garage. I had every expectation that the applicants were just building over the existing garage. Ms. Murray stated that if we are acknowledging the lack of clarity, we need to decide whether to go forward for a Variance that grants the additional two feet.

Ms. Howe explained that there was an unfortunate lack of specificity, and obviously a misunderstanding. We made the decision to approve the application in accordance with the plans that were submitted. The plans that were submitted do measure to what is now being

constructed, so I feel that we should stand by our prior decision. The ZBA may need to ask for more specifications on plans going forward, if necessary.

Ms. Murray stated that she acknowledges that the application as written and the decision as written is different than what is being constructed, so the question is the ZBA members now willing to find a new hardship and grant a different Variance for a 22 foot garage, instead of a 20 foot garage, which will result in ¼ inch further into the side setback.

Mr. Heney explained that the hardship would be due to the fact that there is no other place on this lot to build a garage, because it is a corner lot, and also extending and developing this garage for additional living space.

Mr. Diedrich explained that to postpone this application for a month will just be wasting everyone's time. The garage is built. Mistakes were made. Ms. Mellish stated that can we allow applicants to build outside of the parameters of what was approved, and then because they know we will not force them to tear it down, it allows any other applicant to do that. Mr. Diedrich stated that Ms. Mellish is correct and agrees with what she said, but the situation that we are dealing with tonight is not hypothetical, but a reality. The project is completed and it's 2 feet deeper than it should have been, but to prolong it another month to talk about this would be wasting everyone's time. I support modifying the Variance to allow the 2 feet. But in the future we must ask more questions up front.

Mr. MacDonald stated that if we do not have enough information to be clear on making a decision about exactly what we are approving here, then we should get that information and make a decision at that point.

Mr. Binieris explained that he wouldn't want to ask anyone to tear a project down. I strongly approved the project at the August ZBA meeting and I still do, but hopes that doesn't create adverse consequences for other things going forward, where the ZBA approves something and it is not built according to what has been approved. If I were to vote tonight, I would probably approve it, only because that foundation was there. If we were reviewing this back in August and 22 feet was presented, I would have approved it back then.

Ms. Howe stated that she agreed with Mr. Binieris that it is frustrating to have incomplete information, and it puts us in a bad position. Ms. Nichols stated that she understood building on top of the existing structure, she understood that to mean on top of the existing foundation. The plans show the full measurements drawn to scale. The plans the Nichols gave us are the plans they built on.

Mr. Mitchell stated that he thinks the intent was not malicious. The plans were drawn to scale, even though the dimension is not on there. There is some disconnect between what we granted as a Variance, which was to build on top of an existing structure, but my view as a builder and a designer is that an existing structure is the four walls and you are going up vertically from that. However, I do appreciate the issue of existing structure by others being defined as a foundation. The ¼ inch further into the setback should not be an issue. I would not ask that the project be torn down.

Ms. Murray explained that the question before the ZBA members is whether the requested 22 foot garage still falls squarely within the Variance language from the 1985 Decision. If the 22 foot garage, rather than a 20 foot was before us in August, would we have rendered the same decision, and I suspect that it would not have made a difference. Most of the ZBA members agreed.

Mr. Heney wrote "Revised" and the date on the plans.

Ms. Murray made a motion to approve the application of **Meghan and Owen Nichols**, for a Variance under Section 7.4.6 of the Zoning By-Law, and/or other relief as may be necessary, to clarify the size of the garage approved by the ZBA on September 17, 2018, and to allow the garage to be 22 feet, at **15 Friend Street**, Assessor's Map 42, Lot 22, District D, filed with the Town Clerk on February 28, 2019.

The members did not second this motion. Vote to approve: No members voted to approve: Vote to Oppose: Ms. Murray, Mr. Diedrich, Ms. Mellish, Mr. Binieris, Ms. Howe, Mr. MacDonald, and Mr. Mitchell voted unanimously opposed to this application.

Ms. Murray made a motion to approve the application of **Meghan and Owen Nichols**, for a Variance under Section 7.4.6 of the Zoning By-Law, and/or other relief as may be necessary, to amend the Variance of the garage granted by the ZBA on September 17, 2018, and to allow the garage to be 22 feet, at **15 Friend Street**, Assessor's Map 42, Lot 22, District D, filed with the Town Clerk on February 28, 2019, to include the revised plan with the 22 feet written on it, to prevent any further issues on this matter. We are also putting into the record the stamped plan, dated July 27, 2018, which shows the setbacks. The motion is based on a finding that the hardship found in the 1985 Variance continues to go forward with this application, which specifically says that due to circumstances especially affecting this parcel, due to the size, placement of the garage, location of the structures thereon, which is a hardship that does not generally affect the neighborhood, but specifically affects this property, and that a literal enforcement of the provisions of the Zoning By-Law would involve substantial hardship, financial or otherwise, to the applicant and that desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the Zoning By-Law.

Ms. Howe seconded the motion. Vote: Ms. Murray, Mr. Diedrich, Ms. Mellish, Mr. Binieris, Ms. Howe, Mr. MacDonald, and Mr. Mitchell voted unanimously in favor of approving this application.

Mr. Heney will write the decision, and Ms. Murray will review it.

DOCUMENTS PRODUCED

William E. Heney, Esq. (Applicants') Documents Produced: Exhibit A: Memo to the ZBA from Attorney Heney, dated February 26, 2019; Exhibit B: ZBA Decision, filed with the Town Clerk on September 17, 2018; Exhibit C: ZBA Application filed with the Town Clerk on

August 16, 2018; Exhibit D: ZBA Application filed with the Town Clerk on June 18, 2018; Exhibit E: ZBA Decision filed with the Town Clerk on September 12, 1985, (8.5" x 11").

Plans: A clearer set of plans: Front Elevation, Rear Elevation, Right Elevation, Left Elevation, Building Section #1, Building Section #2, Proposed Roof Plan, Foundation Plan, Second Floor Framing Plan, Roof Framing Plan, Second Floor Ceiling Framing Plan, Partial First Floor Plan, Proposed Partial Second Floor Plan. Revised Foundation Plan, Partial First Floor Plan, and Proposed Partial Second Floor Plan, (11" x 17"). Proposed Addition signed and stamped by John J. Decoulos, dated July 27, 2018 (oversized). Second Floor Ceiling Framing Plan, as submitted March 27, 2019, referred to in the aforementioned memo, attached to the February 28, 2019 ZBA application.

Letter in Support, dated March 8, 2019, signed by neighbors residing at 64/66 School St., 7 Friend St., 8 Burnham Lane, 4 Friend St., 54 School St., 6 Friend St., 2 Burnham Lane, 16 Friend St., 22 Friend St., 1 Sumac Lane, 4 Sumac Lane, 4 Burnham Lane, 68 School St., 8 Friend St., 14 Friend St., 56 School St., 1 Burnham Lane, and 20 Friend St.

Deborah A. Eliason, Esq. on Behalf of Sarah Pierce and Timothy Braier's Documents Produced: Copy of Addition Plan (Sumac Lane and Friend Street); E-mail from Meghan Nichols to Neighbors, dated July 14, 2018; Color photo of 15 Friend Street Home under construction; E-mail from Building Inspector, Paul Orlando, dated February 13, 2019; E-mail from Paul Orlando to Meghan Nichols, dated February 14, 2019; Six (6) color photos of the 15 Friend Street Home at various stages of renovation and one (1) color photo of the Pierce/Braier's back yard prior to the renovation of 15 Friend Street.

ADMINISTRATIVE MATTERS

ZBA Meeting Minutes: Review and approval of the January 23, 2019 and February 27, 2019 minutes: The ZBA members decided to postpone approval of the February 27, 2019 minutes to the April 24, 2019 ZBA meeting.

The ZBA members had reviewed the January 23, 2019 minutes.

Ms. Murray made a motion to approve the January 23, 2019 minutes. Mr. Diedrich seconded the motion. Vote: Ms. Murray, Mr. Diedrich, Ms. Mellish, Mr. Binieris, Ms. Howe, Mr. MacDonald, and Mr. Mitchell voted unanimously in favor of approving these minutes.

Other administrative matters that could not reasonably have been anticipated in advance of the required 48-hour posting:

Ms. Murray announced that her year as Chairperson will be ending on June 30, 2019, and Mr. Diedrich's position as ZBA Clerk will also be ending on June 30, 2019. Ms. Murray asked that the ZBA members consider taking the position as Chairperson and ZBA Clerk position. Ms. Mellish stated that she would be interested in the Chair position.

Adjournment: Ms. Murray made a motion to adjourn the March 27, 2019 ZBA meeting at 9:25 p.m. Ms. Mellish seconded the motion. Vote: Ms. Murray, Mr. Diedrich, Ms. Mellish, Mr. Binieris, Ms. Howe, Mr. MacDonald and Mr. Mitchell voted unanimously in favor of adjourning the meeting.

Respectfully submitted,
Adele Ardolino, Administrative Assistant
Manchester-by-the-Sea Zoning Board of Appeals

These Minutes were approved by the members of the Zoning Board of Appeals on April 24, 2019.

N.B. These minutes are not verbatim. They are the clerk's interpretation of what took place at the meetin.