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Zoning Board of Appeals Minutes 01/12/2010

JANUARY 12, 2010

MEMBERS IN ATTENDANCE:

Docket 3376 - 188 Newport Street -continuance from 12/22/2009
Joseph F. Tulimieri, Chairman
Suzanne Rivitz
Curtis Morgan

Attorney Robert Annese, the applicant Julie Davis and the architect Pam Woodworth presented further argument as to the granting of the Variance. A letter dated 1/12/2010 from Mr. Annese was presented to the board. Mr. Annese said that his client had met with Mrs. Preston of 186 Newport St to discuss possible landscaping plans. He said that it would be possible for the addition to be reduced in length which would decrease the nonconformity by 25%. The architect displayed a shadow study which indicated a relatively small difference as a result of the addition. Mr. Annese produced photographs showing the grades of the 2 properties. No one spoke in favor of the petition. Mr. Paul Preston of 186 Newport St spoke in opposition with concerns regarding parking issues and the affect the new construction would have with relation to his property.

The board voted unanimously to grant the petition for Variance with the conditions that the Prestons be consulted with regard to landscaping. Replacement of certain trees and that driveway material be in accordance with storm water management were also conditions.

MEMBERS IN ATTENDANCE:

Joseph F. Tulimieri, Chairman
Suzanne Rivitz
Eugene Lucarelli

Docket 3379 105 Robbins Rd Kyle J. and Suzanne Sullivan, applicants
Attorney Robert Annese and the applicants were present to request a Variance to allow them to construct a vestibule on the front portion of their home. Mr. Annese explained that there were many similar structures in the neighborhood and the structure would prevent rain and snow from blowing directly into their home. No one spoke in favor or in opposition to the plan. The board felt that a small change to the design would be an improvement. The board voted unanimously to grant the Variance.

Docket 3377
Elder Terrace

Attorney Richard Keshian presented the petition for the applicants, Louise Ruma Ivers and Richard Anthony Ivers who were also present.

A three dimensional plan with water/sewer easements was presented. Mr. Keshian allowed that if the board supported the Decision of the Building Inspector with regard to proper frontage (allowing a buildable lot) than he would request the granting of a variance. Mr. Tulimieri asked if The Historical Commission had ruled on this and Mr. Keshian said that they had received a certificate for them. Mr. Keshian reviewed the history of the property, acknowledged that as of 1997 there were 234 private ways in Arlington which had not been approved by the Board of Survey.

Mr. Lucarelli gave an additional detailed account of the property's history which he felt produced a strong argument that the necessary legal frontage did not exist and Mr. Keshian's evidence did not prove otherwise.

Those in attendance who voiced their concerns with regard to emergency vehicle access and the frontage issue

were Charle Reitzel(80 Westminster Ave), Craig Colman(72 Westminster Ave), and Janet Egan(11 Elder Terr). Chairman Tulimieri stated that he would like to continue the hearing so that the Board could receive clarification from Town Counsel. Mr Lucarelli said that he would dissent from a decision for continuance. Mr Keshian signed a request for continuance form to February 9, 2010.