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Approved: 2.27.25

**MINUTES of the ZONING BOARD OF APPEALS MEETING
THURSDAY, DECEMBER 19, 2024**

(Posted in accordance with the provisions of MGL Ch. 39, Sec. 23A, as amended)

City Hall – 7:00 p.m.
62 Friend St.
Amesbury, MA 01913

Attendance: Sharon McDermot (Chair), Donna Collins, David Haraske, & Charles Bassler

Also in attendance: Building Inspector Jim Wilson

Call to Order

Roll Call/Attendance

Minutes for Approval – 09/26/24

Topics for Discussion:

1. Michael Silver – 117 Elm St., seeks a Special Permit/Finding/Variance in accordance with Section XI.K.1 for a conversion of a two-family dwelling to a three-family dwelling, dimensional requirements.

A Special Permit/Finding under IX.B to alter a pre-existing non-conforming structure, side setbacks.

2. Benjamin Denman of 9 Osgood Pl. is seeking a VARIANCE under the Amesbury Zoning By-Laws, Section VI, Table of Dimensional and Density Regulations to add an addition that intensifies a pre-existing, non-conforming building.

Jim Wilson, Director

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Year 2025 Meeting Calendar

Chair McDermot called the meeting to order at 7:03pm

Chair McDermot read the agenda items.

Chair McDermot asked the board if they had any changes to the meeting minutes.

Chair McDermot motioned to approve the minutes from June 20, 2024.

Motion by Donna Collins, seconded by Dave Haraske. **All in favor.**

PUBLIC HEARINGS

1. Michael Silver, 117 Elm St., wants to convert a two-bedroom dwelling to a three-bedroom dwelling. To support this, Atty. Paul Gagliardi on Mr. Silver's behalf filed 3 applications:

- Special Permit application: alter/extend a pre-existing non-conforming structure
- Special Permit application: convert a two-family dwelling to a three-family dwelling
- Variance Application: convert a two-family dwelling to a three-family dwelling

For the Special Permit to alter, the applicant is proposing to construct an addition to the existing dwelling which is a two-family home and utilize the existing outbuilding. Should the Special Permit be granted, no new non-conformities will result but instead, a pre-existing non-conformity will be brought into conformity.

For the Special Permit to convert, the addition will be utilized to create additional living space without increasing any non-conformities.

A Variance is also required for this location because it does not meet the dimensional requirements for either front yard setback or side yard setback on the left side.

Chair McDermot made a motion to close for discussion.

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Summary of Findings read by Chair McDermot

Chair McDermot made a **motion to approve/deny Special Permit application one, alter/extend a pre-existing non-conforming structure:**

Charles Bassler – approve
Donna Collins – approve
Sharon McDermot – approve
David Haraske – approve

The Board voted unanimously to APPROVE the Special Permit application one to allow the alter/extend a pre-existing non-conforming structure.

Chair McDermot made a **motion to approve/deny Special Permit application two, convert a two-family dwelling to a three-family dwelling:**

Charles Bassler – approve
Donna Collins – approve
Sharon McDermot – approve
David Haraske – approve

The Board voted unanimously to APPROVE the Special Permit application two to convert a two-family dwelling to a three-family dwelling.

Chair McDermot made a **motion to approve/deny Variance application to convert a two-family dwelling to a three-family dwelling:**

Charles Bassler – approve
Donna Collins – approve
Sharon McDermot – approve
David Haraske – approve

The Board voted unanimously to APPROVE the variance application two to convert a two-family dwelling to a three-family dwelling.

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2. Michael Benjamin Denman, 9 Osgood Pl., has filed a Variance application to build an addition that intensifies a pre-existing non-conforming building.

Mr. Denman explains to the Board that the rear property line setback would be intensified. His plans to build stay within the same footprint of the existing home and will not result in a further non-conformity. However, the rear setback is lacking and remain in non-conformity.

Chair McDermot made a motion to close for discussion.

Summary of Findings read by Chair McDermot

Chair McDermot made a **motion to approve/deny Special Permit application one, alter/extend a pre-existing non-conforming structure:**

Charles Bassler – approve
Donna Collins – approve
Sharon McDermot – approve
David Haraske – approve

The Board voted unanimously to APPROVE the variance application build an addition that intensifies a pre-existing non-conforming building.

The Year 2025 meeting calendar with changes to the months of June, November, and December was approved.

THE MEETING ADJOURNED AT 8:00PM

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