

TOWN OF ROCKPORT, MASSACHUSETTS
BOARD OF APPEALS

Meeting
March 9, 2016
Selectman's Conference Room A, Town Hall

- 1) Call to order at 1:04 P.M.
- 2) Rockport Board of Appeals called to order. Members present Alan Battistelli, Peter Bergholtz, Lars-Erik Wiberg, Charles W. Christopher and Debra Dellacona.
 - a) Continued discussion of the closed public hearing of Richard and Sarah Fabian, 44 Marmion Way, Rockport for a special permit and/or variance to renovate an existing non-conforming building.
 - b) Reviewing the decision of the Rockport Planning Board on an Application for Site Plan Review on Fabian
 - i) Site plan listed it as a semi residential where it is a single residence.
 - ii) The height of the tower was inaccurately listed in a couple of spots.
 - iii) Peter Bergholtz suggested the Board eliminate conditions 6 and 10 of the Site Plan Review from the Board's decision as it is not appropriate and needs to be changed.
 - iv) Mr. Lilja, Chairman of the Planning Board, tried to speak on the petition but the chairman ruled he could not speak as the public hearing had been closed on February 24, 2016.
 - v) Alan Battistelli read condition #6 and stated that the last section appeared to be heavy handed. He felt the last section should be modified to be mutually agreeable.
 - c) Alan Battistelli moved that condition 6 be added to the Board's decision with the last section changed to "or arrived at a mutually agreed upon solution".
 - i) Lars-Erik Wiberg seconded the motion.
 - ii) The motion passed unanimously with Alan Battistelli, Lars-Erik Wiberg and Peter Bergholtz voting.
 - d) Peter Bergholtz made a motion to eliminate condition 10 of the Site Plan Review as the Board will allow the art studio tower to be 31.2 ft. high.
 - i) Lars-Erik Wiberg seconded the motion.
 - ii) The motion passed unanimously with Peter Bergholtz, Lars-Erik Wiberg and Alan Battistelli voting.
 - e) Peter Bergholtz will write a letter to the Planning Board about this decision.
 - f) The Board wanted to go on record that the Site Plan Review was well done and a benefit to both Boards.
- 3) New business:
 - a) An error was made on the notifications sent out on the Huber decisions. The postcards were sent out on March 2, 2016 listing the appeal period as 30 days where the appeal period is only 20 days. Each abutter was sent a postcard and a registered letter correcting the error on March 3, 2016.
 - b) At the next meeting the Board should discuss if continuances should be published in the newspaper.
- 4) Next meeting: March 30, 2016
- 5) Meeting adjourned at 1:30 P.M.