

**DOVER ZONING BOARD OF ADJUSTMENT
MINUTES OF SPECIAL MEETING
NOVEMBER 5, 1998**

MEMBERS PRESENT: Bill Colbath, Co-Chairperson, Bob Mullan, David Ruoff, and Richard Callaghan

STAFF PRESENT: Thomas Clark, Building Official

Bill Colbath called the meeting to order.

The Zoning Board of Adjustment will discuss the condition of approval as it applies to the building under construction (St. Ann's Nursing Home, 195 Dover Point Rd.) in connection with a Variance granted on March 20, 1997 (Regarding ZBA Case #Z 97-4)

Tom Clark pointed out that this is a special meeting and not a public hearing. It is for an interpretation of a condition that was imposed on a variance that was granted last year. The variance was for building height but the condition imposed was that no objects not related to the roof structure will be allowed. When the elevation was received from the architect, it pretty much showed nothing on the roof so there was no concern at the time.

The abutter that raised the original concern specifically referenced antennas and satellite dishes. There also was a discussion on other issues as to what could or could not go on the roof which is why the condition was worded no objects not related to the roof structure will be allowed. Now there are some penetrations through the roof from typical venting, that you would see on a multi-independent living building, in this building and it probably will increase from the 3 vents that are now on the front elevation. On the rear elevation there is a sizeable heat exchange unit for a gas mounted heater.

The abutters concern is that these things are showing up and questioned what else may show up and what exactly did this condition mean. That is why he (Tom) asked Michelle from Morris/Switzer & Associates, architects, to this meeting to explain what is currently there and what will be there in the future.

Michelle Dufresne of Morris/Switzer & Associates submitted photographs of the buildings to each member of the Board and to Frank Gibson, abutter. Michelle pointed out the various vents etc. that are presently on the roofs. The one remaining vent to be done is the vent for a gas unit.

David Ruoff asked Michelle to point out where the remaining vent to be installed will go.

Michelle Dufresne stated that it would need to go above the ridge about two to three feet. It works as a chimney, so that unit will need to go above the roof.

Rick Callaghan was concerned with what it will look like when done. He asked if the ventilations could be put into a type of doghouse or dormer.

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George Dubin, Mechanical Engineer, stated that some are mechanical units and some are fresh air vents.

The Board, Michelle Dufresne and George Dubin discussed what each of the units on the roof are, and what can be enclosed or moved, and what cannot. Also what type of enclosures and sizes that could be used to allow them to run efficiently and without making the roof look choppy.

Frank Gibson abutter at 2 Evans Dr. stated that the elevation plan they saw in the newspaper at the beginning of the project showed it without any HVAC equipment. He inquired about the HVAC equipment and was told that the equipment would be indoors. However plenty of equipment ended up in being on the roof. He contacted the Building Inspector and questioned the wording in the variance and what were the things that were appearing on the roof. He understands that some of the equipment has to be on the roof but it should be in keeping with a residential area. If some of this could have been enclosed like in a chimney it would have been more acceptable. He feels that what appears now is not in keeping with the variance.

The Board, Tom Clark, Mr. Dubin and Ms. Dufresne discussed the vents and their use, the possibility of combining some vents, the type of enclosures that could be used for the vents and lowering some to the back slope to make the roof more aesthetic as well as painting.

Bill Colbath still has a problem with the spinners on the roof. This is a residential area and the roof is not in keeping with this.

Bob Mullan would feel comfortable with some paint, chimney enclosure and relocation of some vents. Does not feel comfortable with major re-engineering.

David Ruoff stated that nothing could be done about the plumbing vents. However, according to the criterion that was passed on the variance, the appearance of the building would be aesthetically pleasing and that is not true now. Relocating the central air intake and enclosing it in some way is something that should be required. Condensing vents and combining some of them would bring it in harmony with what is wanted and he suggests that it be done.

Rick Callaghan feels that all the equipment could be taken off the roof however, he asked how much do we want to force the owner to do. He feels that some of the equipment could be condensed, lowered and enclosed to make it more aesthetic.

The Administrator at St. Ann stated that they are willing to comprise and work with the contractor in making the changes. They are a Catholic charity and are trying to keep the rents as low as possible. However, the more money that goes into the project the higher the rents will be for the elderly. They are willing to compromise to make it more aesthetic and in harmony with the neighborhood.

Bill Colbath asked Frank Gibson if he felt what is being suggested alleviates his concerns.

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Frank Gibson responded that without something being presented it is difficult to determine whether or not this would be acceptable. However, if the enclosures and combining and lowering the vents were done it would be acceptable to he and his wife.

The following is the summary of what the Board agreed on:

1. All sewer stack pipes shall be allowed to stay in place and painted to a color that matches the other roof objects.
2. Remove the three turbine ventilators on the street side of the taller original structure roof on the street side and consolidate with the rear ventilators to the fewest number possible, max. of 5.
3. Dress up turbine ventilators to as high as possible with an aesthetically pleasing cover.
4. Install the new V-Vent to the south of the air intake vent and cover over with a chimney veneer of normal size and detail for that roof.
5. Lower air intake down rear roof slope to remove from roadside visibility.

MOTION:

Rick Callaghan made the motion to adjourn.
Bob Mullan seconded the motion.
U/A

**DOVER ZONING BOARD OF ADJUSTMENT
MINUTES OF MEETING
DECEMBER 17, 1998**

MEMBERS PRESENT: Dean Trefethen, Chairperson, Bill Colbath, Co-Chairperson, David Ruoff, Richard Callaghan, and John Murphy

STAFF PRESENT: Thomas Clark, Building Official

Dean Trefethen called the meeting to order.

ITEM #1: NEW BUSINESS

- A. Approval of minutes for the regular meeting of November 19, 1998.

MOTION:

John Murphy made the motion to accept the minutes.

Rick Callaghan seconded the motion.

U/A

Dean Trefethen reminded the Board of the annual election of officers in the month of January 1999.

ITEM #2: OLD BUSINESS

Tom Clark addressed the Board in regards to the roof top vents at St. Ann's on Dover Pt. Rd. He brought the Board up-to-date on the construction and was asked if the Board would do a site inspection to see if the new construction meets with their approval. They can do an inspection at their convenience.

ITEM #3:

Z 98-27, Gary & Cynthia Mazzone, 2 Glencrest Ave., A/K/A Assessor's Map 36, Lot 31-G, Zoned R-12 requests an Equitable Waiver from Dimensional Requirements to maintain an attached garage within approximately five (5) feet from a side property line where a minimum of twelve (12) feet was required at the time of construction.

Atty. James Schulte represented the applicant. In 1967 the owner decided to add a second garage but did not meet the setback. The applicant met with Don Chick who was the City Manager at the time and made arrangements to purchase some land from the City, which is an abutter, to allow the required setback. The garage was built and now due to some refinancing it was determined that it no longer meets the setback requirements. Mr. Schulte reviewed the application criteria.