

AGENDA OF THE ZONING BOARD OF APPEALS

TO BE HELD TUESDAY, 10 OCTOBER 2023, AT CITY HALL AUDITORIUM, 110 RIVER STREET, 7:00 P.M.

Non-participants may view the meeting live (via YouTube): <https://www.youtube.com/c/MGATCity>

TO VIEW ONLINE PLANS AND OTHER DOCUMENTS FOR THE ITEMS LISTED BELOW, CLICK [HERE](#)

A. PLEDGE OF ALLEGIANCE/ROLL CALL

B. CONSIDERATION OF AGENDA ITEMS

1. **23 Pearl Street**, MBP 22/459/1; R-5; R. Nicola, Esq./R. Kelly, Esq., for Mark and Toni Piazza, appellants; Appeal the Decision of the Zoning Enforcement Officer in accordance with the provisions of section 9.2.1 regarding issuance of a Notice of Violation dated 6/28/23 demanding removal of deck and removal of improvements to rear building.
2. **170 Broadway** MBP 13/132/07; R-5; Kevin Curseaden, Esq., for 170 Broadway, LLC, owner; Vary sec 3.1.4.1, westerly side-yard setback to 3' where 10' required; 4.1.4 westerly side-yard deck projections to 1.5' where 8' permitted, all for newly elevated single-family home in accordance with the submitted materials and Site Plan Codespoti & Associates, 8/4/20, revised, 6/7/23.
3. **819 East Broadway**, MBP 27/474/50-A; R-10; Kevin Curseaden, Esq., for Jason Garelick, owner; Sec. 3.1.4.1 North side yard to 5' where 10' required. 4.1.4: Northerly projection to 3.5' where 8' permitted. 4.1.4: Southerly projection of 1.7' where 4' permitted. Survey Paul Stowell, 9/29/23.
4. **59 Harvest Lane** MBP 120/906/3; R-A; Thomas Lynch, Esq. for Dennis Murray, owner; Vary sec. 3.1.4.1. southerly side-yard setback to 10.5' where 15' required; 6.3.2 to allow expansion of non-conforming structure, to construct master bedroom addition to single family dwelling in accordance with the submitted materials and Survey James A. Dennison, 3/16/23. Plans, JMR, 4/6/23.
5. **5 Clinton Street** MBP 71/756/6; R-7.5; Thomas Lynch, Esq. for Irit and Jonathan Perkins, owners; Vary sec. 3.1.4.1 west setback to 3' where 5' req. for elevator; rear setback of 4.9' and 23.8' where 25' req. for addition/elevator; bldg. area to 41.1% where 40% permitted; lot coverage to 63.3% where 60% permitted; sec. 4.1.4 rear projection to 18.2' where 21' permitted for deck; sec. 6.3.2 expansion of nonconforming structure. Survey, Codespoti and Associates, 5/18/23, revised 8/16/23. Plans, A.J. Duchon Architect, 2/23, revised 8/1/23.
6. **72 Westport Place** MBP 85/924/1H; R-30; Thomas Lynch, Esq. for James Cottrell, owner; 3.1.4.1: south setback from to 7' where 15' req. for addition. East setback to 5' where 10' req. for Accessory Structure. 4.1.1.1: Front-yard setback to 25' where 40' req. for pool. 4.1.4: Front-porch projection to 5.8' where 4' permitted. 4.1.4: Rear deck projection to 6.3' where 4' permitted. 4.1.5: Terrace projection to 8.9' where 15' permitted in front yard. Survey, Codespoti & Associates, 7/25/23, revised 9/20/23.

C. NEW BUSINESS

D. OLD BUSINESS

E. STAFF UPDATE

F. ACCEPTANCE OF MINUTES FROM 13 SEPTEMBER 2023 HEARING

G. ACCEPTANCE OF APPLICATIONS FOR 14 NOVEMBER 2023 HEARING