



ESSEX ZONING BOARD OF APPEALS

Minutes for the Meeting of April 14, 2022

Commissioners:

*Absent

Staff:

Edwin Perkins, Chairman
Keith Carter
Michael Davis

Deborah Cunningham
Administrative Clerk

In accordance with Massachusetts General Laws, Chapter 40A, Section 11, the Essex Zoning Board of Appeals held a public hearing at the Essex Town Hall, 30 Martin Street, on Thursday, April 14, 2022 at 6:00 p.m. on a petition filed by the Ryan McShera, Red Barn Architecture for a variance from the Town of Essex Zoning By-law 6-15-6 Parking Requirements including 6-6 at 16 Main St, Map 128, Lot 97. Mr. Ryan McShera of Red Barn Architecture was in attendance to present a request for a variance of the Town of Essex Zoning By-law 6-15-6 Parking Requirements including 6-6 of seven (7) spaces. The renovated building would be a multiuse structure with commercial on the first floor and a residential apartment on the second floor. The requirement of 10 spaces would create a financial hardship due to the size of the lot at approximately 3,800 sq ft. He explained that three (3) spaces would be on the lot at the rear of the property and there would be an additional two (2) spaces available on Hobbs Court. Mr. McShera explained that he was currently seeking approval from DPW for the parking on Hobbs Court. The Chairman asked if additional parking arrangements had been considered. He stated that it was his belief it was a state regulation that there could be no parking on Main Street. Mr. McShera explained that there would be additional parking in the municipal lot off Martin Street and he had not inquired into other properties abutting 6 Main Street that might be used for additional parking. The Chairman suggested that the application be withdrawn without prejudice so that other parking plans could be developed. He would not be amenable to a variance of seven (7) spaces at this time. Ms. Georgeann Richards of 7 Main Street asked about the employees parking. Mr. McShera advised that one of the three spaces would be dedicated to the commercial space and the other two would be for the residential. Clients and employees could seek other parking. Mr. Wesley Burnham advised that there was a parking ordinance which required parking within 200 ft. of the business. Mr. Ernest Nieberle, the abutter at 8 Main Street stated that Hobbs Court was not designed for traffic of this type. He also expressed his disagreement that this would be a "hardship" as the applicant had previous knowledge of the parking issues. Mr. Keith Nieberle also agreed with this assessment. Mr. McShera suggested that modifying the size of the building might increase the parking by two spaces. The Chairman questioned if a modification would change the parking requirements. There was a brief discussion on the applicant's options. The applicant agreed to withdraw the application without prejudice. On a motion made and duly seconded, the Board voted unanimously to close the public hearing. On a motion made and duly seconded, the Board voted unanimously to accept the applicant's letter of withdrawal without prejudice.

The Chairman presented the Minutes from the meeting of March 31, 2022 for approval. On a motion made and duly seconded, the Board voted unanimously to accept the Minutes as presented.

There being no further business, on a motion made and duly seconded, the meeting was adjourned.

Approved: Essex Zoning Board of Appeals

Prepared by: Deborah Cunningham, Administrative Clerk