

**DECISION OF THE ZONING BOARD OF APPEALS**

**Town Hall  
Manchester-By-The Sea, Massachusetts**



**Re:** Application of Rebecca and Joseph Lombardi

**Address:** 10 Washington Street, Manchester-By-The Sea, MA

**Property Location:** 10 Washington Street, Manchester-By-The-Sea, MA  
Assessors' Map No. 52, Lot No. 10 in the General Zoning District

**Relief Requested:** Special Permit under the provisions of Section 5.4 of the Zoning By-Law, or such other relief as may be necessary, to build a deck on the north side and rear of the existing structure and to construct two dormers, one each on both sides of the gabled roof per submitted plan at 10 Washington Street, Assessor's May No. 52, Lot No. 10 in the General Zoning District.

Timely notice of the public hearing upon the application was so given by advertising in the Manchester Cricket and by mailing notices by certified mail to parties in interest as required by G.L. c. 40A, Sec. 11, postage prepaid. The Board conducted a site view on December 13, 2003. A public hearing was held in the Manchester-By-The-Sea Town Hall on December 17, 2003, commencing at 7:30 PM, at which time a decision was made.

Joseph Lombardi and architect David Jaquith presented the application. The existing structure is non-conforming relative to setback requirements and any changes, extensions, or alterations to the structure requires a Special Permit per Section 6.1.2. Mr. Jaquith presented a drawing indicating that the proposed deck will not encroach any closer to the side property line than the existing structure which is indicated on the drawing to be 0.87' from the property line. The proposed dormers will not project beyond the existing roofline and will not exceed the third story 'half-story' limitations of not exceeding two-thirds of the second story footprint immediately below it. The dormers will not extend higher than the 35' ridge height limitation.

No one from the public was present to express an opinion on the granting of the Special Permit.

Attached hereto is a copy of the plans with handwritten notes "PLAN SUBMITTED 12/17/03 BY JOSEPH LOMBARDI, 10 WASHINGTON ST., MANCHESTER, MA FOR SPECIAL PERMIT FOR DORMERS AND DECK"

The Board determined that the construction of the deck and the dormers would not increase the non-conformity of the existing structure.

Zoning Board of Appeals

Decision Re: Rebecca and Joseph Lombardi

Property Location: 10 Washington Street, Manchester-By-The-Sea Assessors Map52, Lot 10

A motion was made and seconded to grant a Special Permit under Section 6.1.2 to allow the construction of a deck on the north side of the existing structure and to allow the construction of two dormers with the following condition:

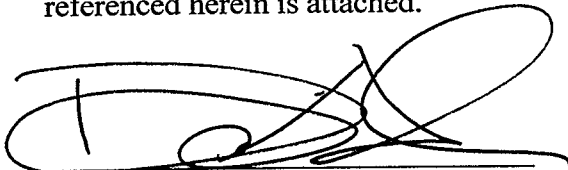
1. the new deck is not to encroach any closer to the side property line than the existing building which is indicated to be 0.87' from the side property line. By a vote of five (5) in the affirmative and none in the negative, the motion passed and the permit GRANTED.

The members of the Board who were present in voting for this decision were Darrell Aldrich, Peter Feuerbach, Peter Leone, Lynn Seward, and Paul Sullivan.

The Special Permit granted hereby shall lapse on the second anniversary of the date set forth below on which it is granted unless construction of the structure specified and/or use or activity specified, as the case may be, have commenced, including the time required to pursue or await the determination of an appeal of this decision, except for good cause shown.

Any person aggrieved by the foregoing decision of the Board may appeal by bringing an action within twenty days after the decision has been filed in the office of the Town Clerk in accordance with M.G.L. c. 40A, Section 17.


Signed by a member of the Zoning Board of Appeals, on behalf of the Board. A copy of the plan referenced herein is attached.



Darrell E. Aldrich, Author

Filed in the Office of the Town Clerk  
Manchester-by-the Sea, MA

Date 11/14/04 Time 3:00pm

  
Town Clerk

October 15, 1979

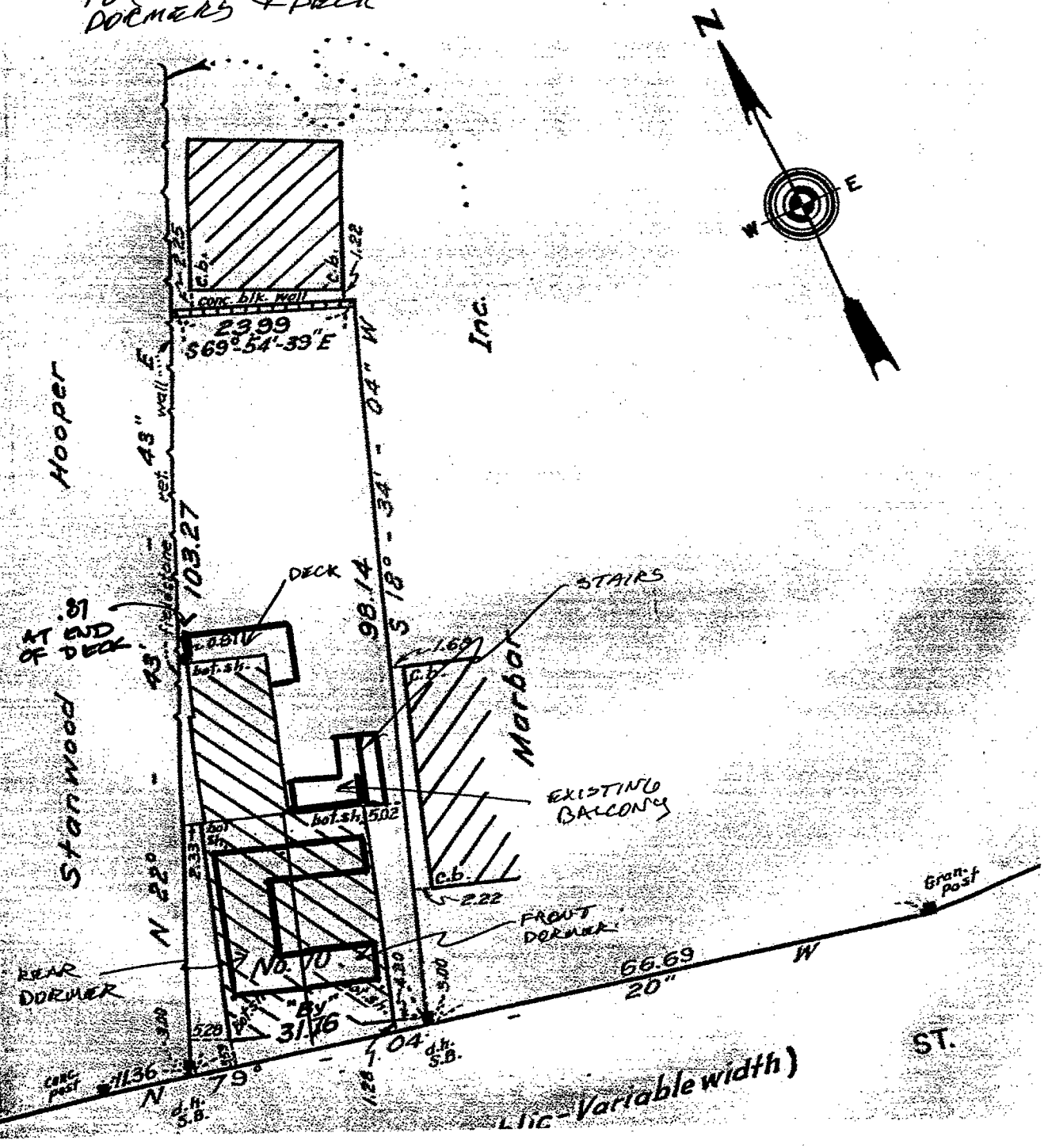
South Registry District  
April 1, 1982

RECEIVED AND FILED  
With Certificate No. 51402

PLAN SUBMITTED 12/17/03

BY JOSEPH LOMBARDI  
10 WASHINGTON ST.  
MASSACHUSETTS, MA  
FOR SPECIAL PERMIT FOR  
DORMERS & DECK

2004070600017 Bk:23091 Pg:423  
07/06/2004 08:16:00 OTHER Pg 3/4





BOARD OF APPEALS  
TOWN HALL  
MANCHESTER-BY-THE-SEA, MASSACHUSETTS 01944

2004070600017 Bk:23091 Pg:424  
07/06/2004 08:16:00 OTHER Pg 4/4

June 28, 2004

Applicant: Rebecca & Joseph Lombardi  
Address: 10 Washington St., Manchester By-the-Sea, MA 01944  
Property Location: 10 Washington St., Manchester By-the-Sea, MA 01944  
Assessor's Map No. 52, Lot No. 10 in the General District.

Relief Requested: Special Permit under the provisions of Section 5.4 of the Zoning By-Law, or such other relief as may be necessary, to build a deck on the north side and rear of the existing structure and to construct two dormers, one each on both sides of the gabled roof per submitted plan at 10 Washington St., Assessor's Map No. 52, Lot No. 10 in the General District.

This will certify that the attached decision GRANTING the Special Permit as referenced above was filed in the Office of the Town Clerk on January 14, 2004 and that an Appeal was not filed within twenty days of that date.

*Gretchen A. Wood*  
Gretchen A. Wood,  
Town Clerk