

BUILDING BOARD OF REVIEW MEETING

MONDAY, MAY 23, 2005 AT 7:00 P.M.

SCHOOL COMMITTEE ROOM - TOWN HALL

Present: Messrs. Billups, Orciuch, Maio, and Watson (late arrival)

**Also Present: Robert Speaker, Building Official and S. Paul Ryan,
Assistant Solicitor for Zoning and Planning**

The meeting was called to order by the chairman, Mr. Billups.

Motion by Mr. Maio and second by Mr. Orciuch to approve the March 8, 2004 meeting minutes. Passed unanimously. Mr. Watson arrived.

The order of business was to hear the application of John Paul DeAngelis, owner, 35 Stanley Avenue for property on Assessor's Plat 29, Lot 69, appealing a requirement of the Building Official with reference to IRC 2003, Sect. R 323 Flood Resistant Construction which requires the elevation of living space to be 10' or more. Previous owners had applied to this Board for a variance in 1989 when the required elevation was 11'; the application was denied. Mr. DeAngelis was present as well as his attorney, Anthony DeSisto. Mr. DeSisto explained that the basement floor in the existing house is at elevation 9' 6". The flood zone is now changed with the requirement of 10'; prior required elevation was 11'. Mr. Billups asked what is

their goal. Mr. DeSisto replied that it was for clear title for the property. Mr. DeSisto would like to raise the floor to proper elevation and request a ceiling height variance. A letter from Pamela Pogue, State NFIP Program Manager, was entered as Appendix A (copy attached); she recommended the owner raise the elevation of the property to meet the requirements of the National Flood Insurance Program. The existing ceiling height is 7' 4". Mr. DeSisto said two findings of fact are the flood zone level is 10' and the floor is elevation 9' 6". Motion by Mr. Orciuch and second by Mr. Watson to acknowledge that the elevation needs to be at 10'. Passed unanimously. Motion by Mr. Watson and second by Mr. Maio to deny the request for basement floor elevation 9' 6" because it does not comply with flood zone requirements. Passed unanimously. Motion by Mr. Maio and second by Mr. Watson to grant the request for 6' 8" ceiling height in the basement with the condition the area cannot be used as a sleeping space. Passed unanimously.

There being no further business the meeting adjourned at 7:40 p.m.

Robert B. Speaker

Clerk Pro Tem