

MINUTES OF THE ZONING BOARD OF APPEALS
June 29, 2015 – 7:00 p.m.
195 Main Street, Maynard, Room 101

Members present: Chair Paul Scheiner, Marilyn Messenger, Leslie Bryant, Jamal De Vita

7:05 - Call to order

Public Hearing: Request by Whitney Retallic and Erica Labb for a Variance to allow construction of a covered porch and landing for their residence located at 8 Taylor Road, Map 19 Parcel 52.A. The proposed variance would allow creation of a new non-conformity as the front setback to be reduced from 25 feet to approximately 20.5 feet.

Chair Scheiner read the public hearing notice as published in the paper, he then indicated that before opening the meeting he must advise the applicant that there are only four members present so the vote has to be unanimous; The applicant agreed to proceed with four Board members. Ms. Retallic stated that because of the unique triangular configuration of her lot, she was on able to meet the required setbacks to construct a front porch as is common in her neighborhood. She stated that because this negatively affected the value of her property in the neighborhood to post a financial hardship. Miss Retallic then stated that her adjacent neighbor is in the support and that the front porch is consistent with the surrounding neighborhood home designs. The applicant stated that granting relief from the front setbacks does not substantially derogate from the intent of the bylaw or a detriment to neighborhood because the resulting structure is consistent with the surrounding neighborhood. The Board reviewed the plans.

Resident Vic Tomyl asked if the abutters had been notified. Bill Nemser replied that they had. Mr. Tomyl then informed the board that he believes the subject property originally received a variance to be developed. Chair Scheiner acknowledged the remark.

A motion was made by Jamal De Vita finding the request consistent with the required state and local criteria to grant a variance. The motion was seconded by Marilyn Messenger to grant the variance to allow relief from required front setbacks to allow construction of a porch that created new non-conformity. The Board vote was unanimous 4 to 0.

Approval of minutes:

The Board reviewed the minutes of February 23, 2015.

A motion made by Marilyn Messenger to approve the minutes, seconded by Leslie Bryant. The Board approved by a 4-0 vote.

Town Planner Update:

Bill Nemser announced that a visioning session will be held by the town in conjunction with Metropolitan Area Planning Council on July 1st at 7 PM in Town Hall. He urged members to attend and pointed out that the session is part of the development of a "Housing Production Plan" that would be incorporated into the master plan. At this time funding has not been secured to do an entire master plan.

Bill stated that the Board of Selectmen has reached an agreement for 129 Parker St. project regarding the number of residential units: 175 one and two bedroom units with 17 deeded as "affordable". Marilyn stated that she believed that there should be more affordable units included. Bill stated that this was what the Board of Selectmen and the applicant had agreed to.

A motion was made by Marilyn Messenger to adjourn, seconded by Jamal De Vita.

Meeting adjourned at 7:50 p.m.