

Minutes - Board of Appeals
7:00 PM September 28, 2015
195 Main Street, Maynard - Room 101

Members present: Chair Paul Scheiner, Marilyn Messenger, Carlos Perez, Leslie Bryant

7:00 p.m. – Chair Scheiner called the meeting to order by reading the legal notice for the public hearing for 52 Glendale Street, on the petition of Norman & Tresa Jones, 52 Glendale Street, Map 10, Parcel 173 requesting a variance from the dimensional schedule Section 4.1.1 of the Zoning By-laws to allow creation of a new non-conformity, reducing the side setback from 15 feet to approximately 2 feet for the construction of garage at the above referenced location.

The property owner Tresa Jones presented the petition. She stated that the lot is nonconforming for area only 7066 s.f., 20,000 s.f. required, in order to meet the setbacks the garage would have to be in the middle of the yard, the driveway would have to be extended, the proposal is to locate the garage in next to the house at the end of the driveway. The petitioner presented pictures of the existing conditions, and showed some abutting lots that have garages close to property lines. The garage will be used for vehicles and lawn storage, crushed stone base and prefab building.

The Board members reviewed the plans and asked how old the dwelling is, lot coverage, drainage issues. Mrs. Jones stated the house was built in 1954, the shed will be removed. The garage will be a one car 14 ft wide, there are no drainage issues.

A motion was made by Marilyn Messenger to close the public hearing, seconded by Carlos Perez

The Board deliberated. The board reviewed the town comments

A motion was made by Leslie Bryant to grant the variance for 52 Glendale St from dimensional schedule Section 4.1.1 of the Zoning By-laws to allow creation of a new non-conformity, reducing the side setback from 15 feet to approximately 2 feet for the construction of a 14 ft x 24 ft garage, finding that the new nonconformity is in keeping with the character of the neighborhood, does not derogate from the intent of the bylaw, literal enforcement will involve substantial hardship, the variance criteria has been met, allow increase lot coverage to approximately 17%, seconded by Marilyn Messenger.

Town Planner Bill Nemser explained the timing process for the decision, appeal and recording.

The Board reviewed three sets of minutes, 03-30-15, 06-01-15, 06-29-15

A motion was made by Marilyn Messenger to approve the minutes of March 30, 2015 as amended seconded by Leslie Bryant, The Board voted 4 to 0 in favor of the motion.

A motion was made by Marilyn Messenger to approve the minutes of June 1, 2015 as amended seconded by Leslie Bryant. The Board voted 4 to 0 in favor of the motion.

A motion was made by Marilyn Messenger to approve the minutes of June 29, 2015 seconded by Leslie Bryant. The Board voted 4 to 0 in favor of the motion.

Town Planner Updates: Bill stated that the second phase meeting for the Housing Production Plan will be in October the results of the survey will be reviewed.

Bill stated that he wants the ZBA to work on an amendment on mixed use district for the downtown to amend the code to increase the development of the second floor of the downtown buildings. Incentives or grants to help with fire suppression or making these properties marketable.

A motion was made to by Paul Scheiner to adjourn seconded by Marilyn Messenger.

Meeting adjourned at 7:57 p.m.