



# Town of Maynard Zoning Board of Appeals

**Wednesday, May 21, 2025 at 7PM**

Paul Scheiner, Chair

Posted by: Zoe Piel, Assistant Planner

*This Agenda is subject to change.*

This meeting will be conducted remotely via Zoom video.

Participate using a computer: [https://us02web.zoom.us/j/87931897725?](https://us02web.zoom.us/j/87931897725?pwd=TjVNVNnWEJmMmNEazVrY1FoZENvZz09)

[pwd=TjVNVNnWEJmMmNEazVrY1FoZENvZz09](https://us02web.zoom.us/j/87931897725?pwd=TjVNVNnWEJmMmNEazVrY1FoZENvZz09)

Participate via telephone: +1-646 -558-8656

Meeting ID: 879 3189 7725 Passcode: 515693

Questions may be emailed to: [OMS@townofmaynard.net](mailto:OMS@townofmaynard.net)

## 1. Minutes

Feb. 27 2025 minutes for Board approval.

Documents:

[ZBA MINUTES 2.27.2025 \(UNAPPROVED\).DOCX](#)

## 2. Public Hearing: 30-32 Garfield Ave.

Pursuant to Massachusetts General Laws, Chapter 40A s.5, the Maynard Zoning Board of Appeals will hold a remote public hearing on ZOOM video, to hear all persons interested in the application filed by owner Daniel Cormier, 30-32 Walnut Street, Maynard, MA 01754.

The subject property, 30-32 Walnut Street, is a two-family dwelling located in the General Residential (GR) zoning district. Per Sections 3.1.2 and 8.3 of the Maynard Protective Zoning By-Laws, the applicant seeks Special Permit approval to operate an Accessory Home-Based Business (Type-B) at 30-32 Walnut Street, and to allow overnight outdoor parking of two additional commercial vehicles associated with this business on the property.

Documents:

[ZBA2502 - 30-32 WALNUT STREET APPLICATION STAMPED.PDF](#)  
[ZBA2502 - 30-32 WALNUT STREET STAFF REPORT.PDF](#)

3. Public Hearing: 25 Garfield Ave.

Pursuant to Massachusetts General Laws, Chapter 40A s.5, the Maynard Zoning Board of Appeals will hold a remote public hearing on ZOOM video, to hear all persons interested in the application filed by owners Tete and Elizabeth Cobblah, 25 Garfield Ave., Maynard, MA 01754.

The subject property, 25 Garfield Ave., is a pre-existing nonconforming single-family dwelling, due to insufficient front setback (25 feet required, 13.9 feet provided). The home is located on a nonconforming lot in the S-1 Single Family zoning district. The nonconformity is due to insufficient lot size (10,000 s.f. required, 8,000 s.f. provided) and insufficient frontage (100ft required, 80ft provided). The applicants are requesting a Variance granting relief from Section 4 of the Zoning By-laws, to construct an addition to the property that would extend the existing nonconforming front setback and create a new nonconformity by exceeding building coverage limits (15%/1,200 sf. allowable, 21.3%/1,703 sf. proposed).

Documents:

[ZBA2503 - 25 GARFIELD AVE APPLICATION STAMPED.PDF](#)  
[ZBA2503 - 25 GARFIELD AVE. STAFF REPORT.PDF](#)

Conduct at this meeting is governed by the Town of Maynard Policy on [Public Participation at Meetings of Public Bodies](#).

**Maynard Zoning Board of Appeals (ZBA) Meeting and Public Hearing**  
**February 27, 2025 – 7:00 p.m.**  
**(Held remotely via Zoom)**

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**ZBA Board Members Present:** Paul Scheiner – Chair; Leslie Bryant; Jerry Culbert; John Courville; Brad Schultz (Alternate); James Rohr and Rebecca Solomon; Peter Hunt

**Others Present:** Bill Nemser – Planning Director

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**Called to Order** at 7:05 p.m. by Chair Scheiner. The board members introduced themselves.

**1. Meeting Minutes of November 25, 2024**

Chair Scheiner made one correction to a Board member's name.

**Ms. Bryant made a motion to accept the minutes of the August 26, 2024 meeting of the Zoning Board of Appeals as amended. Mr. Culbert seconded the motion.**

***The Board voted unanimously by roll call to accept the minutes.***

**2. Public Hearing - 20 Walcott Street**

Application filed by owners James Rohr and Rebecca Solomon, 20 Walcott Street, Maynard, MA 01754 seeking Special Permit approval to construct additions to the front and side of the property which would extend the existing nonconforming northerly front setback (25 feet required, +/- 10 feet provided), and easterly front setback (25 feet required, +/- 13.3 feet provided). The subject property, 20 Walcott Street, Maynard, MA, 01754 is a pre-existing nonconforming single-family dwelling on a nonconforming lot (due to insufficient frontage, lot area, lot width, front setback, and side setbacks) located in the General Residence district.

The couple has lived in Maynard for 22 years and raised their children here. Last April they had an electrical fire in the basement, which caused extensive smoke damage and requires renovations to the house. They would like to convert a screened in porch to a four-season space; add a screened-in deck on the rear of house and take down the existing garage. They have been working with their architects and town officials to ensure their project is compliant with local bylaws.

Mr. Nemser clarified that the property is non-conforming because of the size of the lot. The existing garage is too close to the side property line, so it will be taken down. All proposed changes will lessen the non-conformity or remain the same. The percentage of lot coverage will decrease as well.

Chair Scheiner opened the meeting to public comment. Peter Hunt, the petitioners' neighbors at 18 Walcott St., spoke in support of the applicants. The proposed changes are in keeping with the neighborhood character and what other residents have already done.

Laurel Buckley of 22 Walcott St. also spoke in support of the application and the changes they propose.

Chair Scheiner closed the public comment period. The Board deliberated using the special permit criteria. Ms. Bryant requested that any new outdoor lighting be Dark Sky compliant. The Board members praised the applications for bringing the property into compliance. The renovations will be fiscally beneficial for the applicants and the town and will improve the neighborhood character.

*Ms. Bryant made a motion to grant the special permit to create an extension to the existing non-conforming structure at 20 Walcott St., having found there are no adverse effects that outweigh the benefits to the town. We require that any additional lighting be Dark Sky compliant. Mr. Culbert seconded the motion.*

***The Board voted unanimously by roll call to approve the motion.***

## **ZBA Updates And Housekeeping**

### **a. Need for Vice Chair and two new members.**

Paige Czepiga has left the Board. Mr. Schultz is interested in being a full member. The Board is seeking two alternates and a Vice Chair. Mr. Culbert volunteered for the position of Vice Chair.

*Mr. Schultz seconded the motion to nominate Mr. Culbert for the position of Vice Chair.*

***The Board voted unanimously by hand to adopt the motion.***

### **b. ZBA Rules and Regulations.**

The Rules and Regulations will codify the processes of the ZBA and clarify some of the procedural elements. It will aid in describing requirements such as the Dark Sky guidelines. Chair Scheiner and Mr. Nemser are working on a draft and will share it with the Board.

**c. Residential Zoning Group update.**

Mr. Schultz gave a brief update on the work he has been doing with the town maps. The data will be integrated into the GIS system.

**Mr. Culbert made a motion to close the meeting, which Ms. Bryant seconded.**

***The Board voted unanimously by hand to close the meeting.***

The meeting was closed at 8:27 p.m.

**Application Fees (Not Including Advertising and Mailing Costs):**

- Special Permit: \$250
- Variance: \$250
- Appeal of Building Commissioners Decision: \$250
- Special Permit Renewal: \$150

Clerk Stamp:

**TOWN OF MAYNARD**

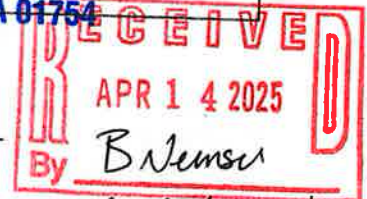
APR 14 2025

**TOWN CLERK'S OFFICE**

MAYNARD, MA 01754



**ZONING BOARD OF APPEALS**  
**APPLICATION NUMBER: \_\_\_\_\_**  
**PETITION FOR HEARING**



Paul Check # 2789

This Petition must be completed, signed, and submitted with the filing fee and supporting documentation by the Petitioner or his representative in accordance with the procedures as set forth on the attachments to this petition.

Address of Property 30-32 WALNUT ST.

Characteristics of Property: Lot Area 0.25 ACRES Present Use RESIDENTIAL

Assessor's Map # 0150 - 0008 - 0364.0 Parcel # \_\_\_\_\_ Zoning District GR

Name of Petitioner Daniel Cormier Phone # 978-897-0195

Mailing Address 30 WALNUT ST

E-mail Address dan@handyforhire.com

Name of Owner \_\_\_\_\_ Phone # \_\_\_\_\_  
(If not Petitioner)

Mailing Address \_\_\_\_\_

Petition is for  
(Check One)

|                                     |  |
|-------------------------------------|--|
| <input type="checkbox"/>            | An Appeal from the Decision of the Building Commissioner |
| <input type="checkbox"/>            | A Variance   |
| <input checked="" type="checkbox"/> | A Special Permit   |
| <input type="checkbox"/>            | Other (Please Specify) _____                             |

Applicable Section of the Zoning By-Laws: 8.3.6, 8.3.7, 8.3.3

Summarize nature and justification of petition (*Please attach full explanation*):

SEE ATTACHED

I hereby request a hearing before the Zoning Board of Appeals with reference to the above Petition.

Signature of Petitioner (or representative) \_\_\_\_\_

Address (if not Petitioner) \_\_\_\_\_

Telephone Number 978-897-0195

Signature of Owner, if other than Petitioner \_\_\_\_\_

## **ZONING BOARD OF APPEALS**

### **Instructions for Petitioner**

The Petitioner is advised to review the Maynard Zoning By-Laws (copy available at Town Clerk's Office), The Zoning Act (Massachusetts General Laws Chapter 40A), and these instructions, prior to filing a Petition and prior to appearing before the Zoning Board of Appeals (ZBA) at a Public Hearing.

The petition must be completely and accurately filled out, and all information must be entered in the appropriate space provided before the petition will be accepted for filing. Incorrect information may result in denial of the petition.

The petition shall be reviewed by the ZBA before it is accepted as filed. The ZBA reserves the right to have the petition reviewed by the Building Commissioner, the Superintendent of Public Works, and/or the Planning Board before the same is accepted for filing.

The petition must indicate the specific section of the Zoning By-Laws for which each variance, permit, or appeal is being petitioned.

Example: "A variance is sought from Section 4-1 of the Zoning By-Laws from the front setback requirement of Twenty Five (25) feet to Twenty (20) feet".

Each specific variance, permit, or appeal being requested in the petition must be set forth in a separate paragraph of the petition to clearly indicate the different requests. Failure to so state the requests clearly may result in the petition being denied.

The petition must be accompanied by:

- a) A Plot Plan which has been prepared and stamped by a Registered Land Surveyor or Engineer. This Plan must show:
  - i. All existing buildings on the property and all proposed buildings and additions.
  - ii. Distances from structures to lot line and length of lot lines, together with all dimensions and setbacks of proposed buildings.
  - iii. In the case of a residential dwelling, the front of the dwelling as defined in the Zoning By-Laws, and must further show the location of all present or proposed driveway or vehicle access areas.
  - iv. The Plan should, but need not, denote any other significant features of the Lot depicted on the petition, such as fences, stone walls, brooks, drains, or accessory structures.
  - v. If there is significant variation in the topography of the lot which is the subject of the petition it is recommended that spot elevations be shown by the Engineer.
- b) A list of all abutters, and abutters of abutters within three hundred foot of the property line of the property affected. This list must be certified by the Board of Assessors. Failure to provide this list will result in the petition being considered incomplete. Incomplete petitions will be returned to the petitioner.
- c) An area map obtained from the Board of Assessors, showing the area in which the property is situated.
- d) A check, payable to the Town of Maynard for the appropriate filing fee plus the fee for postage (this is based on abutters list and the cost of mailing by certified mail, return receipt requested) plus the cost for advertising in the local newspaper. Please be aware that there may be additional costs for filing with the Registry of Deeds.

- e) Appropriate documentation as to the relief being sought. These are outlined in the following sections.

In the case of a **Variance**, the following points, based on Massachusetts General Laws, Chapter 40A, Section 10, should be identified and factually supported on or with the petition form and verbally at the hearing:

- a) The particular Land or Structure, or the Use proposed for the Land or Structure, if any;
- b) The circumstances relating to the soil conditions, shape or topography of the Land or Structures and especially affecting the Land or Structure for which the Variance is sought which do not affect generally the Zoning District in which it is located;
- c) The facts which make up the substantial hardship, financial or otherwise, which results from the literal enforcement of the applicable zoning restrictions with respect to the Land or Structure for which a Variance is sought. (Substantial hardship is not purely economic in nature. It is insufficient to present evidence at the hearing merely showing that the value of the land in question will be affected by a lack of or denial of the requested variance.);
- d) The facts to support that the relief sought will be without substantial detriment to the public good; and that the public health and safety is not compromised by the granting of a variance;
- e) The facts to support a Finding that the relief sought may be given without nullifying or substantially derogating from the intent or purpose of the Zoning By-Laws; and
- f) Any other information pertaining to the variance which is the subject of the petition.

In the case of a **Special Permit**, the following points, based on Massachusetts General Laws, Chapter 40A, Section 9, should be identified and factually supported on or with the petition form and verbally at the hearing:

- a) The particular type of Use proposed for the Land or Structure, if any;
- b) The conditions and character of operations of the proposed Use which show that it will be in harmony with the general purpose and intent of the District and the By-Laws; and
- c) The nature of the proposed Use in relation to both the general and specific provisions of the By-Laws governing that Use and the District it is located.

In the case of an **Appeal**, the following points, based on Massachusetts General Laws, Chapter 40A, Section 8, should be identified and factually supported on or with the petition form and verbally at the hearing:

- a) The grounds for the appeal;

- b) Supporting documentation relative to the nature of the Appeal; and.
- c) Note: In the case of an Appeal from the action or failure to take action by the Building Commissioner, the appeal shall be filed with the Town Clerk within thirty (30) days from the date of issuance of a Permit or denial of a Permit by, or an Order, ruling, decision, or determination of, the Building Commissioner.

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**Failure to present evidence in one or more of the foregoing areas may result in the petition being denied by the ZBA. The ZBA cannot draw from the petitioner the necessary evidence to grant the petition if improperly presented.**

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## **ZONING BOARD OF APPEALS**

### **Petition Process**

#### **Petition Submittal**

The process for filing a petition and appearing in front of the Zoning Board of Appeals (ZBA) is as follows:

The Petitioner shall file the Petition for an **Appeal**, a **Variance** or a **Special Permit** with the ZBA, which will then review the Petition, and if complete, shall transmit a copy forthwith to the Town Clerk. The Petition shall consist of the completed Petition form, plot plan, area map, and other documentation as necessary to support the petition, as well as the appropriate fees. Incomplete petitions shall be returned to the petitioner.

In the case of an **Appeal** from the action or failure to take action by the Building Commissioner, the appeal shall be filed with the Town Clerk within thirty (30) days from the date of issuance of a Permit or denial of a Permit by, or an Order, ruling, decision or determination of, the Building Commissioner.

#### **Notice and Hearings**

Notice of ZBA hearings shall be advertised as required by the provisions of Massachusetts General Laws, Chapter 40A, Chapter 11:

Notice shall be given by publication in a newspaper of general circulation in the town once in each of two successive weeks, the first publication to be not less than fourteen days before the day of the hearing and by posting such notice in a conspicuous place in the town hall for a period of not less than fourteen days before the day of such hearing. Notice shall be sent by mail, postage prepaid to the petitioner, abutters, owners of land directly opposite on any public or

private street or way, and abutters to the abutters within three hundred feet of the property line of the property affected.

Hearings of the ZBA shall occur as necessary at times determined by the Board, in the Hearing Room in the Town Hall or any other place specified in the meeting notice. Frequency of hearings depends on the number and type of petitions on file. Typically, the ZBA meets monthly in an evening session.

All hearings shall be open to the public. No person shall be excluded unless they are considered by the chairperson to be a "serious hindrance" to the workings of the Board.

The Petitioner may appear on their own behalf or be represented by an agent or attorney. In the absence of any appearance without due course on behalf of a Petitioner or the owner of the property affected, the Board will deny the Petition.

#### Order of Business:

The Hearing for each petition shall be conducted as follows:

- a) Opening of the Public Hearing
- b) Reading of the petition legal notice by the Chairperson;
- c) Presentation by Petitioner;
- d) Presentation(s) by those in support of the Petition;
- e) Presentation(s) by those in opposition to the Petition;
- f) Questions by those seeking information;
- g) Rebuttal by Applicant, restricted to matters raised by opponent's objections;
- h) ZBA members hearing the case may direct appropriate questions during the hearing;
- i) Closure of the Public Hearing
- j) Deliberation and determination of findings by the ZBA.

#### Filing of Decision

After deliberation, the ZBA will reach a decision. The decision requires a favorable vote of at least four members of the ZBA to grant the petition. If the decision is to grant the petition, the ZBA shall issue a copy of its decision to the owner and to the petitioner, if other than the owner, setting forth compliance with the statutory requirements for the issuance of such variance or permit and certifying that copies of the decision and all plans referred to in the decision have been duly filed.

The variance or permit shall take effect after a copy of the decision bearing the certification of the Town Clerk that twenty days have elapsed after the decision has been filed in the Town Clerk's Office.

If the decision is to deny the petition, the decision is filed in the Town Clerk's Office. Resubmission of the same petition is then precluded from occurring for two years, per M.G.L. Chapter 40A Section 16.

In cases where an appeal is made to the ZBA under G.L. c. 40A Section 8, other rules apply. See M.G.L Chapter 40A Section 15.

Hello Panel,

My name is Daniel Cormier and I operate Handy for Hire. I've lived in Maynard roughly 36 years, owned this, my only home for now 31 years and have operated my business at this location for 22 years. I am essentially the village "fix-it" guy as an outstanding talent receiving 5 star reviews consistently. I've actively cared for the aging up an down Walnut St. namely Millie Hodgess, Peter Parazzo, Bob Manasian a WW2 veteran, and Tony and Bunny Maria to the largest extent next door at 34 Walnut while still offering friendly help to existing neighbors in need who wish not to be made known or considered elderly yet. My original vehicle I operated for 18 years and accumulated 130k miles for an average of 7,200 miles annually. It's replacement is averaging 4,600 miles annually partly due to using Butler Lumber far more over big box stores that helped foster the business. This is relevant because it illustrates that all of this work is local and increasingly more so over time. The way I've operated has changed very little since inception. The allowed primary vehicle goes out in the morning and returns each day with varying amounts of debris that is created which, part of the service is to leave the property clean. Because I am only small jobs this might be only, the old closet hardware, an old storm door, old interior trim and cuts or truly most often no debris at all. That debris is then put into a truck that negates the need for a dumpster service and it's primary purpose is to run to the dump every 2-3 months. The truck has never had dumping capacity so that means that it is filled in an orderly fashion. Storm doors, sheets of stock and such standing on the left, long slim stick type items along the right. All small and dusty debris is bagged and placed at the front of the bed and all short stock is collected at the tail. This all makes off-handling all of the items lightening fast and easy. Short debris gets kicked off first, panels second, trash bags next and long stock last. There is never ever any food involved or anything dusty or carries an odor that I, more than anyone forbids. I as well have to add that all is covered with a dot required tarp at all times. It is an essential part of my business which clocks an average in the past of 700 miles per year and I'd venture more recently even less. There is extremely low traffic impact from this vehicle. I do have a third vehicle that could not possibly have less impact as a commercial vehicle and that is my Japanese KEI truck. It's smaller than a 70's vw bug but has become a formidable tool in my arsenal to further economy and reduce operation of the other vehicles. It comes and goes in near perfect silence, for meets with customers and acquire supplies. It is the epitome of low impact and high efficiency and only brought into service under two years past.

Other items pertinent to the purpose of this hearing is the use of a small spraying apparatus that fits in the back of the KEI truck. As small as that truck is it only takes up a third of the bed, it stays in the truck from spring to fall and is removed, winterized and stored over the winter. So I am asking the Zoning board of appeals for these items

One: Being the secondary vehicle and dump runner (in lieu of allowed dump trailers)

Two: Being the Japanese mini truck

All three will have markings.

Three: The allowance of the 25 gallon spraying equipment unit.

Four: Would be the allowance of an existing 8x20 shelter moved to within setback limits and

Five: Which has not been yet discussed but in all of my 22 yrs in bus., 31 residing, this town has never once heard voice of any discontentment. My request here is that in creating a small job business from scratch requires an all in approach to endure the painful challenges. My childhood experience was growing up around a family business that was the neatest and cleanest gas station/repair shop you've ever seen. This is where my exceptional repair talents and neat habits began to blossom. I became an ASE master certified technician and upon the purchase of my one and only property and gained employment at Concord Chrysler (6 months) then 3 years at

Swanson Pontiac where I was placed behind the service desk due to my exceptionally neat and professional appearance habits. I am now 60 years of age at this point and do not create work out of joy but apply my abilities and expertise to my benefit and savings is and has always been a key part of my survival. I work a full week and Saturday is typically the time I use. I'll lay out the needed items quietly and wait for a reasonable time and most often it's only a small part of the day. I kindly ask that I be allowed to maintain only my own business vehicles as I have for 22 years. I don't find it fun, I do it because the financial savings are more than significant. I also don't plan to keep this up forever. My increasing age is pushing me away from these activities more and more.

So to clarify I am requesting the last permit which: is to be allowed a special permit for the ability to continue as I have for 22 years without issue during the hours of 9-5 that will only occur sporadically and infrequently as needs arise.

As an aging 36 year resident who has given physically with all I have over a long working career and now emerging as the needy elderly neighbor who doesn't move or get up like I used to. I was hoping to close out my experience at this residence with a perfectly neat and more marketable property fueling my retirement era. I've been called to this hearing the height of the chaos of reshaping the rear of this property to create the quiet and neat greenspace it has never been since originally built in 1880. Eliminating the rear parking necessity that has robbed my children of a place to play ball or adults to relax outdoors without vehicles. Future parking to emulate literally every other house on the street. Being allowed these considerations enables me to complete this work. The dump runner especially in acquiring rocks, bark mulch, loam, plantings etc.

One last late addendum to this is to address an accusation that I'm performing my primary handyman activities at my address, What little I may have done can certainly be averted to be conducted at each job site location. It has been so little that it is practically insignificant impact to me.

Thank You in advance for your time and consideration.

Dan Cormier  
30-32 Walnut St.  
Maynard, Ma

30-32 WALNUT \$  
10,889 S.F.±.  
0.2500 AC.±

EXISTING  
2.5 STORY  
W/F DWELLINGS  
#30-32

1511 1007

CHAS  
COHEN

2344

**TEMP**

2344

**TEMP**

1817

**உயர்வு**

5374

24 FEB 1960

ROCKS FILE

30763 36144

18447441. — SIGNATURE

1

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10









VEHICLE MILEAGE

1997 Ford Stake Body

| <u>Inspection Date</u> | <u>Mileage</u> | <u>Difference</u> | <u>Timeframe</u> | <u>Average</u>            |
|------------------------|----------------|-------------------|------------------|---------------------------|
| 08/31/17               | 94,134 mi      |                   |                  |                           |
| 10/31/17               | 94,261 mi      | 127 mi            | 2 years          |                           |
| 07/10/20               | 96,105 mi      | 1,844 mi          | 3 years          | AVG. 615 miles annually   |
| 06/09/23               | 99,884 mi      | 3,779 mi          | 3 years          | AVG. 1,259 miles annually |



# Vehicle Inspection Report



## Please Review This Important Information

Your vehicle has FAILED its MASSACHUSETTS COMMERCIAL MOTOR VEHICLE SAFETY TEST. Here is what you need to do now:

- Fix safety defects immediately. Do not drive your vehicle until repairs are made.
- Have your repaired vehicle re-tested within 60 days of your initial inspection. The first re-test is free at the original inspection station during this period.
- If your vehicle does not pass a re-test within 60 days of its initial inspection, RMV may suspend your registration.
- Keep a copy of this Report with the vehicle as required by the Federal Motor Vehicle Safety Regulations for inspection, Repair and Maintenance (49 CFR 396.21). Questions? Visit [www.mass.gov/vehiclecheck](http://www.mass.gov/vehiclecheck) or call the Motorist Hotline at 1-866-941-6277. The Hotline is staffed from 7 a.m. to 5 p.m. Monday, Wednesday, Friday, and Saturday, and from 7 a.m. to 8 p.m. on Tuesday and Thursday.

## Overall Result: Fail

| Vehicle Information |            | Station Information                   |                            |
|---------------------|------------|---------------------------------------|----------------------------|
| Safety Result       | Fail       | Name: MORTIMER LLC, D/B/A 495 TRUCK ( | Station Number PB050655    |
| Emissions Result    | N/A        | Address: 400 SOUTH STREET             | Inspector Number *****8802 |
| Test Date           | 8/31/2017  | MARLBORO, MA 01752                    | Test Fee \$100.00          |
| Test Time           | 11:18:17AM | 508-460-9898                          | Shop Hourly Rate \$35      |
| Test Type           | Regular    |                                       | Time Spent 1.9             |
| Slicker Number      | 182217873  |                                       |                            |
| Inspection Type     | Initial    |                                       |                            |
| Inspection Count    | 1          |                                       |                            |

|                  |                   |                    |           |
|------------------|-------------------|--------------------|-----------|
| Odometer         | 94134             | Station Number     | PB050655  |
| GWR              | 16000             | Inspector Number   | *****8802 |
| Fuel Type        | Gasoline          | Workstation Number | ST001808  |
| Model            | F-450             |                    |           |
| Year / Make      | 1997 FORD         |                    |           |
| Vehicle Type     | Truck             |                    |           |
| Plate Type/State | CON / MA          |                    |           |
| License Plate    | L69810            |                    |           |
| VIN              | 3FELF47G0VMA40824 |                    |           |

See Page 2 of this report for:  
Commercial Vehicle Safety Results



# Vehicle Inspection Report

Commonwealth of Massachusetts Motor Vehicle Inspection and Maintenance Program

Please Review This Important Information

Your vehicle has PASSED its MASSACHUSETTS COMMERCIAL MOTOR VEHICLE SAFETY TEST. The results are summarized in this report.

Keep a copy of this Report with the vehicle, as required by the Federal Motor Vehicle Safety Regulations for Inspection, Repair and Maintenance (49 CFR 396.21). Questions? Visit [www.mass.gov/vehiclecheck](http://www.mass.gov/vehiclecheck) or call Customer Service at 1-844-358-0135. Customer Service is staffed from 7 a.m. to 5 p.m. Monday, Wednesday, Friday, and Saturday, and from 7 a.m. to 8 p.m. on Tuesday and Thursday.

## Overall Result: PASS

|                      |                   |
|----------------------|-------------------|
| Safety Result        | PASS              |
| Emissions Result     | N/A               |
| Start Test Date/Time | 7/10/2020 3:10 PM |
| End Test Date/Time   | 7/10/2020 3:22 PM |
| Test Type            | Regular           |
| Sticker Number       | 213626996         |
| Inspection Type      | Initial           |
| Inspection Counter   | 1                 |

## Vehicle Information

|                   |                   |
|-------------------|-------------------|
| VIN               | 3FELF47G0VMA40824 |
| License Plate     | L69810            |
| Plate Type/State  | CON / MA          |
| Vehicle Type      | TRUCK             |
| Year / Make       | 1997 Ford         |
| Model             | F-450             |
| Fuel Type         | GASOLINE          |
| Engine Cyl / Size | 8 / 7.5L          |
| GVWR              | 16000             |
| Odometer          | 96105             |

## Station Information

|                        |                      |                  |           |
|------------------------|----------------------|------------------|-----------|
| RICKYS SALES & SERVICE | 260 NEW LANCASTER RD | LEOMINSTER       | MA        |
| Station Number         | (978) 534-0120       |                  |           |
| Workstation Number     | MAW00000724          | Inspector Number | *****1615 |

See Page 2 of this report for:  
Commercial Vehicle Safety Results

|                      |                  |
|----------------------|------------------|
| Base Inspection Fee  | \$35.00          |
| Station Labor Rate   | \$15.00 per hour |
| Inspection Time      | 1 hour(s)        |
| Total Inspection Fee | \$50.00          |

VIR Number



Scan to visit website



# Vehicle Inspection Report

Commonwealth of Massachusetts Motor Vehicle Inspection and Maintenance Program

Please Review This Important Information

Your vehicle has PASSED its MASSACHUSETTS COMMERCIAL MOTOR VEHICLE SAFETY TEST. The results are summarized in this report.

Keep a copy of this Report with the vehicle, as required by the Federal Motor Vehicle Safety Regulations for Inspection, Repair and Maintenance (49 CFR 396.21). Questions? Visit [www.mass.gov/vehiclecheck](http://www.mass.gov/vehiclecheck) or call Customer Service at 844-358-0135. Customer Service is staffed from 7 a.m. to 5 p.m. Monday through Friday and from 7 a.m. to Noon on Saturday.

Overall Result: **PASS**

## Vehicle Information

## Station Information

|                      |                  |                   |                   |                        |                      |                |           |
|----------------------|------------------|-------------------|-------------------|------------------------|----------------------|----------------|-----------|
| Safety Result        | PASS             | VIN               | 3FELF47G0VMA40824 | RICKYS SALES & SERVICE | 260 NEW LANCASTER RD | LEOMINSTER     | MA        |
| Emissions Result     | N/A              | License Plate     | L69810            | CON / MA               | TRUCK                | (978) 534-0120 |           |
| Start Test Date/Time | 6/9/2023 1:01 PM | Plate Type/State  |                   |                        | Year / Make          | 1997 Ford      |           |
| End Test Date/Time   | 6/9/2023 1:07 PM | Vehicle Type      |                   |                        | Model                | F-450          |           |
| Sticker Number       | 247048311        | Fuel Type         | GASOLINE          | Workstation Number     | Station Number       | PB005261       |           |
| Inspection Type      | Initial          | Engine Cyl / Size | 8 / 7.5L          | Inspector Number       |                      | MAW00001777    | *****5131 |
| Inspection Counter   | 1                | GVWR              | 16000             |                        |                      |                |           |
| Odometer             |                  |                   | 99884             |                        |                      |                |           |

See Page 2 of this report for:  
Commercial Vehicle Safety Results

|                      |                  |
|----------------------|------------------|
| Base Inspection Fee  | \$35.00          |
| Station Labor Rate   | \$95.00 per hour |
| Inspection Time      | 1 hour(s)        |
| Total Inspection Fee | \$130.00         |

VIR Number



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## VEHICLE MILEAGE

### 2016 Ford Van

| <u>Inspection Date</u> | <u>Mileage</u> | <u>Difference</u> | <u>Timeframe</u> | <u>Average</u> |
|------------------------|----------------|-------------------|------------------|----------------|
| 11/30/22               | 46,661 mi      |                   |                  |                |
| 11/29/23               | 50,990 mi      | 4,329 mi          | 1 year           | 4,329 miles    |
| 10/22/24               | 55,152 mi      | 4,162 mi          | 1 year           | 4,162 miles    |

# Vehicle Inspection Report



Please Review This Important Information

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The results are summarized in this report. Keep a copy of the inspection documents with the vehicle as required by the Federal Motor Vehicle Safety Regulations for inspection, repair and maintenance (49 CFR 396.21). Questions? Visit [www.mass.gov/vehicheck](http://www.mass.gov/vehicheck) or call Customer Service at 844-358-0135. Customer Service is staffed from 7 a.m. to 5 p.m. Monday through Friday and from 7 a.m. to Noon on Saturday.

Overall Result: **PASS**

Safety Result **PASS**  
Emissions Result **PASS**

Start Test Date/Time **11/30/2022 10:58 AM**  
End Test Date/Time **11/30/2022 11:06 AM**

Test Type Regular  
Sticker Number 238040024

Inspection Type Initial  
Inspection Counter 1

GVWR 14000  
Engine Cyl / Size 8 / 5.4L

Fuel Type FLEXIBLE  
Year / Make 2016 Ford

Model E-Series Chassis  
Plate Type/State CON / MA

Vehicle Type TRUCK  
License Plate V86238

VIN 1FDWE4FL4GDC17859  
RICKY'S SALES & SERVICE

260 NEW LANCASTER RD  
LEOMINSTER MA

Station Number PB005261  
Workstation Number MAW00000724

Inspector Number \*\*\*\*\*5131  
Odometer 46661

See Page 2 of this report for:

Commercial Vehicle Safety Results

## On-Board Diagnostic (OBD) Results

Tampering Check **PASS**  
Connector Result **PASS**

RPV Result **PASS**  
Key-On BulbCheck **PASS**

Engine-Running Bulb Check **PASS**  
Scan Tool Check **PASS**

Communication Result **PASS**  
Mil Status Result **PASS**

Readiness Result **PASS**  
EGR and/or VVT System **PASS**

Oxygen Sensor Heater **PASS**  
Oxygen Sensor **PASS**

A/C System **PASS**  
Secondary Air System **PASS**

Evaporative System **PASS**  
Catalyst Heater **PASS**

Catalyst **PASS**  
Miles Since Code Clearing **PASS**

Warm-Ups Since Code Clearing **PASS**  
Pin 16 Voltage **PASS**

## OBD Readiness Monitor Results

OBD Diagnostic Trouble Codes **PASS**  
OBD Permanent Fault Codes **PASS**

Inspection Time 1 hour(s)  
Station Labor Rate \$95.00 per hour

Base Inspection Fee \$35.00  
Total Inspection Fee \$130.00

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Cleaner Air - Safer Roads

# Vehicle Inspection Report

Commonwealth of Massachusetts Motor Vehicle Inspection and Maintenance Program

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Overall Result: **PASS**

Vehicle Information

Station Information

|                      |                    |                   |                   |                         |
|----------------------|--------------------|-------------------|-------------------|-------------------------|
| SAFETY RESULT        | PASS               | VIN               | 1FDWE4FL4GDC17859 | RICKY'S SALES & SERVICE |
| EMISSIONS RESULT     | PASS               | LICENSE PLATE     | V86238            | 260 NEW LANCASTER RD    |
| START TEST DATE/TIME | 11/29/2023 1:03 PM | PLATE TYPE/STATE  | CON / MA          | LEOMINSTER              |
| END TEST DATE/TIME   | 11/29/2023 1:13 PM | VEHICLE TYPE      | TRUCK             | (978) 534-0120          |
| TEST TYPE            | Regular            | YEAR / MAKE       | 2016 Ford         |                         |
| STICKER NUMBER       | 243764505          | MODEL             |                   | STATION NUMBER          |
| INSPECTION TYPE      | Initial            | FUEL TYPE         | FLEXIBLE          | WORKSTATION NUMBER      |
| INSPECTION COUNTER   | 1                  | ENGINE CYL / SIZE | 8 / 5.4L          | INSPECTOR NUMBER        |
|                      |                    | GWR               | 14000             |                         |
|                      |                    | ODOMETER          | 50990             |                         |

See Page 2 of this report for:  
Commercial Vehicle Safety Results

|                      |                  |
|----------------------|------------------|
| Base Inspection Fee  | \$35.00          |
| Station Labor Rate   | \$95.00 per hour |
| Inspection Time      | 1 hour(s)        |
| Total Inspection Fee | \$130.00         |

On-Board Diagnostic (OBD) Results

OBD Readiness Monitor Results

OBD Additional Data

|                           |      |                       |            |                              |            |
|---------------------------|------|-----------------------|------------|------------------------------|------------|
| Tampering Check           | PASS | Catalyst              | READY      | Miles Since Code Clearing    | READY      |
| Connector Result          | PASS | Catalyst Heater       | UNSUPPOTED | Warm-Ups Since Code Clearing | UNSUPPOTED |
| RPM Result                | PASS | Evaporative System    | READY      | Pin 16 Voltage               | 14.4       |
| Key-On BulbCheck          | N/A  | Secondary Air System  | UNSUPPOTED |                              |            |
| Engine-Running Bulb Check | N/A  | A/C System            | UNSUPPOTED |                              |            |
| Scan Tool Check           | N/A  | Oxygen Sensor         | READY      |                              |            |
| Communication Result      | PASS | Oxygen Sensor Heater  | READY      |                              |            |
| MIL Status Result         | PASS | EGR and/or VVT System | UNSUPPOTED |                              |            |
| Readiness Result          | PASS |                       |            |                              |            |

OBD Diagnostic Trouble Codes

OBD Permanent Fault Codes

VIR Number



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# Vehicle Inspection Report

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## Overall Result: PASS

| Vehicle Information  |                    | Station Information |                   |
|----------------------|--------------------|---------------------|-------------------|
| Safety Result        | PASS               | VIN                 | 1FDWE4FL4GDC17859 |
| Emissions Result     | PASS               | License Plate       | V86238            |
| Start Test Date/Time | 10/22/2024 4:15 PM | Plate Type/State    | CON / MA          |
| End Test Date/Time   | 10/22/2024 4:27 PM | Vehicle Type        | TRUCK             |
| Test Type            | Regular            | Year / Make         | 2016 Ford         |
| Sticker Number       | 255920056          | Model               | E-Series Chassis  |
| Inspection Type      | Initial            | Fuel Type           | FLEXIBLE          |
| Inspection Counter   | 1                  | Engine Cyl / Size   | 8 / 5.4L          |
| GWR                  | 14000              | Inspector Number    | MAW00000724       |
| Odometer             | 55152              | Station Number      | PB005261          |

See Page 2 of this report for:  
Commercial Vehicle Safety Results

|                      |                   |
|----------------------|-------------------|
| Base Inspection Fee  | \$35.00           |
| Station Labor Rate   | \$115.00 per hour |
| Inspection Time      | 1 hour(s)         |
| Total Inspection Fee | \$150.00          |

| On-Board Diagnostic (OBD) Results |      | OBD Readiness Monitor Results |            | OBD Additional Data          |       |
|-----------------------------------|------|-------------------------------|------------|------------------------------|-------|
| Tampering Check                   | PASS | Catalyst                      | READY      | Miles Since Code Clearing    | 13455 |
| Connector Result                  | PASS | Catalyst Heater               | UNSUPPOTED | Warm-Ups Since Code Clearing | 255   |
| RPM Result                        | PASS | Evaporative System            | READY      | Pm 16 Voltage                | 13.9  |
| Key-On BulbCheck                  | N/A  | Secondary Air System          | UNSUPPOTED |                              |       |
| Engine-Running Bulb Check         | N/A  | A/C System                    | UNSUPPOTED |                              |       |
| Scan Tool Check                   | N/A  | Oxygen Sensor                 | READY      |                              |       |
| Communication Result              | PASS | Oxygen Sensor Heater          | READY      |                              |       |
| MIL Status Result                 | PASS | EGR and/or VVT System         | UNSUPPOTED |                              |       |
| Readiness Result                  | PASS |                               |            |                              |       |

VIR Number



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# TOWN OF MAYNARD

## Zoning Board of Appeals: Staff Report

195 Main Street · Maynard, MA 01754  
Tel: 978-897-1302 · [www.townofmaynard-ma.gov](http://www.townofmaynard-ma.gov)

### I. Project Information

|                           |   |
|---------------------------|---|
| <b>Application #</b>      | ZBA2502   |
| <b>Project Location</b>   | 30-32 Walnut Street                                   |
| <b>Property Owner</b>     | Daniel & Denise Cormier, 30-32 Walnut Street, Maynard |
| <b>Petitioner</b>         | Daniel Cormier  |
| <b>Type of Request</b>    | Special Permit  |
| <b>Zoning</b>             | GR  |
| <b>Date App. Received</b> | April 14, 2025  |

### II. Project Description

Per Sections 3.1.2 and 8.3 of the Maynard Protective Zoning By-Laws (ZBL), the petitioner seeks Special Permit approval to operate an Accessory Home-Based Business (Type-B) at 30-32 Walnut Street, a two-family dwelling located in the General Residential (GR) zoning district, and to allow overnight outdoor parking of two additional commercial vehicles associated with this business on the property.

### III. Procedural History

1. Pursuant to Massachusetts General Law Chapter 40A, Section 10, an application for a Special Permit from the Maynard Zoning By-laws was submitted by the above-referenced homeowner and filed with the Zoning Board of Appeals (ZBA) on April 14, 2025.
2. The Special Permit application was accompanied by a plot plan (Exhibit “A”).
3. A public hearing on the Special Permit application was scheduled for May 21, 2025. The Legal Notice was placed in a paper of local circulation on May 7 and May 14, and sent via certified mail to interested parties on May 2, 2025.
4. The application documentation and other submitted material were reviewed by Town Staff.

### IV. Regulatory Framework

#### a. State Statute

M.G.L. Chapter 40A, implemented locally by Section 10.4.2 of the ZBL, states that to grant a Special Permit, the Board must make a finding that the adverse effects of the proposed use will not outweigh its beneficial impacts to the Town or the neighborhood, in view of the characteristics of the site, and of the proposal in relation to that site. In addition to any specific factors that may be set forth in the ZBL, the determination shall include consideration of each of the following:

1. Social, economic, or community needs which are served by the proposal.
2. Traffic flow and safety, including parking and loading.
3. Adequacy of utilities and other public services.
4. Neighborhood character and social structures.
5. Impacts on the natural environment.
6. Potential fiscal impact, including impact on town services, tax base, and employment.

## **b. Maynard Protective Zoning By-Law**

At the 2023 Annual Town Meeting, changes were approved to the ZBL reforming the regulation of home-based business activities. Section 8.3, “Accessory Home-Based Business Activities,”

...establishes two categories of Accessory Home-Based Business Activities – “Type A”, which is allowed as of right (no Special Permit required to conduct the activity) and “Type B” which may be allowed by a discretionary Special Permit issued by a Special Permit Granting Authority (SPGA). Where a Special Permit is granted, the SPGA may include in the Special Permit any conditions or limitations deemed necessary to mitigate potential negative impacts on abutting properties and the residential character of the neighborhood.

...

1. Type-A Accessory Home-Based Business Activities generally take place with little or no evidence that a property is used in any way other than a dwelling. They must be in compliance with Sections 8.3.3 and 8.3.4 and shall be allowed as of right and do not require a Special Permit
2. Type-B Accessory Home-Based Business Activities generally take place with significant evidence that a business or professional activity is occurring. They may be allowed by Special Permit from the Special Permit Granting Authority, per Sections 8.3.3, 8.3.5 and 8.3.6 and Section 10.4.

Due to the need for equipment storage, temporary structures, and commercial vehicle parking on the property—which constitute significant evidence that a business is occurring—the petitioner is seeking Special Permit approval for a **Type-B** Accessory Home-Based Business Activity (AHBBA).

Per Section 8.3, **all AHBBA**s must meet the following requirements:

1. The business owner must reside on the property.
2. The AHBBA is clearly incidental and secondary to the use of the premises for dwelling purposes.
3. There shall be no change in the outside appearance of the premises, including buildings and grounds, that is not in keeping with the residential character and appearance of the neighborhood.
4. No equipment or process shall be used in an AHBBA that creates noise, vibration, glares, fumes, electrical interference, or odors detrimental to the safety, peace, comfort, or general welfare of the persons residing in the neighborhood.
5. The AHBBA shall not generate, use, or store hazardous materials or waste in quantities greater than associated with normal household use, other than as approved by the Fire Chief.
6. Vehicles, Parking and Traffic
  - a. Off-street parking spaces shall be provided for all the AHBBA’s commercial vehicles and trailers, and all the AHBBA’s non-resident employee vehicles. None of these vehicles or trailers shall be parked on the street.
  - b. Any parking area shall retain the character of the residential neighborhood.
  - c. The AHBBA and any related activity shall not create any traffic hazards or nuisances in public rights-of-way.
  - d. Motor vehicles used in conjunction with the AHBBA and stored overnight on the property must be owned or leased by the operator of the business, with the vehicle’s principal place of garaging recorded as the property address.
  - e. Motor vehicles or construction equipment used in conjunction with the AHBBA that are equipped with back-up alarms, shall not be operated on the property. The pedestrian alert sounds required by the National Highway Traffic Safety Administration for hybrid and electric vehicles are excluded from this prohibition.
  - f. Light maintenance and preventive maintenance of the AHBBA’s business vehicles and business equipment, only as defined in 8.3.7, is allowed outdoors. No other repair or maintenance of the AHBBA’s business vehicles, construction equipment or landscape equipment is allowed unless done indoors without outward visual or audible evidence of the activity.

7. More than one AHBBA may be conducted on a premises however, the combined business-related impact of all AHBBA's shall be considered when evaluating the terms of Section 8.3.

Per Section 8.3.6, in order to approve a Special Permit for a Type-B AHBBA, the SPGA must also find that, where applicable, the potentially detrimental impacts of items a-n (below) on abutting properties and the residential character of the neighborhood would be mitigated:

- a. The area of building space exclusively or regularly used by the AHBBA is more than 25% of the gross floor area of the dwelling.
- b. Use of an accessory building by the AHBBA.
- c. One (1) or more non-resident employees working at the premises at any one time.
- d. A non-resident employee working on site other than on weekdays between the hours of 9:00 a.m. and 5:00 p.m.
- e. Customers, clients, patients, students, or other patrons of the AHBBA on the premises other than on weekdays between the hours of 9:00 a.m. and 5:00 p.m.
- f. More than two (2) business-related vehicle visits per any day or more than 10 visits per any week, other than business-related vehicle trips by residents of the dwelling and trips by delivery vehicles.
- g. More than two (2) customers, clients, patients, or other patrons of the AHBBA on the premises at any given time or, for instructional activities, more than four (4) students at a time.
- h. Use of more than a total of one (1) on-street parking space by customers, clients, patients, students, or other patrons of the AHBBA.
- i. The delivery or distribution of products or materials related to the AHBBA by other than a passenger motor vehicle or by parcel or letter carrier mail services using vehicles typically employed in residential deliveries.
- j. More than one (1) commercial motor vehicle and one (1) trailer used principally for the business parked outside overnight on the property.
- k. Heavy construction equipment on the property.
- l. Noise, vibration, glares, fumes, or odors discernable beyond the property line.
- m. The outdoor storage of equipment, material or goods, other than commercial vehicles.
- n. Business activities that take place outdoors on the property.

## V. Staff Analysis

### a. Potential Impacts and Considerations

The petitioner's justification statement outlines the following potential impacts of items a-n above (**Staff comment in bold**):

b. Use of an accessory building by the AHBBA.

**Petitioner uses an 8x20' temporary shelter to cover equipment, and intends to move this shelter to within setback requirements.**

j. More than one (1) commercial motor vehicle and one (1) trailer used principally for the business parked outside overnight on the property.

**Petitioner uses three vehicles for business which are parked overnight on the property: a 1997 Ford dumper truck, a 2016 Ford van, and a Japanese miniature truck (*kei* truck).**

m. The outdoor storage of equipment, material or goods, other than commercial vehicles.

**Petitioner is requesting permission to store a 25-gallon power sprayer outdoors on the property.**

**b. Internal Review**

|                       |                    |
|-----------------------|--------------------|
| Building Commissioner | <i>No comment.</i> |
| Conservation Agent    | <i>No comment.</i> |
| Health Director       | <i>No comment.</i> |
| Town Engineer         | <i>No comment.</i> |
| Police                | <i>No comment.</i> |
| Fire                  | <i>No comment.</i> |

**VI. Action Required by the ZBA**

- a. As detailed in Section IV a of this report, the ZBA must determine if the adverse effects of the proposed use will or will not outweigh its beneficial impacts to the Town or the neighborhood, in view of the characteristics of the site, and of the proposal in relation to that site.
  1. Identification of any project site-specific conditions of approval(s) deemed appropriate to address as a condition of approval by the board. These may include but are not limited to:
    - Renewal times
    - Hours
    - Traffic
    - Noise
    - Lighting
    - Activity specifically prohibited
    - Screening
    - Aesthetics
    - Odors/fumes
    - Signage
  2. Board Vote:
    - a. Finding that the above-referenced criteria have been met by the ZBA's determination as described.
    - b. Granting a Special Permit for an Accessory Home-Based Business (Type-B).

**VII. General Conditions**

**a. Recording of Decision and Approved Plans:**

The Petitioner shall file this decision with the Middlesex South District Registry of Deeds (or Land Court if registered land) and a copy of the decision stamped with the recording information (Book/Page or Land Court document number) shall be provided to the Building Department.

**b. Appeals**

Appeals shall be made within twenty (20) days after the date of filing this decision in the Office of the Town Clerk directly to a court of competent jurisdiction in accordance with the provisions of M.G.L., Chapter 40A, Section 17.

**Application Fees (Not Including  
Advertising and Mailing Costs):**

- Special Permit: \$250
- Variance: \$250
- Appeal of Building Commissioners Decision: \$250
- Special Permit Renewal: \$150

Clerk Stamp:

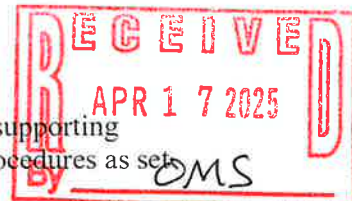
**TOWN OF MAYNARD**

**APR 17 2025**

**TOWN CLERK'S OFFICE  
MAYNARD, MA 01754**



**ZONING BOARD OF APPEALS**  
**APPLICATION NUMBER: ZBA2503**  
**PETITION FOR HEARING**



This Petition must be completed, signed, and submitted with the filing fee and supporting documentation by the Petitioner or his representative in accordance with the procedures as set forth on the attachments to this petition.

Address of Property 25 Garfield Ave

Characteristics of Property: Lot Area 8015sf Present Use SF

Assessor's Map # 15 Parcel # 100 Zoning District ~~QR~~ S-1

Name of Petitioner Tete + Elizabeth Cobblah Phone # \_\_\_\_\_

Mailing Address 25 Garfield Ave Maynard MA 01754

E-mail Address ecobblah@gmail.com gebourque@gebourque.com

Name of Owner \_\_\_\_\_ Phone # 978-505-7620

(If not Petitioner)

Mailing Address \_\_\_\_\_

Petition is for Appeal from the Decision of the Building Commissioner

(Check One)

- ☒ A Variance  
☐ A Special Permit  
☐ Other (Please Specify) \_\_\_\_\_

Applicable Section of the Zoning By-Laws: \_\_\_\_\_

Summarize nature and justification of petition (*Please attach full explanation*):

\_\_\_\_\_  
\_\_\_\_\_

I hereby request a hearing before the Zoning Board of Appeals with reference to the above Petition.

Signature of Petitioner (or representative) [Signature]

Address (if not Petitioner) \_\_\_\_\_

Telephone Number 978-505-7620

Signature of Owner, if other than Petitioner \_\_\_\_\_

## **ZONING BOARD OF APPEALS**

### **Instructions for Petitioner**

The Petitioner is advised to review the Maynard Zoning By-Laws (copy available at Town Clerk's Office), The Zoning Act (Massachusetts General Laws Chapter 40A), and these instructions, prior to filing a Petition and prior to appearing before the Zoning Board of Appeals (ZBA) at a Public Hearing.

The petition must be completely and accurately filled out, and all information must be entered in the appropriate space provided before the petition will be accepted for filing. Incorrect information may result in denial of the petition.

The petition shall be reviewed by the ZBA before it is accepted as filed. The ZBA reserves the right to have the petition reviewed by the Building Commissioner, the Superintendent of Public Works, and/or the Planning Board before the same is accepted for filing.

The petition must indicate the specific section of the Zoning By-Laws for which each variance, permit, or appeal is being petitioned.

Example: "A variance is sought from Section 4-1 of the Zoning By-Laws from the front setback requirement of Twenty Five (25) feet to Twenty (20) feet".

Each specific variance, permit, or appeal being requested in the petition must be set forth in a separate paragraph of the petition to clearly indicate the different requests. Failure to so state the requests clearly may result in the petition being denied.

The petition must be accompanied by:

- a) A Plot Plan which has been prepared and stamped by a Registered Land Surveyor or Engineer. This Plan must show:
  - i. All existing buildings on the property and all proposed buildings and additions.
  - ii. Distances from structures to lot line and length of lot lines, together with all dimensions and setbacks of proposed buildings.
  - iii. In the case of a residential dwelling, the front of the dwelling as defined in the Zoning By-Laws, and must further show the location of all present or proposed driveway or vehicle access areas.
  - iv. The Plan should, but need not, denote any other significant features of the Lot depicted on the petition, such as fences, stone walls, brooks, drains, or accessory structures.
  - v. If there is significant variation in the topography of the lot which is the subject of the petition it is recommended that spot elevations be shown by the Engineer.
- b) A list of all abutters, and abutters of abutters within three hundred foot of the property line of the property affected. This list must be certified by the Board of Assessors. Failure to provide this list will result in the petition being considered incomplete. Incomplete petitions will be returned to the petitioner.
- c) An area map obtained from the Board of Assessors, showing the area in which the property is situated.
- d) A check, payable to the Town of Maynard for the appropriate filing fee plus the fee for postage (this is based on abutters list and the cost of mailing by certified mail, return receipt requested) plus the cost for advertising in the local newspaper. Please be aware that there may be additional costs for filing with the Registry of Deeds.

- e) Appropriate documentation as to the relief being sought. These are outlined in the following sections.

In the case of a **Variance**, the following points, based on Massachusetts General Laws, Chapter 40A, Section 10, should be identified and factually supported on or with the petition form and verbally at the hearing:

- a) The particular Land or Structure, or the Use proposed for the Land or Structure, if any;
- b) The circumstances relating to the soil conditions, shape or topography of the Land or Structures and especially affecting the Land or Structure for which the Variance is sought which do not affect generally the Zoning District in which it is located;
- c) The facts which make up the substantial hardship, financial or otherwise, which results from the literal enforcement of the applicable zoning restrictions with respect to the Land or Structure for which a Variance is sought. (Substantial hardship is not purely economic in nature. It is insufficient to present evidence at the hearing merely showing that the value of the land in question will be affected by a lack of or denial of the requested variance.);
- d) The facts to support that the relief sought will be without substantial detriment to the public good; and that the public health and safety is not compromised by the granting of a variance;
- e) The facts to support a Finding that the relief sought may be given without nullifying or substantially derogating from the intent or purpose of the Zoning By-Laws; and
- f) Any other information pertaining to the variance which is the subject of the petition.

In the case of a **Special Permit**, the following points, based on Massachusetts General Laws, Chapter 40A, Section 9, should be identified and factually supported on or with the petition form and verbally at the hearing:

- a) The particular type of Use proposed for the Land or Structure, if any;
- b) The conditions and character of operations of the proposed Use which show that it will be in harmony with the general purpose and intent of the District and the By-Laws; and
- c) The nature of the proposed Use in relation to both the general and specific provisions of the By-Laws governing that Use and the District it is located.

In the case of an **Appeal**, the following points, based on Massachusetts General Laws, Chapter 40A, Section 8, should be identified and factually supported on or with the petition form and verbally at the hearing:

- a) The grounds for the appeal;

- b) Supporting documentation relative to the nature of the Appeal; and.
- c) Note: In the case of an Appeal from the action or failure to take action by the Building Commissioner, the appeal shall be filed with the Town Clerk within thirty (30) days from the date of issuance of a Permit or denial of a Permit by, or an Order, ruling, decision, or determination of, the Building Commissioner.

\*\*\*\*\*

**Failure to present evidence in one or more of the foregoing areas may result in the petition being denied by the ZBA. The ZBA cannot draw from the petitioner the necessary evidence to grant the petition if improperly presented.**

\*\*\*\*\*

## **ZONING BOARD OF APPEALS**

### **Petition Process**

#### **Petition Submittal**

The process for filing a petition and appearing in front of the Zoning Board of Appeals (ZBA) is as follows:

The Petitioner shall file the Petition for an **Appeal**, a **Variance** or a **Special Permit** with the ZBA, which will then review the Petition, and if complete, shall transmit a copy forthwith to the Town Clerk. The Petition shall consist of the completed Petition form, plot plan, area map, and other documentation as necessary to support the petition, as well as the appropriate fees. Incomplete petitions shall be returned to the petitioner.

In the case of an **Appeal** from the action or failure to take action by the Building Commissioner, the appeal shall be filed with the Town Clerk within thirty (30) days from the date of issuance of a Permit or denial of a Permit by, or an Order, ruling, decision or determination of, the Building Commissioner.

#### **Notice and Hearings**

Notice of ZBA hearings shall be advertised as required by the provisions of Massachusetts General Laws, Chapter 40A, Chapter 11:

Notice shall be given by publication in a newspaper of general circulation in the town once in each of two successive weeks, the first publication to be not less than fourteen days before the day of the hearing and by posting such notice in a conspicuous place in the town hall for a period of not less than fourteen days before the day of such hearing. Notice shall be sent by mail, postage prepaid to the petitioner, abutters, owners of land directly opposite on any public or

private street or way, and abutters to the abutters within three hundred feet of the property line of the property affected.

Hearings of the ZBA shall occur as necessary at times determined by the Board, in the Hearing Room in the Town Hall or any other place specified in the meeting notice. Frequency of hearings depends on the number and type of petitions on file. Typically, the ZBA meets monthly in an evening session.

All hearings shall be open to the public. No person shall be excluded unless they are considered by the chairperson to be a “serious hindrance” to the workings of the Board.

The Petitioner may appear on their own behalf or be represented by an agent or attorney. In the absence of any appearance without due course on behalf of a Petitioner or the owner of the property affected, the Board will deny the Petition.

#### Order of Business:

The Hearing for each petition shall be conducted as follows:

- a) Opening of the Public Hearing
- b) Reading of the petition legal notice by the Chairperson;
- c) Presentation by Petitioner;
- d) Presentation(s) by those in support of the Petition;
- e) Presentation(s) by those in opposition to the Petition;
- f) Questions by those seeking information;
- g) Rebuttal by Applicant, restricted to matters raised by opponent’s objections;
- h) ZBA members hearing the case may direct appropriate questions during the hearing;
- i) Closure of the Public Hearing
- j) Deliberation and determination of findings by the ZBA.

#### Filing of Decision

After deliberation, the ZBA will reach a decision. The decision requires a favorable vote of at least four members of the ZBA to grant the petition. If the decision is to grant the petition, the ZBA shall issue a copy of its decision to the owner and to the petitioner, if other than the owner, setting forth compliance with the statutory requirements for the issuance of such variance or permit and certifying that copies of the decision and all plans referred to in the decision have been duly filed.

The variance or permit shall take effect after a copy of the decision bearing the certification of the Town Clerk that twenty days have elapsed after the decision has been filed in the Town Clerk’s Office.

If the decision is to deny the petition, the decision is filed in the Town Clerk’s Office. Resubmission of the same petition is then precluded from occurring for two years, per M.G.L. Chapter 40A Section 16.

In cases where an appeal is made to the ZBA under G.L. c. 40A Section 8, other rules apply. See M.G.L Chapter 40A Section 15.

April 15, 2025

Dear members of the Zoning Board of Appeals,

We are writing to seek your permission to expand our current place of dwelling at 25 Garfield Avenue. We are two retired 70-year-old educators and have lived at this address for the past 37 years.

Our colonial house, which is about 134 years old, does not have a bedroom on the first floor. Anticipating mobility issues as we age, it has become necessary for us to create a bedroom, bathroom and workspace on the ground level.

It has come to our notice that we need your permission to proceed with this project. We hope that our application will be considered, and the building permit granted. Thank you for the good work you continue to do for Maynard.

Sincerely,

Tete Cobblah



Elizabeth Cobblah



1. The Data Accumulation And Boundary Survey Depicted Hereon Were Obtained By A Field Survey Using Conventional Survey Methods On March 12, 2025 By Chess Engineering, LLC. All Features And Objects Shown Are Existing As Of The Date Of The Survey Unless Otherwise Depicted As Proposed.

2. The Purpose Of This Plan Is For Obtaining Local Approval For The Existing Or Proposed Use Depicted On This Plan Only. This Plan, In Conjunction With A Record Plan Provided To The Client, Was Prepared In Accordance With The Procedural And Technical Standards For The Practice Of Land Surveying In The Commonwealth Of Massachusetts.

3. This Plan Does Not Show Any Unrecorded Or Unwritten Easements Which May Or May Not Exist.

4. Right-Of-Way Said To Be Public According To Town Clerk Or Their Designee. No Research For Local Acceptance Has Been Conducted.

5. This Plan Shall Not Be Used For Construction. Construction Layout Of Buildings, Location Of Site Improvements And Boundary Location Shall Be Performed By A Professional Land Surveyor. Location Of Features Or Boundaries Derived By Scaling This Plan May Not Be Accurate.

6. This Plan: A) Shall Not Be Recorded, B) Does Not Imply Or Otherwise Certify Any Form Of Ownership, And C) Shall Not Be Used To Determine The Location Of Any Features (Fences, Driveways, etc) Relative To Any Feature Or Boundary Unless Explicitly Dimensioned By CHSS Engineering On This Plan.

7. Scale of Drawing (1" = 20') Intended For A 11"x17" Print Only.

I Declare That This Survey And Plan Were Prepared In Accordance With The Procedural And Technical Standards For The Practice Of Land Surveying In The Commonwealth Of Massachusetts.

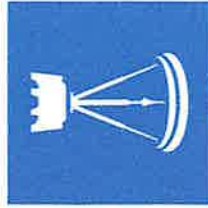
DRAFT COPY  
FOR CLIENT REVIEW ONLY

|                           |      |
|---------------------------|------|
| Paul Campbell, PLS #52781 | Date |
|---------------------------|------|

Drawing name: C:\Users\Paul\CHESSE Engineering Dropbox\Projects\0434 -- 25 Garfield Ave Maynard MA\dwg\0434.ccc.rev00.dwg  
Apr 07, 2025 - 16:07pm



## Locus



CHES

126 John Street, Suite 11  
Lowell, MA 01852  
Phone (617) 982-3250  
[www.chessengineering.com](http://www.chessengineering.com)

## Certified Plot Plan

Prepared For  
Tete Cobblah

25 Garfield Avenue  
Maynard, MA 01754  
(Middlesex County)

| No. | Revision | Date | App. |
|-----|----------|------|------|
|     |          |      |      |
|     |          |      |      |
|     |          |      |      |
|     |          |      |      |

Designed By \_\_\_\_\_

Scale \_\_\_\_\_

Drawn By \_\_\_\_\_

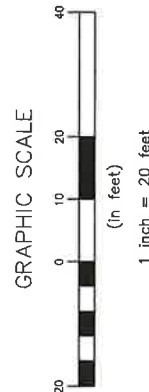
1" = 20'

Checked by \_\_\_\_\_

Date: March 19, 2025

**Owner Of Record:**  
Augustus Tete Cobbah &  
Elizabeth P. Uplikre Cobbah, Trustee  
Of The Cobbah Realty Trust  
25 Garfield Avenue  
Maynard, MA 01754  
Deed Book 60215, Page 385  
PID: Map 15 Parcel 109  
Plan: Book 155, Page 40 (Lots 221 & 222)  
Area Measured: 8,000 S.F.

The Location Of All Underground Utilities Shown Are Approximate And Are Based Upon A Field Survey And Compilation Of Plans Of Record. Chess Engineering, LLC Does Not Warranty The Location Of All Utilities Depicted. Only Record Information Provided By The Respective Utility Owner And Independently Verified By Chess Engineering, LLC Is Shown Hereon. The Contractor, Engineer, Or Architect Prior To Commencement Of Construction Or Design, Shall Verify The Location Of All Utilities And Contact Dig Safe At 1-888-344-7233.



1 inch = 20 feet

**Notes:**

- The Data Accumulation And Boundary Survey Depicted Hereon Were Obtained By A Field Survey Using Conventional Survey Methods On March 12, 2025 By Chess Engineering, LLC. All Features And Objects Shown Are Existing As Of The Date Of The Survey Unless Otherwise Depicted As Proposed.
- The Purpose Of This Plan Is For Obtaining Local Approval For The Existing Or Proposed Use Depicted On This Plan Only. This Plan Is Not To Be Used In Connection With A Record Plan Provided To The Client, Was Prepared In Accordance With The Professional Standards And Technical Standards For The Practice Of Land Surveying In The Commonwealth Of Massachusetts.
- This Plan Does Not Show Any Unrecorded Or Unwritten Easements Which May Or May Not Exist.
- Right-Of-Way Said To Be Public According To Town Clerk Or Their Designee, No Research For Local Acceptance Has Been Conducted.
- This Plan Shall Not Be Used For Construction, Construction Layout Of Buildings, Location Of Site Improvements, Or Boundary Location. It Shall Be Performed By A Professional Land Surveyor. Location Of Features Or Boundaries Derived By Scaling This Plan May Not Be Accurate.
- This Plan: A) Shall Not Be Recorded, B) Does Not Imply Or Otherwise Certify Any Form Of Ownership, And C) Shall Not Be Used To Determine The Location Of Any Features (Fences, Driveways, etc) Relative To Any Feature Or Boundary Unless Explicitly Dimensioned By Chess Engineering On This Plan.
- Scale of Drawing (1" = 20') Intended For A 11"x17" Print Only.

| ZONING CHART   |                            |
|--|----------------------------|
| ZONE DISTRICT: SINGLE RESIDENCE DISTRICT 1 (S-1)         |                            |
| PROPOSED USE: SINGLE FAMILY DWELLING - BUILDING ADDITION |                            |
| ALLOWED (Y/N/SP); VARIANCE BY ZBA(S)                     |                            |
| REQUIRED   | PROPOSED                   |
| MIN. LOT SIZE  | 10,000 S.F. 8,000 S.F.(S)  |
| MIN. LOT FRONTAGE  | 100 FT 80 FT(S)            |
| MIN. LOT WIDTH   | 80 FT 100 FT               |
| MIN. FRONTAGE SETBACK                                    | 25 FT 19.8 FT(S)           |
| MIN. SIDE YARD SETBACK                                   | 15 FT 18.6 FT              |
| MIN. REAR YARD SETBACK                                   | 30 FT 40.1 FT              |
| MAX. BUILDING COVERAGE                                   | 15 % 21.3%(S) (1,703.0 SF) |
| MAX. IMPERVIOUS  | 60 % 23.5% (1,878.7 SF)    |
| MAX. BUILDING HEIGHT                                     | 35 FT <35 FT               |

NOTES:  
 1. EXISTING BUILDING GROSS FLOOR AREA = 3083 SF PER ASSESSOR RECORDS. INCREASE (764.9 SF) = 24.8% ALLOWED BY BUILDING COMMISSIONER PER \$5.1.5  
 2. ALLOWED BY BUILDING COMMISSIONER PER \$5.1.5.1  
 3. ALLOWED BY BUILDING COMMISSIONER PER \$5.1.5.2  
 4. ALLOWED BY BUILDING COMMISSIONER PER \$5.1.5.3  
 5. VARIANCE REQUIRED BY ZBA PER \$5.1.4

**DRAFT COPY**

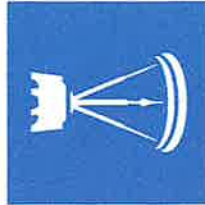
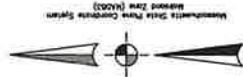
**FOR CLIENT REVIEW ONLY**

Paul Campbell, PLS #52761 PE #49236 Date

Drawing name: C:\Users\Paul\Chess Engineering Dropbox\Projects\0434 - 25 Garfield Ave Maynard MA\dwg\0434.cpc.rev00.dwg  
 Apr 15, 2025 - 11:48am



LOCUS



**CHESSENGINEERING**

126 John Street, Suite 11  
 Lowell, MA 01852  
 Phone (617) 982-3250  
 www.chessengineering.com

**Certified Plot Plan - Proposed**

Prepared For  
 Tete Cobblah

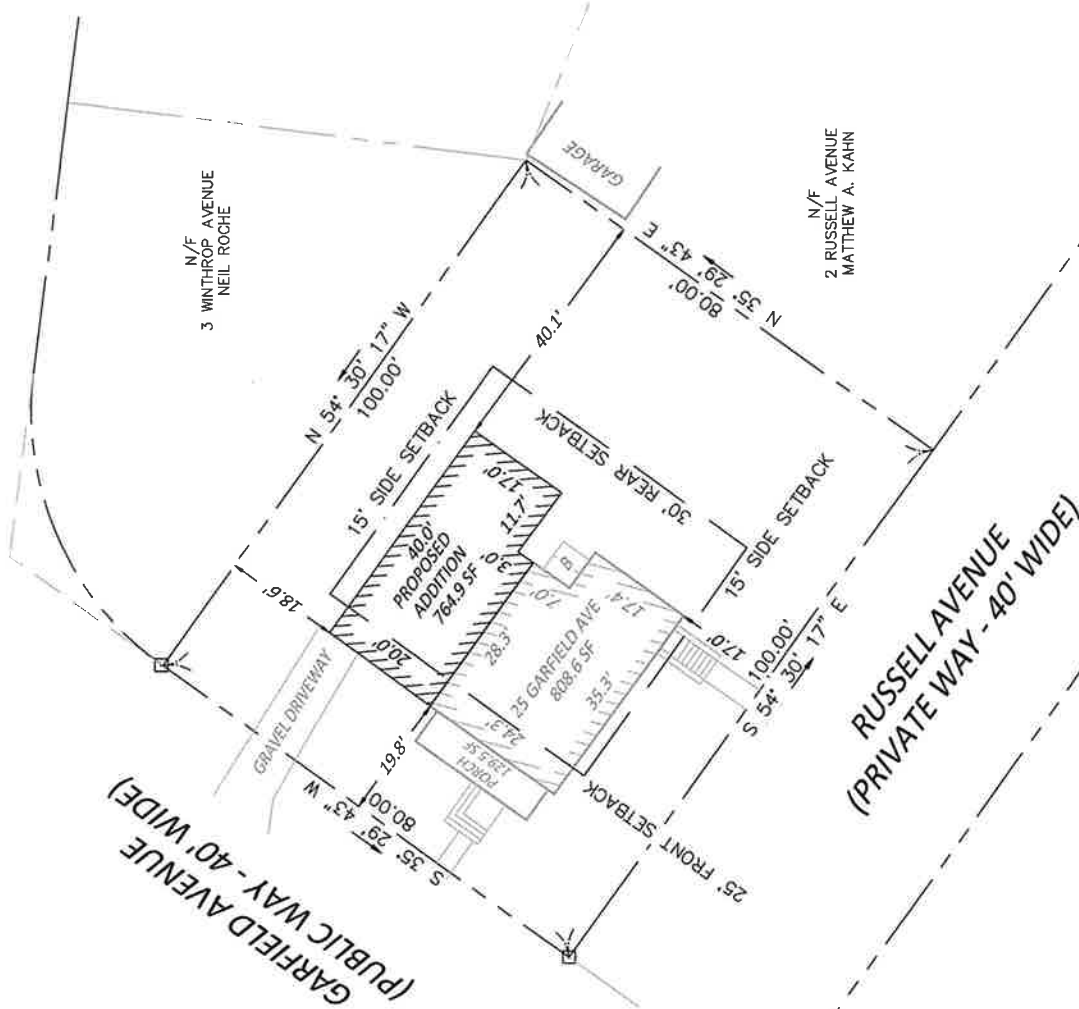
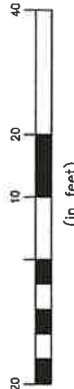
25 Garfield Avenue  
 Maynard, MA 01754  
 (Middlesex County)

| No. | Revision | Date   | App. |
|-----|----------|--------|------|
| 1   | 1        | 1/2/20 | PLC  |
| 2   | 2        | 1/2/20 | PLC  |
| 3   | 3        | 1/2/20 | PLC  |
| 4   | 4        | 1/2/20 | PLC  |
| 5   | 5        | 1/2/20 | PLC  |
| 6   | 6        | 1/2/20 | PLC  |
| 7   | 7        | 1/2/20 | PLC  |
| 8   | 8        | 1/2/20 | PLC  |
| 9   | 9        | 1/2/20 | PLC  |
| 10  | 10       | 1/2/20 | PLC  |
| 11  | 11       | 1/2/20 | PLC  |
| 12  | 12       | 1/2/20 | PLC  |
| 13  | 13       | 1/2/20 | PLC  |
| 14  | 14       | 1/2/20 | PLC  |
| 15  | 15       | 1/2/20 | PLC  |
| 16  | 16       | 1/2/20 | PLC  |
| 17  | 17       | 1/2/20 | PLC  |
| 18  | 18       | 1/2/20 | PLC  |
| 19  | 19       | 1/2/20 | PLC  |
| 20  | 20       | 1/2/20 | PLC  |
| 21  | 21       | 1/2/20 | PLC  |
| 22  | 22       | 1/2/20 | PLC  |
| 23  | 23       | 1/2/20 | PLC  |
| 24  | 24       | 1/2/20 | PLC  |
| 25  | 25       | 1/2/20 | PLC  |
| 26  | 26       | 1/2/20 | PLC  |
| 27  | 27       | 1/2/20 | PLC  |
| 28  | 28       | 1/2/20 | PLC  |
| 29  | 29       | 1/2/20 | PLC  |
| 30  | 30       | 1/2/20 | PLC  |
| 31  | 31       | 1/2/20 | PLC  |
| 32  | 32       | 1/2/20 | PLC  |
| 33  | 33       | 1/2/20 | PLC  |
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| 35  | 35       | 1/2/20 | PLC  |
| 36  | 36       | 1/2/20 | PLC  |
| 37  | 37       | 1/2/20 | PLC  |
| 38  | 38       | 1/2/20 | PLC  |
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| 40  | 40       | 1/2/20 | PLC  |
| 41  | 41       | 1/2/20 | PLC  |
| 42  | 42       | 1/2/20 | PLC  |
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| 45  | 45       | 1/2/20 | PLC  |
| 46  | 46       | 1/2/20 | PLC  |
| 47  | 47       | 1/2/20 | PLC  |
| 48  | 48       | 1/2/20 | PLC  |
| 49  | 49       | 1/2/20 | PLC  |
| 50  | 50       | 1/2/20 | PLC  |
| 51  | 51       | 1/2/20 | PLC  |
| 52  | 52       | 1/2/20 | PLC  |
| 53  | 53       | 1/2/20 | PLC  |
| 54  | 54       | 1/2/20 | PLC  |
| 55  | 55       | 1/2/20 | PLC  |
| 56  | 56       | 1/2/20 | PLC  |
| 57  | 57       | 1/2/20 | PLC  |
| 58  | 58       | 1/2/20 | PLC  |
| 59  | 59       | 1/2/20 | PLC  |
| 60  | 60       | 1/2/20 | PLC  |
| 61  | 61       | 1/2/20 | PLC  |
| 62  | 62       | 1/2/20 | PLC  |
| 63  | 63       | 1/2/20 | PLC  |
| 64  | 64       | 1/2/20 | PLC  |
| 65  | 65       | 1/2/20 | PLC  |
| 66  | 66       | 1/2/20 | PLC  |
| 67  | 67       | 1/2/20 | PLC  |
| 68  | 68       | 1/2/20 | PLC  |
| 69  | 69       | 1/2/20 | PLC  |
| 70  | 70       | 1/2/20 | PLC  |
| 71  | 71       | 1/2/20 | PLC  |
| 72  | 72       | 1/2/20 | PLC  |
| 73  | 73       | 1/2/20 | PLC  |
| 74  | 74       | 1/2/20 | PLC  |
| 75  | 75       | 1/2/20 | PLC  |
| 76  | 76       | 1/2/20 | PLC  |
| 77  | 77       | 1/2/20 | PLC  |
| 78  | 78       | 1/2/20 | PLC  |
| 79  | 79       | 1/2/20 | PLC  |
| 80  | 80       | 1/2/20 | PLC  |
| 81  | 81       | 1/2/20 | PLC  |
| 82  | 82       | 1/2/20 | PLC  |
| 83  | 83       | 1/2/20 | PLC  |
| 84  | 84       | 1/2/20 | PLC  |
| 85  | 85       | 1/2/20 | PLC  |
| 86  | 86       | 1/2/20 | PLC  |
| 87  | 87       | 1/2/20 | PLC  |
| 88  | 88       | 1/2/20 | PLC  |
| 89  | 89       | 1/2/20 | PLC  |
| 90  | 90       | 1/2/20 | PLC  |
| 91  | 91       | 1/2/20 | PLC  |
| 92  | 92       | 1/2/20 | PLC  |
| 93  | 93       | 1/2/20 | PLC  |
| 94  | 94       | 1/2/20 | PLC  |
| 95  | 95       | 1/2/20 | PLC  |
| 96  | 96       | 1/2/20 | PLC  |
| 97  | 97       | 1/2/20 | PLC  |
| 98  | 98       | 1/2/20 | PLC  |
| 99  | 99       | 1/2/20 | PLC  |
| 100 | 100      | 1/2/20 | PLC  |

**Owner of Record:**  
 Augustus Tete Cobblah &  
 Elizabeth P. Updike Cobblah, Trustees  
 Of  
 195 Garfield Avenue  
 Maynard, MA 01754  
 Deed Book 60215, Page 385  
 PID: Map 15 Parcel 109  
 Plan: Book 155, Page 40 (lots 221 & 222)  
 Area Measured: 8,000 S.F.

The Location Of All Underground Utilities Shown Are Approximate And Are Based Upon A Field Survey And Compilation Of Plans Of Record. Chess Engineering, LLC Does Not Warrant The Location Of All Utilities Depicted. Only Record Information Provided By The Respective Utility Owner And Independently Verified By Chess Engineering, LLC Is Shown Hereon. The Contractor, Engineer, Or Architect Prior To Commencement Of Construction or Design, Shall Verify The Location Of All Utilities And Contact Dig Safe At 1-888-344-7231.

GRAPHIC SCALE



Pete + Elizabeth

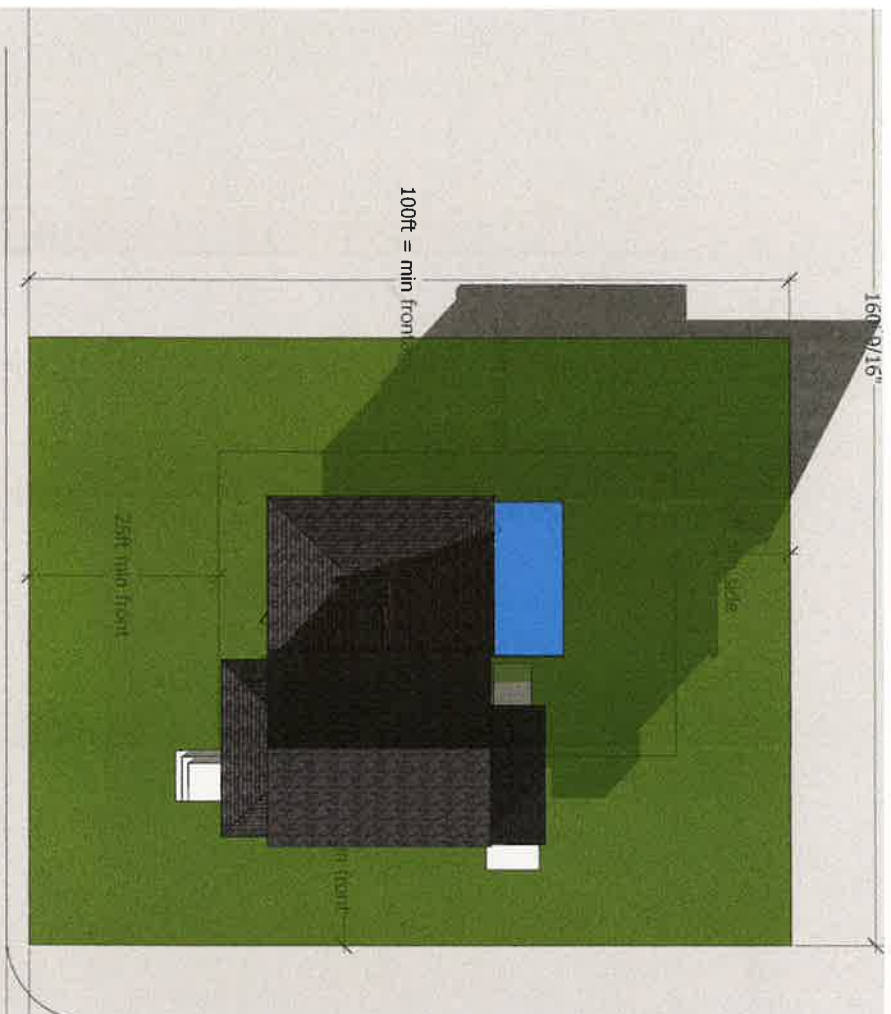
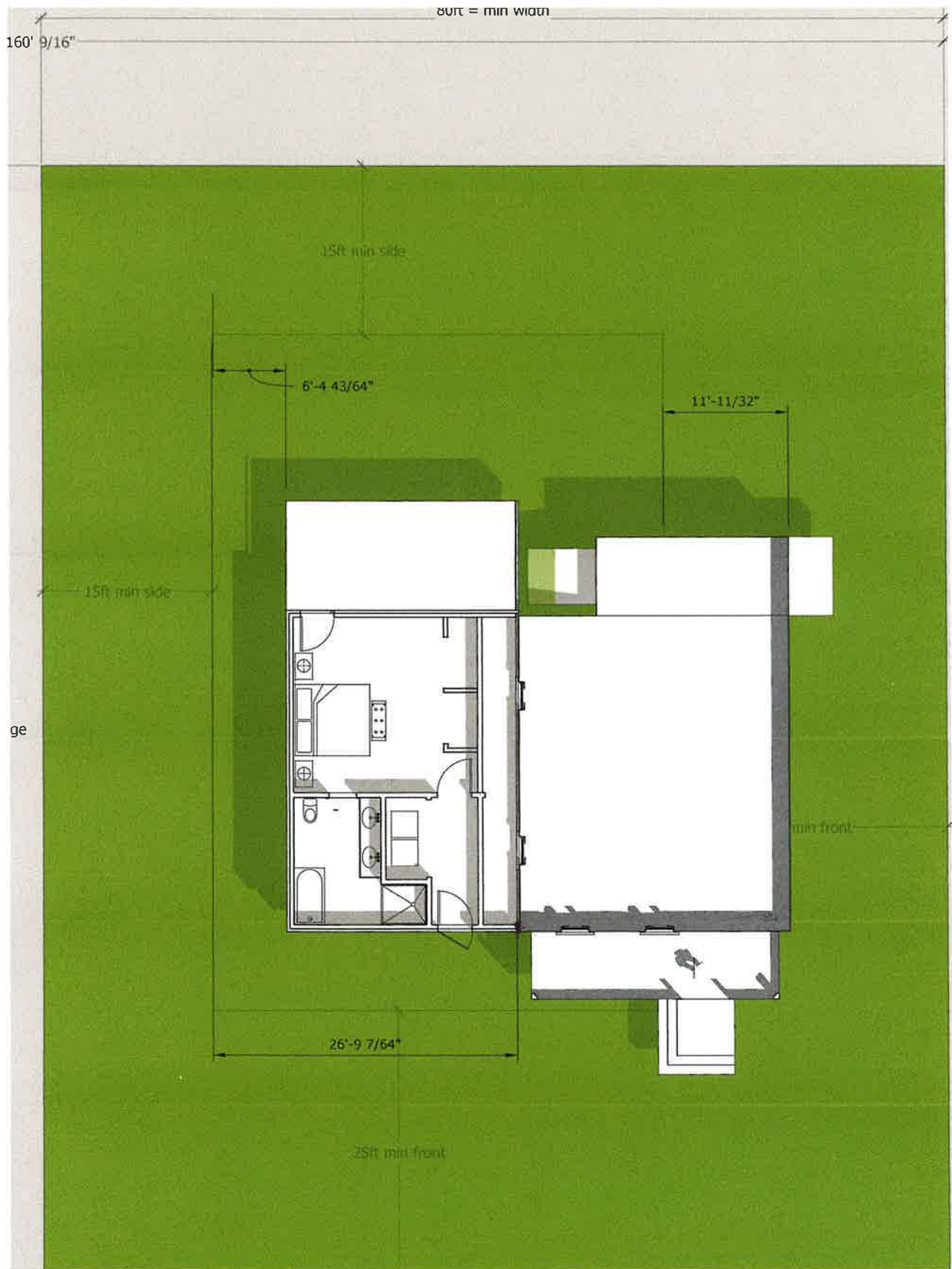
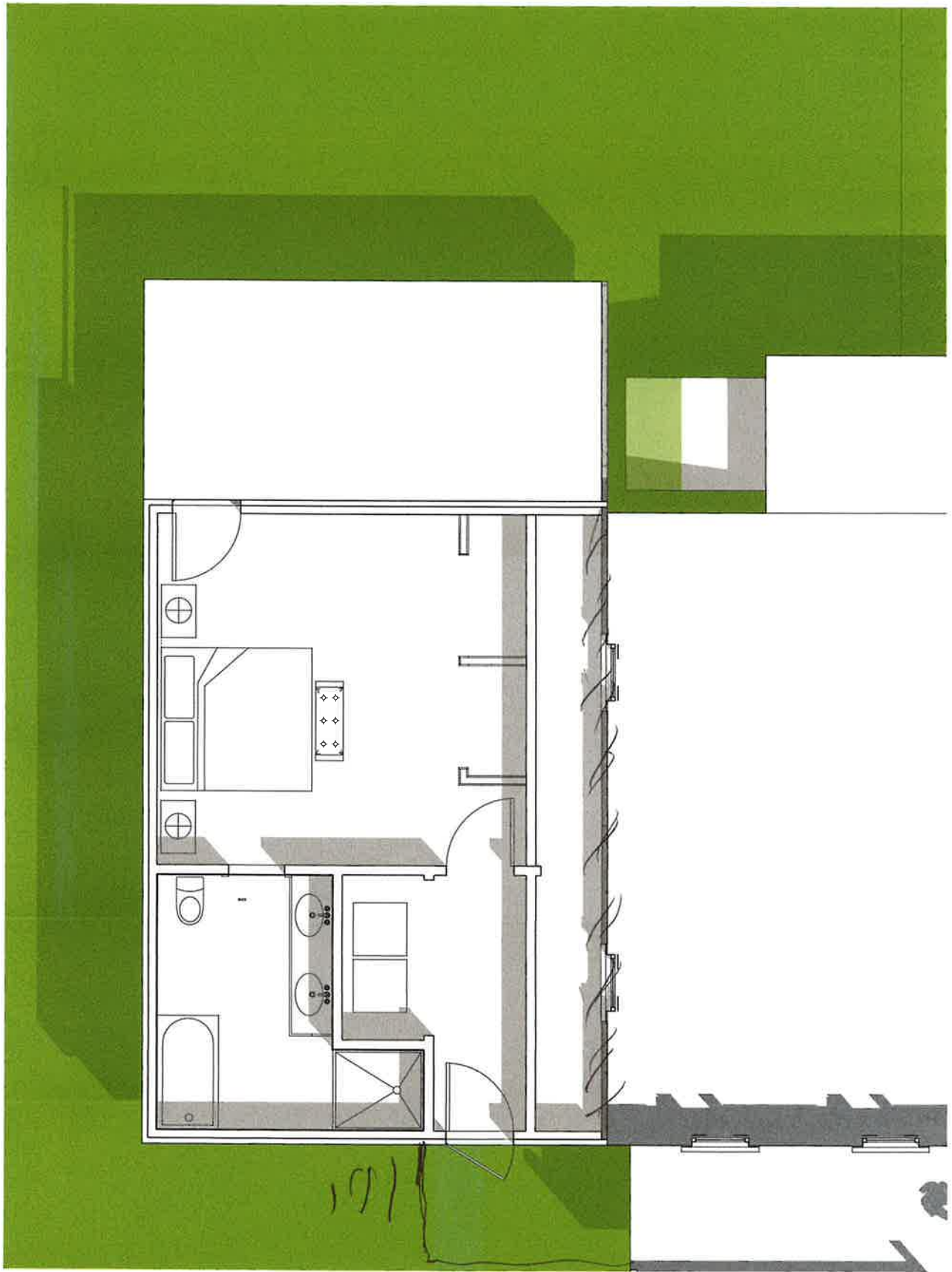
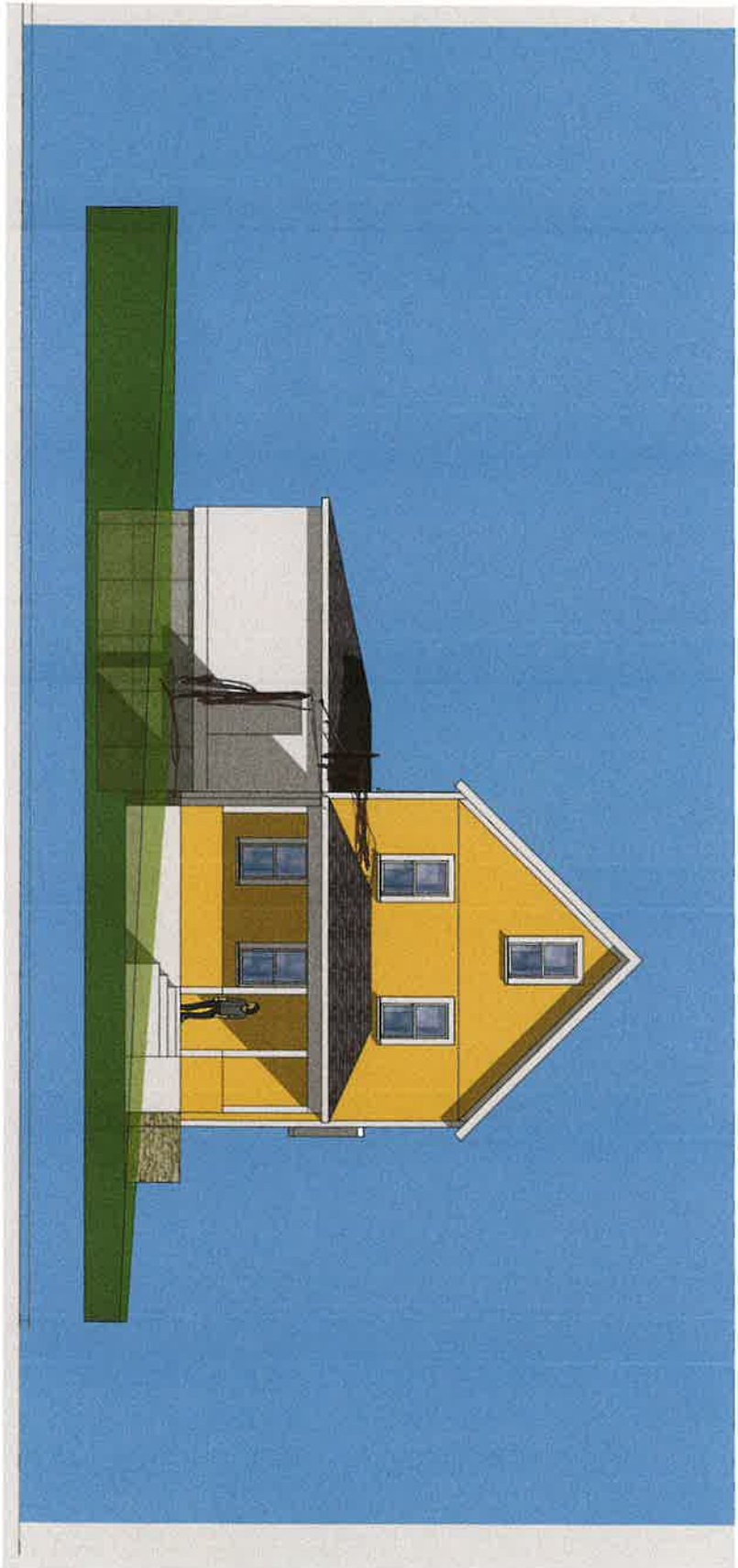


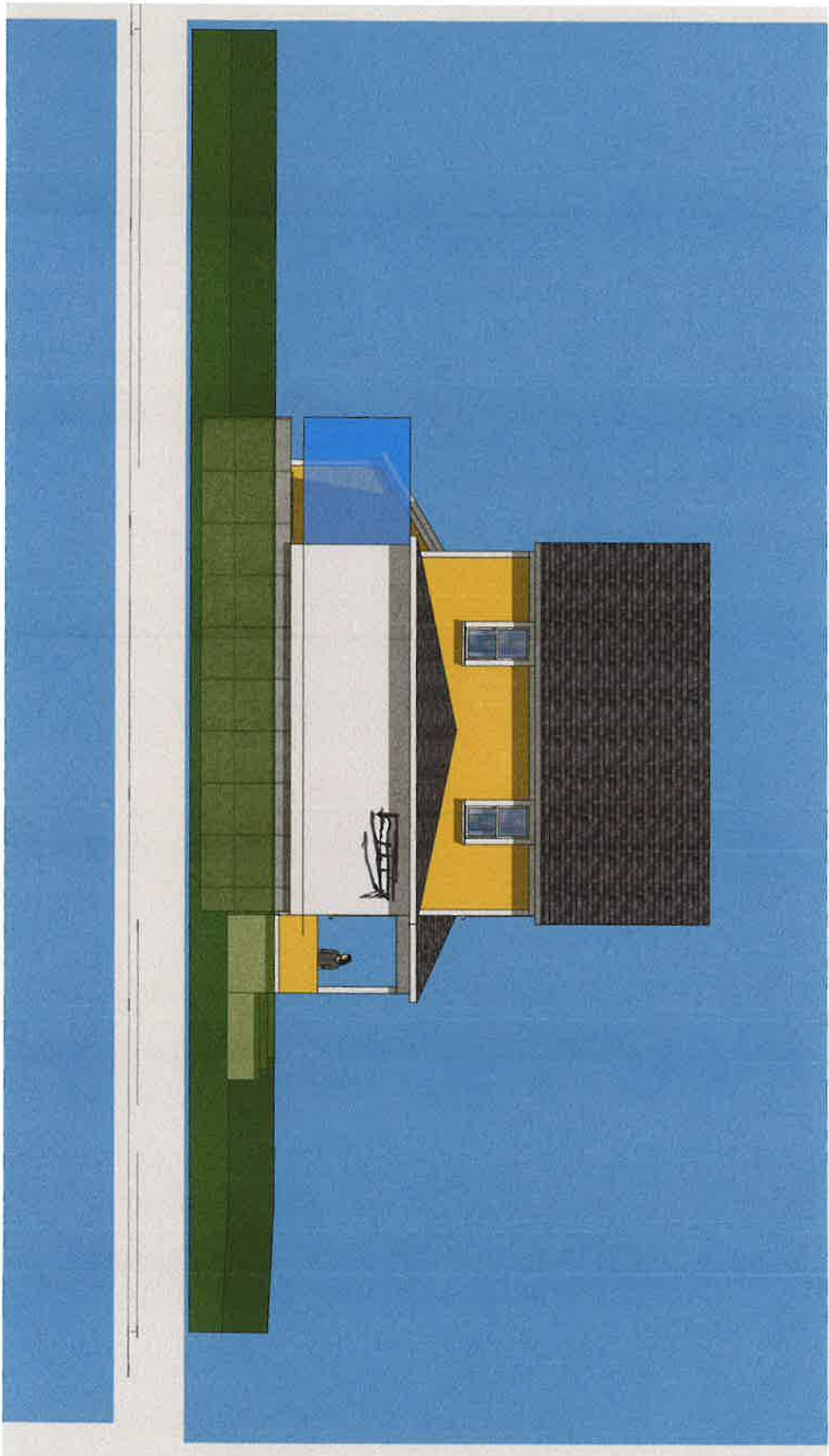
Table B. Dimensional Requirements

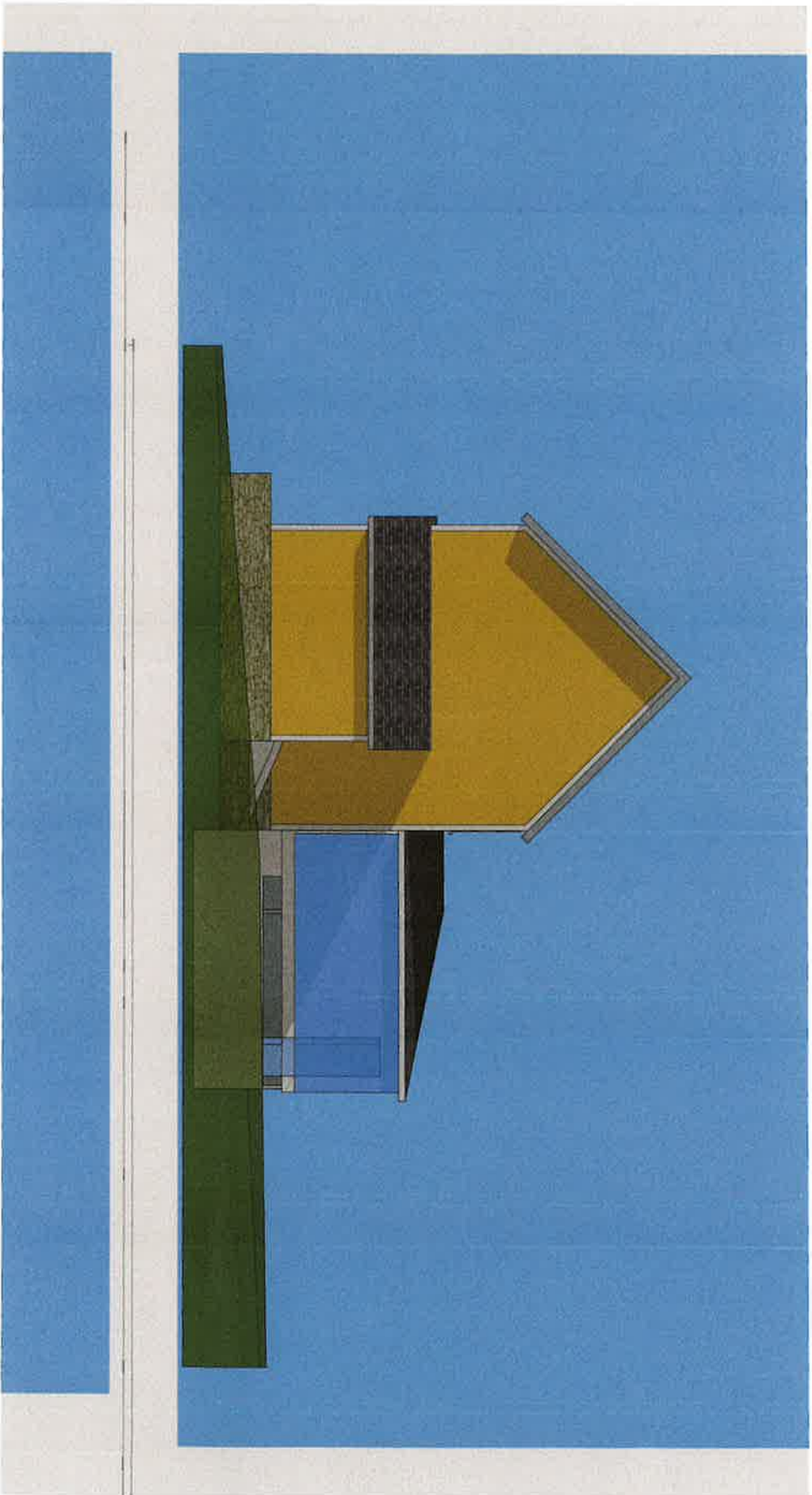
| Item                             | S-1                 |
|----------------------------------|---------------------|
| <b>Minimum Lot Requirements</b>  |                     |
| Area (square feet)               | 10,000 <sup>1</sup> |
| Frontage (feet)                  | 100                 |
| Width (feet)                     | 80                  |
| <b>Minimum Yard Requirements</b> |                     |
| Front (feet)                     | 25                  |
| Rear (feet)                      | 30 <sup>2</sup>     |
| Side (feet)                      | 15                  |
| <b>Maximum Coverage</b>          |                     |
| By Building (%)                  | 15                  |
| By Impervious Surface (%)        | 60                  |
| Maximum Building Height (feet)   | 35                  |
| <b>Minimum % of Lot Area</b>     |                     |
| Landscape Open                   | 0                   |
| Located in front yard            | 0                   |

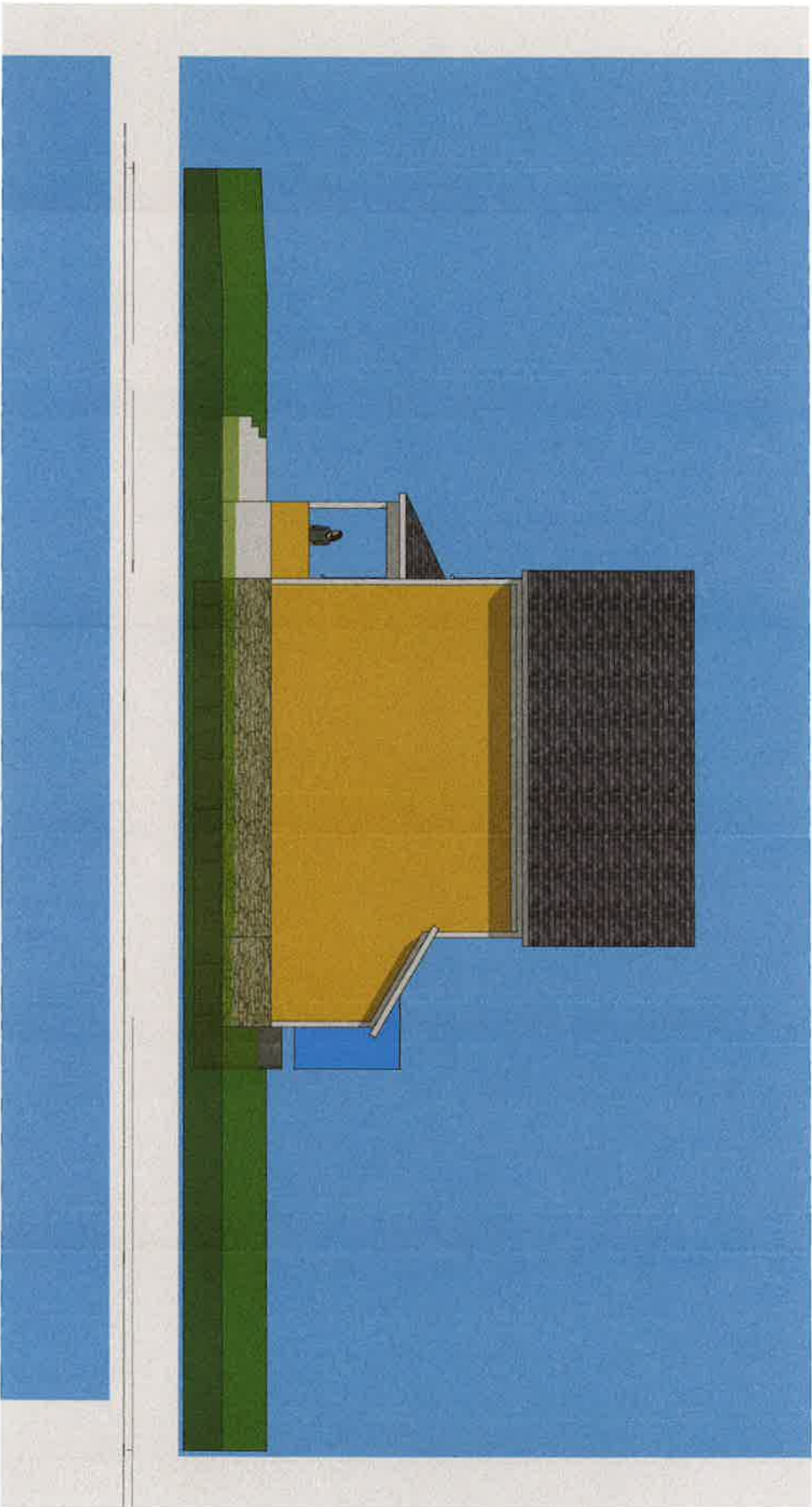












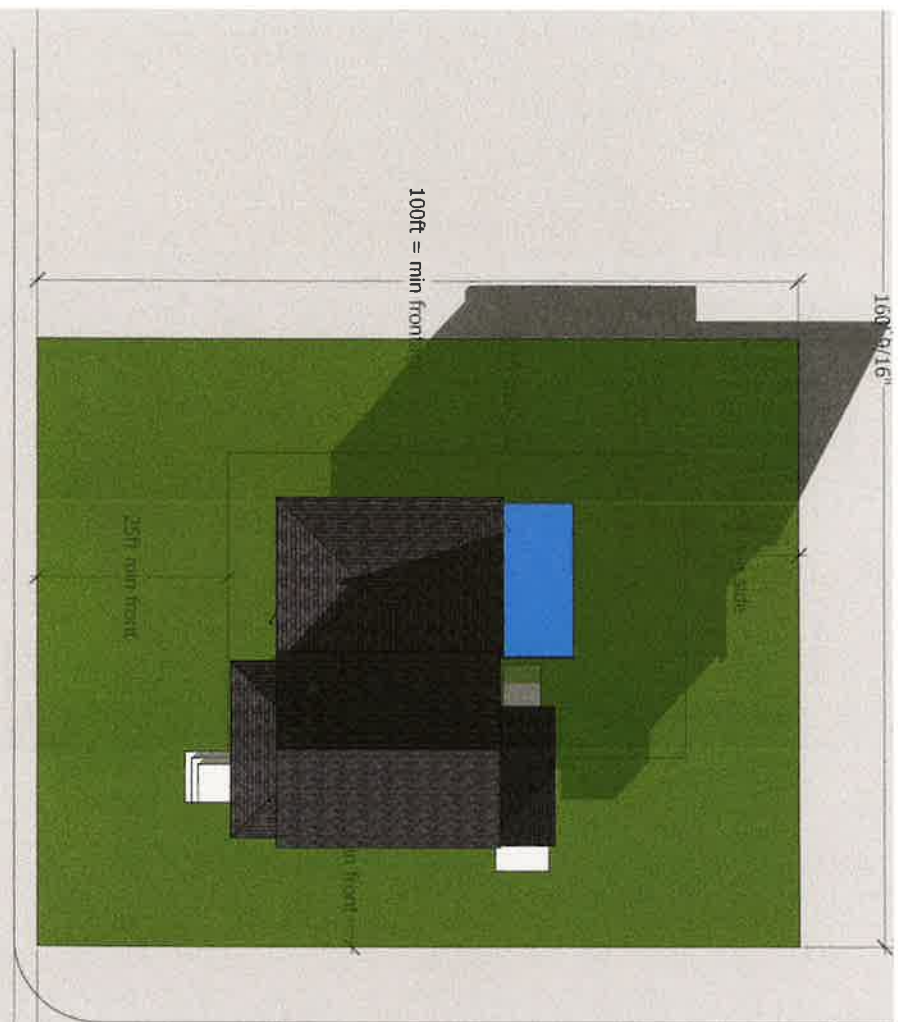


Table B. Dimensional Requirements

| Item                             | S-1                 |
|----------------------------------|---------------------|
| <b>Minimum Lot Requirements</b>  |                     |
| Area (square feet)               | 10,000 <sup>1</sup> |
| Frontage (feet)                  | 100                 |
| Width (feet)                     | 80                  |
| <b>Minimum Yard Requirements</b> |                     |
| Front (feet)                     | 25                  |
| Rear (feet)                      | 30 <sup>2</sup>     |
| Side (feet)                      | 15                  |
| <b>Maximum Coverage</b>          |                     |
| By Building (%)                  | 15                  |
| By Impervious Surface (%)        | 60                  |
| Maximum Building Height (feet)   | 35                  |
| <b>Minimum % of Lot Area</b>     |                     |
| Landscape Open                   | 0                   |
| Located in front yard            | 0                   |







## BOARD OF ASSESSORS

195 MAIN STREET  
MAYNARD, MA 01754  
978-897-1304

---

TO: Permit Granting Authority  
FROM: Board of Assessors  
RE: Parties in Interest to:  
015-0000-0109.0

ADDRESS: 25 Garfield Ave, Maynard

USE of LIST: Special Permit

DATE: FEBRUARY 21, 2025

We hereby certify that the attached list, taken from our Real Estate Property Lists, includes the names and addresses of all parties in interest under Massachusetts General Laws Chapter 40A, Section 11, as amended in 1979, to the best of our knowledge and belief.

Stephen Trombetta  
S.M.D.  
B. Schuch  
Board of Assessors



# 25 Garfield Ave - 15/109 - SP

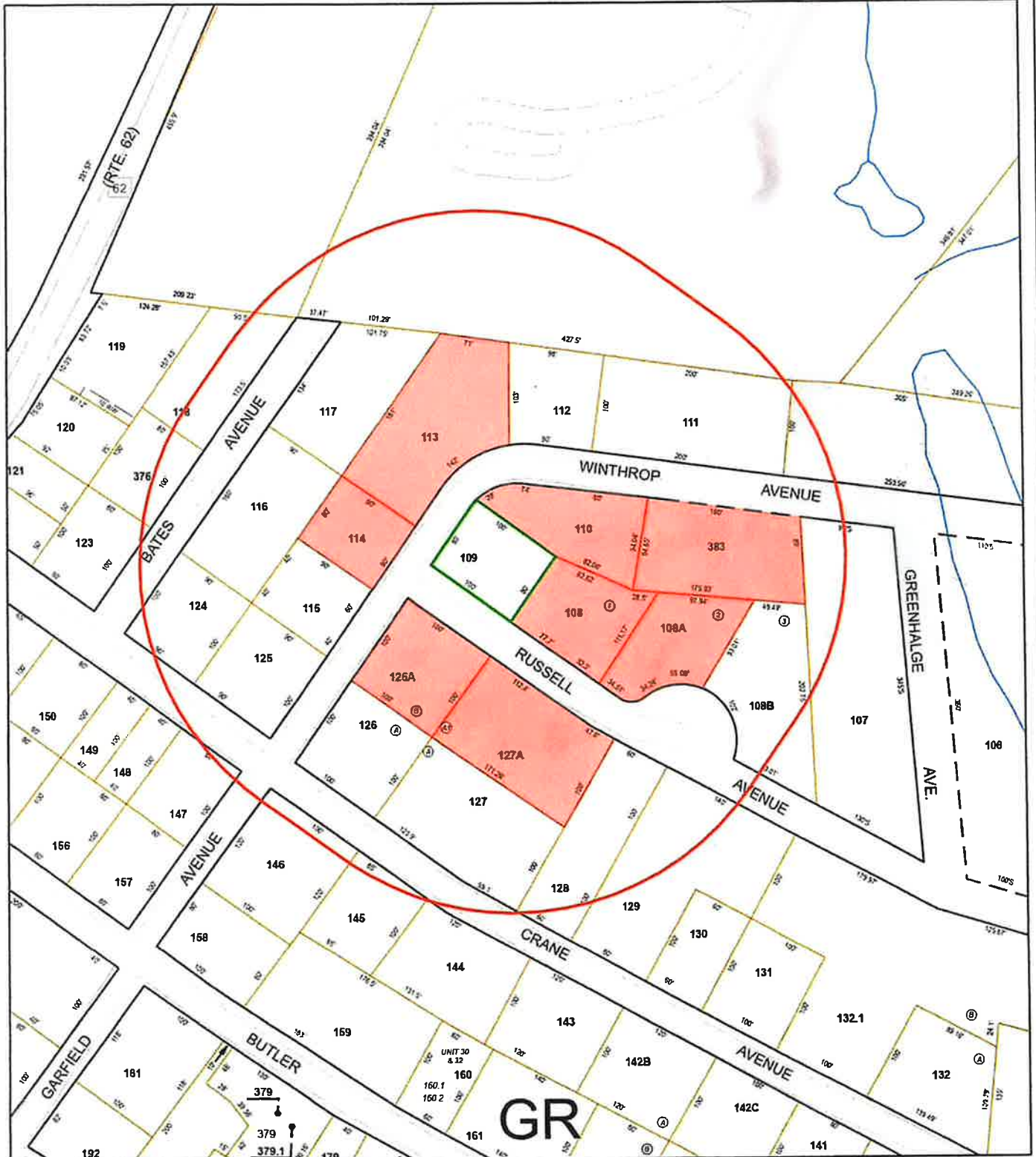
Town of Maynard, MA

1 inch = 140 Feet



[www.cai-tech.com](http://www.cai-tech.com)

February 21, 2025



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.



# SPECIAL PERMIT Abutters List Report

Maynard, MA  
February 21, 2025

## Subject Property:

Parcel Number: 015.0-0000-0109.0  
CAMA Number: 015.0-0000-0109.0  
Property Address: 25 GARFIELD AV

Mailing Address: COBBLAH RLTY TR COBBLAH  
AUGUSTUS T & ELIZABETH  
25 GARFIELD AV  
MAYNARD, MA 01754

---

## Abutters:

Parcel Number: 015.0-0000-0108.0  
CAMA Number: 015.0-0000-0108.0  
Property Address: 2 RUSSELL AV

Mailing Address: KAHN MATTHEW A  
6 DEMERS DR  
MARLBOROUGH, MA 01752

Parcel Number: 015.0-0000-0108.A  
CAMA Number: 015.0-0000-0108.A  
Property Address: 4 RUSSELL AV

Mailing Address: LECLAIR STEPHEN G & DOUGHTY  
ALISON L  
4 RUSSELL AV  
MAYNARD, MA 01754

Parcel Number: 015.0-0000-0110.0  
CAMA Number: 015.0-0000-0110.0  
Property Address: 3 WINTHROP AV

Mailing Address: ROCHE NEIL  
143 MEADOW LN  
BOXBOROUGH, MA 01719

Parcel Number: 015.0-0000-0113.0  
CAMA Number: 015.0-0000-0113.0  
Property Address: 22 GARFIELD AV

Mailing Address: PESSOA RALPH M S & AMELIA K M  
22 GARFIELD AV  
MAYNARD, MA 01754

Parcel Number: 015.0-0000-0114.0  
CAMA Number: 015.0-0000-0114.0  
Property Address: 20 GARFIELD AV

Mailing Address: CAIN SHARON L  
20 GARFIELD AV  
MAYNARD, MA 01754

Parcel Number: 015.0-0000-0126.A  
CAMA Number: 015.0-0000-0126.A  
Property Address: 1 RUSSELL AV

Mailing Address: VANA EVAN K & ANDREA P  
1 RUSSELL AV  
MAYNARD, MA 01754

Parcel Number: 015.0-0000-0127.A  
CAMA Number: 015.0-0000-0127.A  
Property Address: 3 RUSSELL AV

Mailing Address: BUI PHUOC DUC  
3 RUSSELL AV  
MAYNARD, MA 01754

Parcel Number: 015.0-0000-0383.0  
CAMA Number: 015.0-0000-0383.0  
Property Address: 5 WINTHROP AV

Mailing Address: BRENNAN INVESTMENT TR JOHN E &  
MARY P BRENNAN  
5 WINTHROP AV  
MAYNARD, MA 01754



[www.cai-tech.com](http://www.cai-tech.com)

Data shown on this report is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this report.

BRENNAN INVESTMENT TR  
JOHN E & MARY P BRENNAN  
5 WINTHROP AV  
MAYNARD, MA 01754

BUI PHUOC DUC  
3 RUSSELL AV  
MAYNARD, MA 01754

CAIN SHARON L  
20 GARFIELD AV  
MAYNARD, MA 01754

KAHN MATTHEW A  
6 DEMERS DR  
MARLBOROUGH, MA 01752

LECLAIR STEPHEN G &  
DOUGHTY ALISON L  
4 RUSSELL AV  
MAYNARD, MA 01754

PESSOA RALPH M S & AMELIA  
22 GARFIELD AV  
MAYNARD, MA 01754

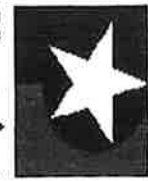
ROCHE NEIL  
143 MEADOW LN  
BOXBOROUGH, MA 01719

VANA EVAN K & ANDREA P  
1 RUSSELL AV  
MAYNARD, MA 01754

015.0 0000 0109.0  
Map Block Lot

1 of 1 RESIDENTIAL  
CARD Maynard

Total Card / Total Parcel  
APPAISED: 492,000/ 492,000  
USE VALUE: 492,000/ 492,000  
ASSESSED: 492,000/ 492,000



PROPERTY LOCATION

|    |    |        |                      |                       |
|----|----|--------|----------------------|-----------------------|
| No | 25 | Alt No | GARFIELD AV, MAYNARD | Direction/Street/City |
|----|----|--------|----------------------|-----------------------|

OWNERSHIP

|           |                                |        |  |
|-----------|--------------------------------|--------|--|
| Owner 1:  | COBBLAH RLTY TR                | Unit # |  |
| Owner 2:  | COBBLAH AUGUSTUS T & ELIZABETH |        |  |
| Owner 3:  |                                |        |  |
| Street 1: | 25 GARFIELD AV                 |        |  |
| Street 2: |                                |        |  |
| Twp/City: | MAYNARD                        |        |  |
| S/Prov:   | MA                             | County |  |
| Postal:   | 01754                          |        |  |

PREVIOUS OWNER

|           |                                    |
|-----------|------------------------------------|
| Owner 1:  | COBBLAH AUGUSTUS T & ELIZABETH P U |
| Owner 2:  |                                    |
| Street 1: | 25 GARFIELD AVE                    |
| Twp/City: | MAYNARD                            |
| S/Prov:   | MA                                 |
| Postal:   | 01754                              |

NARRATIVE DESCRIPTION

This parcel contains .18 AC of land mainly classified as SNGL-FAM-RES with a CONVENTIONAL Building built about 1890, having primarily FRAME-CLAPBD Exterior and 1967 Square Feet, with 1 Unit, 2 Baths, 0 3/4 Bath, 0 HalfBath, 7 Rooms, and 3 Bdrms.

OTHER ASSESSMENTS

| Code | Description | Amount | Com. Int |
|------|-------------|--------|----------|
|------|-------------|--------|----------|

IN PROCESS APPRAISAL SUMMARY

| Use Code     | Land Size       | Building Value | Yard Items | Land Value                             | Total Value    |
|--------------|-----------------|----------------|------------|--|----------------|
| 101          | 0.184           | 220,800        |            | 271,200                                | 492,000        |
| Total Card   | 0.184           | 220,800        |            | 271,200                                | 492,000        |
| Total Parcel | 0.184           | 220,800        |            | 271,200                                | 492,000        |
| Source:      | Market Adj Cost |                |            | Total Value per SQ unit (Card): 250.13 | Parcel: 250.13 |

PREVIOUS ASSESSMENT

| Tax Yr | Use | Cat | Blgd Value | Yrd Items | Land Size | Land Value | Total Value | Assesd Value | Notes         |
|--------|-----|-----|------------|-----------|-----------|------------|-------------|--------------|---------------|
| 2025   | 101 | FV  | 220,800    | 0         | .184      | 271,200    | 492,000     |              | Year end      |
| 2024   | 101 | FV  | 201,400    | 0         | .184      | 258,300    | 459,700     |              | Year end      |
| 2023   | 101 | FV  | 184,500    | 0         | .184      | 246,000    | 430,500     |              | Year End Roll |
| 2022   | 101 | FV  | 184,500    | 0         | .184      | 206,600    | 391,100     |              | Year End Roll |
| 2021   | 101 | FV  | 189,600    | 0         | .184      | 206,600    | 396,200     |              | Year End Roll |
| 2020   | 101 | FV  | 189,600    | 0         | .184      | 187,000    | 376,600     |              | Year End Roll |
| 2019   | 101 | FV  | 144,200    | 0         | .184      | 178,600    | 322,800     |              | Year End Roll |
| 2018   | 101 | FV  | 120,200    | 0         | .184      | 162,400    | 282,600     |              | Year End Roll |

SALES INFORMATION

| Grantor         | Legal Ref | Type | Date       | Sale Code    | Sale Price | V  | Tst | Verif |
|-----------------|-----------|------|------------|--------------|------------|----|-----|-------|
| COBBLAH AUGUSTU | 60215-385 | P    | 10/11/2012 | NO-CONVNIENT | 10 No      | No | D   |       |
| SENNETT MICHAEL | 19302-123 | P    | 8/30/1988  |              | 161,000 No | No | O   |       |

TAX DISTRICT

| Legal Ref | Type | Date       | Sale Code    | Sale Price | V  | Tst | Verif |
|-----------|------|------------|--------------|------------|----|-----|-------|
| 60215-385 | P    | 10/11/2012 | NO-CONVNIENT | 10 No      | No | D   |       |
| 19302-123 | P    | 8/30/1988  |              | 161,000 No | No | O   |       |

PAT ACCT.

| Notes | 1910 |
|-------|------|
|-------|------|

BUILDING PERMITS

| Date      | Number    | Descrip | Amount   | C/O | Last Vest | Fed Code | F | Descrp | Comment            |
|-----------|-----------|---------|----------|-----|-----------|----------|---|--------|--------------------|
| 5/22/2003 | 200310975 |         | 12,000 C |     |           |          |   |        | REPAIR WATER DAMAG |
| 6/13/2001 | 200110556 |         | 10,000 C |     |           |          |   |        | REMODEL KITCHEN    |
| 5/13/1997 | 9709678   |         | 4,000 C  |     |           |          |   |        | 16 DORMER          |

ACTIVITY INFORMATION

| Date       | Result    | By | Name |
|------------|-----------|----|------|
| 10/14/2016 | COMPLETE  | PT | PT   |
| 10/16/2007 | EXTR NONE | KR | KR   |

PROPERTY FACTORS

| Item      | Code | Description | %   | Item    | Code | Description |
|-----------|------|-------------|-----|---------|------|-------------|
| Z         | R1   | SNGL-FAM-   | 100 | water   | PS   | PUBLIC-SYS  |
| 0         |      |             |     | Sewer   | SW   | SEWER       |
| n         |      |             |     | Electri |      |             |
| Census:   |      |             |     | Exmpl   |      |             |
| Flood Haz |      |             |     |         |      |             |
| D         | MAYN | MAYN        | 100 | Topo    |      | LEVEL       |
| s         |      |             |     | Street  | P    | PAVED       |
| t         |      |             |     | Gas     |      | LIGHT       |

LAND SECTION (First 7 lines only)

| Use | Description | Fact | LUCC | No of Units | Depth/ PricedUnits | Unit Type | Land Type | LT  | Base Value | Unit Price | Adj     | Neigh Infl | Neigh Mod | Inft 1 % | Inft 2 % | Inft 3 % | Appraised Value | All Class | % Land | Spec Code | Fact Use Value | Notes |
|-----|-------------|------|------|-------------|--------------------|-----------|-----------|-----|------------|------------|---------|------------|-----------|----------|----------|----------|-----------------|-----------|--------|-----------|----------------|-------|
| 101 | SNGL-FAM-R  |      |      | 8000        |                    | SQ FEET   | PRIMARY   | 1.0 | 0          | 27.56      | 1.23 R2 |            |           |          |          |          | 271,190         |           |        |           | 271,200        |       |

Sign:

VERIFY SECTION OF WEST RIGHT DATA

1/1/1



## ASSESSING DEPARTMENT

195 MAIN STREET  
MAYNARD, MA 01754  
978-897-1304

RECEIVED  
FEB 20 2025  
TOWN OF MAYNARD  
ASSESSOR'S OFFICE

# ABUTTER'S LIST REQUEST

PROPERTY ADDRESS: 25 Garfield Ave

PARCEL ID: 15 / 109

Please Indicate USE OF LIST:

- |  |   |
|--|---|
| <input type="checkbox"/> PLANNING BOARD            | <input type="checkbox"/> ZONING BOARD OF APPEALS  |
| <input type="checkbox"/> CONSERVATION              | <input type="checkbox"/> LIQUOR LICENSE           |
| <input checked="" type="checkbox"/> SPECIAL PERMIT | <input type="checkbox"/> OTHER – Please describe: |

\_\_\_\_\_  
\_\_\_\_\_

Requested by:

Richard Bourque  
\_\_\_\_\_

Phone # 508-328-4323

Email: GEBOURQUE@GEBOURQUE.COM  
GEBOURQUE

Richard Bourque  
Signature

2/20/25  
Date

LIST WILL BE COMPLETED IN UP TO 10 DAYS FROM REQUEST.  
FEE: \$25 Cash or Check Payable to the Town of Maynard

2-20-25  
PAID CH # 8898  
BOURQUE AND SONS 11  
\$25

| Owner Name  | Co_Owner Name           | Owner Address                  | Owner City         | Owner State | Owner Zip      |
|---|-------------------------|--------------------------------|--------------------|-------------|----------------|
| BRENNAN INVESTMENT TR                                   | JOHN E & MARY P BRENNAN | 5 WINTHROP AV                  | MAYNARD            | MA          | 01754          |
| BUI PHUOC DUC   |                         | 3 RUSSELL AV                   | MAYNARD            | MA          | 01754          |
| CAIN SHARON L   |                         | 20 GARFIELD AV                 | MAYNARD            | MA          | 01754          |
| KAHN MATTHEW A  |                         | 6 DEMERS DR                    | MARLBOROUGH<br>H   | MA          | 01752          |
| LECLAIR STEPHEN G &<br>PESSOA RALPH M S & AMELIA K<br>M | DOUGHTY ALISON L        | 4 RUSSELL AV<br>22 GARFIELD AV | MAYNARD<br>MAYNARD | MA<br>MA    | 01754<br>01754 |
| ROCHE NEIL  |                         | 143 MEADOW LN                  | BOXBOROUGH<br>H    | MA          | 01719          |
| VANA EVAN K & ANDREA P                                  |                         | 1 RUSSELL AV                   | MAYNARD            | MA          | 01754          |



## TOWN OF MAYNARD

### Zoning Board of Appeals: Staff Report

195 Main Street · Maynard, MA 01754  
Tel: 978-897-1302 · [www.townofmaynard-ma.gov](http://www.townofmaynard-ma.gov)

#### I. Project Information

|                           |  |
|---------------------------|--|
| <b>Application #</b>      | ZBA2503  |
| <b>Project Location</b>   | 25 Garfield Ave.   |
| <b>Property Owner</b>     | Tete & Elizabeth Cobblah, 25 Garfield Ave., Maynard MA 01754 |
| <b>Applicant</b>          | same   |
| <b>Type of Request</b>    | Variance   |
| <b>Zoning</b>             | S-1  |
| <b>Date App. Received</b> | 4/17/25  |

#### II. Project Description

The subject property is a pre-existing nonconforming single-family dwelling, due to insufficient front setback (25 feet required, 13.9 feet provided).

The home is located on a nonconforming lot in the S-1 Single Family zoning district. The nonconformity is due to insufficient lot size (10,000 s.f. required, 8,000 s.f. provided) and insufficient frontage (100ft required, 80ft provided).

The petitioner is requesting a Variance granting relief from Section 4 of the Zoning By-laws, to construct an addition to the property that would extend the existing nonconforming front setback and create a new nonconformity by exceeding building coverage limits (15%/1,200 sf. allowable, 21.3%/1,703 sf. proposed).

#### III. Procedural History

1. Pursuant to Massachusetts General Law Chapter 40A, Section 10, an application for a Variance from the Maynard Zoning By-laws was submitted by the above-referenced owner and filed with the Zoning Board of Appeals (ZBA) on April 17, 2025.
2. The Variance application was accompanied by a plan and survey.
3. A public hearing on the Variance application was scheduled for May 21, 2025. The Legal Notice was placed in a paper of local circulation on May 7 and May 14, and sent via certified mail to interested parties on May 2.
4. The application documentation and other submitted material were reviewed by Town Staff.

#### IV. Regulatory Framework

##### a. State Statute

The criterion to grant a Variance is defined by MGL Ch. 40A Sec 10. To grant a Variance, the Board must determine each of the following conditions exist:

1. The permit granting authority specifically finds that owing to circumstances relating to the soil conditions, shape, or topography of such land or structures and especially

affecting such land or structures but not affecting generally the zoning district in which it is located.

2. That a literal enforcement of the provisions of the ordinance or by-law would involve substantial hardship, financial or otherwise, to the petitioner or appellant (note: a hardship is not of a personal nature but is connected to the subject property).
3. That desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of such ordinance or by-law.

Exhibit “B” of this Staff Report contains the petitioner’s Justification Statement detailing how they believe the request meets the Variance criteria.

## V. Staff Analysis

### a. Dimensional Requirements and Proposed Conditions

If granted, the petitioner’s request would allow construction of an addition to the property that would reduce, although not eliminate, the existing nonconforming front setback; and would create a new nonconformity by exceeding building coverage limits.

Table 1. Dimensional Requirement and Proposed Conditions (nonconformities in red)

|                               | Required   | Existing      | Proposed         |
|-------------------------------|------------|---------------|------------------|
| <b>Min. Lot Area</b>          | 10,000 sf. | 8,000 sf.     | <i>unchanged</i> |
| <b>Min. Lot Frontage</b>      | 100 feet   | 80 feet       | <i>unchanged</i> |
| <b>Max. Building Coverage</b> | 15%        | 10% (809 sf.) | 21% (1,703 sf.)  |
| <b>Setback Side Right (E)</b> | 15 feet    | 39 feet       | 19 feet          |
| <b>Setback Side Left (W)</b>  | 15 feet    | 17 feet       | <i>unchanged</i> |
| <b>Setback Front</b>          | 25 feet    | 13.9 feet     | 20 feet          |
| <b>Setback Rear</b>           | 30 feet    | 40 feet       | <i>unchanged</i> |

### b. Internal Review

|                       |                    |
|-----------------------|--------------------|
| Building Commissioner | <i>No comment.</i> |
| Conservation Agent    | <i>No comment.</i> |
| Health Director       | <i>No comment.</i> |
| Town Engineer         | <i>No comment.</i> |
| Police                | <i>No comment.</i> |
| Fire                  | <i>No comment.</i> |

## **VI. Action Required**

1. Board determination if the request meets the criteria for a Variance as contained in Section IV of this report. If the Board does determine that the criteria are met, it should describe how each condition is met.
2. Board Vote:
  - a. Determining if the above-referenced criteria have been met by the petitioner's applications as described.
  - b. Granting a Variance.

## **VII. General Conditions**

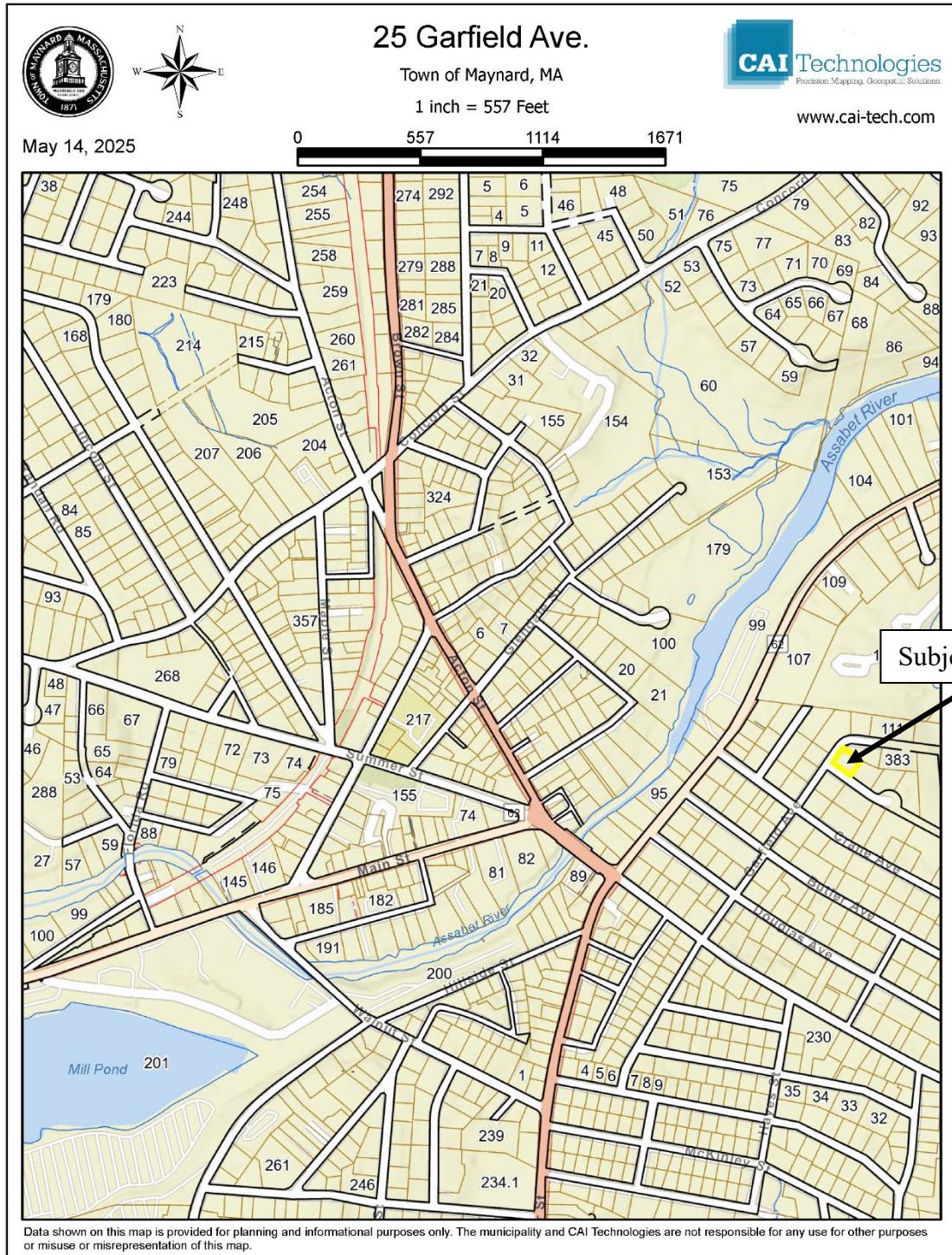
### **a. Recording of Decision and Approved Plans:**

The petitioner shall file this Decision with the Middlesex South District Registry of Deeds (or Land Court if registered land) and a copy of the decision stamped with the recording information (Book/Page or Land Court document number) shall be provided to the Building Department.

### **b. Appeals**

Appeals shall be made within twenty (20) days after the date of filing this decision in the Office of the Town Clerk directly to a court of competent jurisdiction in accordance with the provisions of M.G.L., Chapter 40A, Section 17.

## Exhibit A: Locus Map



## Exhibit B: Justification Statement

April 15, 2025

Dear members of the Zoning Board of Appeals,

We are writing to seek your permission to expand our current place of dwelling at 25 Garfield Avenue. We are two retired 70-year-old educators and have lived at this address for the past 37 years.

Our colonial house, which is about 134 years old, does not have a bedroom on the first floor. Anticipating mobility issues as we age, it has become necessary for us to create a bedroom, bathroom and workspace on the ground level.

It has come to our notice that we need your permission to proceed with this project. We hope that our application will be considered, and the building permit granted. Thank you for the good work you continue to do for Maynard.

Sincerely,

Tete Cobblah



Elizabeth Cobblah

