



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?
pwd=TjVVNVNnWEJmMmNEazVrY1FoZENvZz09](https://us02web.zoom.us/j/87931897725?pwd=TjVVNVNnWEJmMmNEazVrY1FoZENvZz09)

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

Meeting ID: 879 3189 7725 Passcode: 515693

Questions may be emailed to: 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)

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

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: \$2.50
- Variance: \$250
- Appeal of Building Commissioners Decision: \$250
- Special Permit Renewal: \$1.50

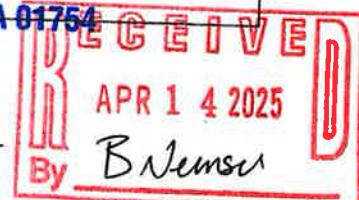


Clerk Stamp:

TOWN OF MAYNARD

APR 14 2025

TOWN CLERK'S OFFICE
MAYNARD, MA 01754



ZONING BOARD OF APPEALS
APPLICATION NUMBER: _____
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 30-32 WALNUT St.

Characteristics of Property: Lot Area 0.25 Acre Present Use RESIDENTIAL

Assessor's Map # 0150 - 0008 - 03604-0 Parcel # _____ Zoning District GR

Name of Petitioner Daniel C. Coamair Phone # 978-897-0195

Mailing Address 30 WALNUT St

E-mail Address dan@bawlyfishing.com

Name of Owner _____ Phone # _____
(If not Petitioner)

Mailing Address _____

Petition is for

(Check One)

An Appeal from the Decision of the Building Commissioner
 A Variance
 A Special Permit
 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.

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.

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 and down Walnut St. namely Millie Hodges, 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.

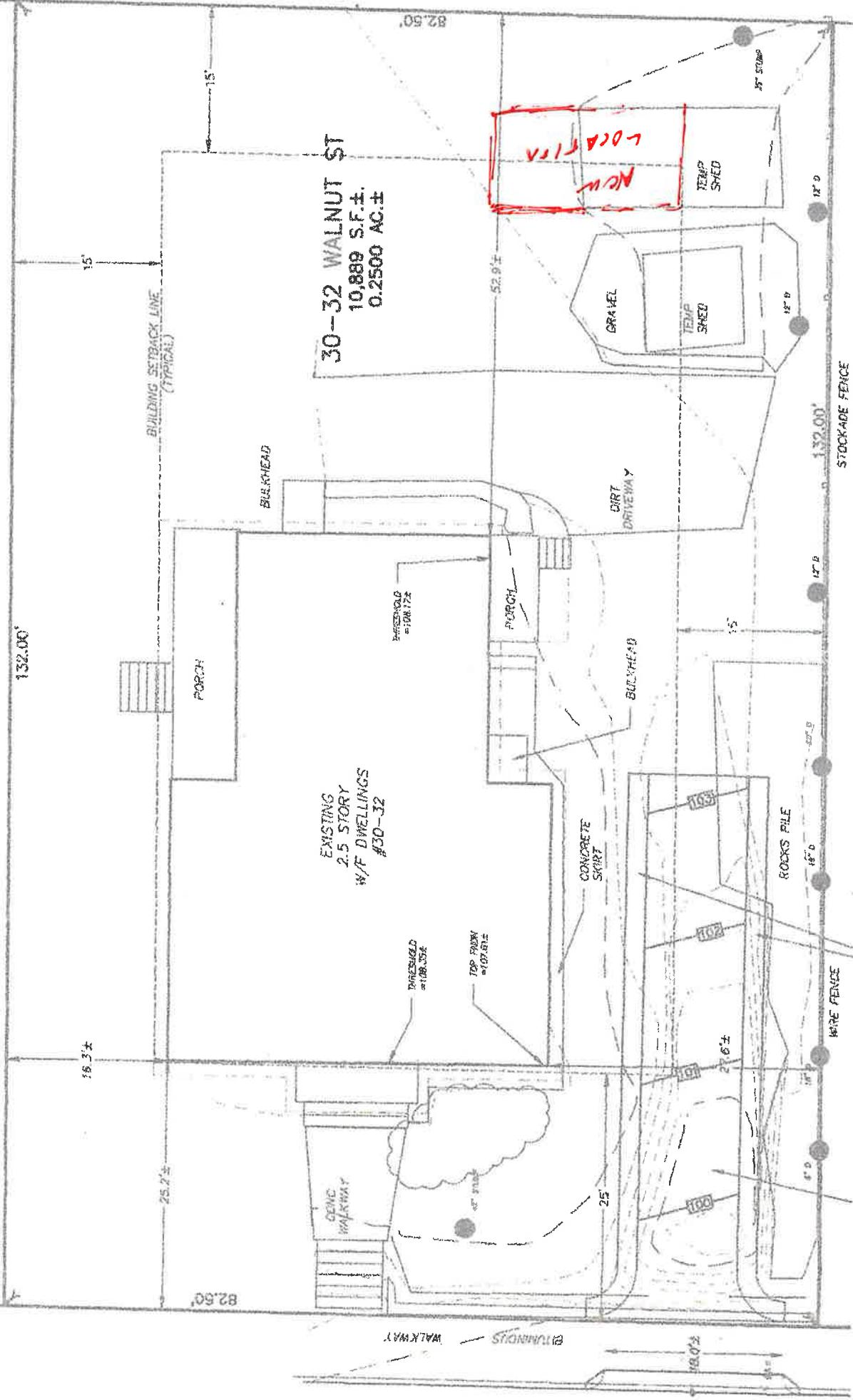
As an aging 36 year resident who has given physically with all I have over a long working career and now emerging as the needy elderly neighbor who doesn't move or get up like I used to. I was hoping to close out my experience at this residence with a perfectly neat and more marketable property fueling 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

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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

Overall Result:		Vehicle Information		Station Information	
Safety Result	Fail	VIN	3FELF47G0VMA40824	Name:	MORTIMER LLC. D/B/A 495 TRUCK (
Emissions Result	N/A	Licenses Plate	169810	Address:	400 SOUTH STREET MARLBORO, MA 01752
Test Date	8/31/2017	Plate Type/State	CON / MA	Vehicle Type	Truck
Test Time	11:18:17AM	Year / Make	1997 FORD	Model	F-450
Test Type	182217873	Regular	1997 FORD	Fuel Type	Gasoline
Sticker Number	182217873	Test Fee	\$100.00	Shop Hourly Rate	\$35
Inspection Type	Initial	Station Number	ST001808	Time Spent	1.9
Inspection Count	1	Drometer	94134	Comments	Commercial Vehicle Safety Results See Page 2 of this report for:
• 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 3962). Questions? Visit 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.					

Vehicle Inspection Report





Scan to visit website



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 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.

YOUR VEHICLE HAS PASSED THE MASSACHUSETTS COMMERCIAL MOTOR VEHICLE SAFETY TEST. THE RESULTS ARE SUMMARIZED IN THIS REPORT.

Please Review This Important Information



Vehicle Inspection Report



Scan to visit website:



VIR Number

Station Information		Vehicle Information		Safety Result	
Emissions Result	PASS	VIN	3EFLF47G0VMA40824	RICKYS SALES & SERVICE	N/A
Start Test Date/Time	6/9/2023 1:01 PM	License Plate	69810	CON / MA	MA
End Test Date/Time	6/9/2023 1:07 PM	Vehicle Type	TRUCK	LEOMINSTER	MA
Test Type	REGULAR	Year / Make	1997 Ford	(978) 534-0120	
Sticker Number	247048311	Model	F-450	Station Number	PB005261
Inspection Type	Initial	Fuel Type	GASOLINE	Workslation Number	MAW0001777
Inspection Counter	1	Engigne Cy/ Size	8 / 7.5L	Inspector Number	*****5131
GVWR	16000	Diameter	99884	GVWR	
Inspection Counter	1	Engigne Cy/ Size	8 / 7.5L	GVWR	
Base Inspection Fee	\$35.00	Station Labor Rate	\$95.00 per hour	Inspection Time	1 hour(s)
Total Inspection Fee	\$130.00				

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

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

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 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.

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

Please Review This Important Information



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



Scan to visit website:



VIR Number

Vehicle Inspection Report

Please Review This Important Information

The results are summarized in this report. Keep a copy of the inspection documents with the vehicle as required by the General Motor Vehicle Safety Regulation (49 CFR 396.21). Questions? Visit 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.

THE VEHICLE MUST NOT BE USED DURING THE TEST. THE VEHICLE MUST NOT BE USED DURING THE TEST.

Commonwealth of Massachusetts Motor Vehicle Inspection and Maintenance Program



Scan to visit website:



VIR Number

On-Board Diagnostic (OBD) Results	OBD Readiness Monitor Results	OBD Additioinal Data
PASS Catalyst	PASS Evaporative System	PASS EGR and/or VVT System
PASS Catalyst Heater	PASS Oxygen Sensor	PASS Oxygen Sensor Heater
PASS A/C System	N/A Secondary Air System	PASS A/C System
PASS Unsupported	N/A Oxygen Sensor	PASS Permanent Fault Codes
PASS Ready	N/A Ready	PASS Ready
PASS Diagnostic Trouble Codes	UNSupported	UNSupported
144	READY Pin 16 Voltage	READY Pin 16 Voltage
Connector Results	UNSUPPORTED Warm-Ups Since Code Learning	UNSUPPORTED Warm-Ups Since Code Learning
Key-On BulbCheck	N/A A/C System	N/A A/C System
Engine-Running Bulb Check	N/A Secondary Air System	N/A Secondary Air System
Scan Tool Check	N/A Oxygen Sensor	N/A Oxygen Sensor
Communication Result	PASS Readiness Monitor Results	PASS Readiness Result
Readiness Result	PASS Permanent Fault Codes	PASS Permanent Fault Codes

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

Commercial Vehicle Safety Results

Overall Result:	PASS	Vehicle Information	Station Information
Emissions Result	PASS	VIN	1FDWE4FL4GD17859
Start Test Date/Time	11/29/2023 1:03 PM	Plate Type/State	CON / MA
End Test Date/Time	11/29/2023 1:13 PM	Vehicle Type	TRUCK
Test Type	Regular	Year / Make	2016 Ford
Sticker Number	243764505	Model	E-Series Chassis
Inspection Type	Initial	Fuel Type	FLEXIBLE
Sticker Number	243764505	Station Number	PB005261
Inspection Counter	1	Engigne CY / Size	8 / 5.4L
Inspection Counter	1	GVWR	14000
Inspection Counter	1	Diameter	50990
See Page 2 of this report for:			

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/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.

Your vehicle has PASSED both its MASSACHUSETTS COMMERCIAL MOTOR VEHICLE SAFETY TEST and its EMISSIONS TEST.

Please Review This Important Information



MASSACHUSETTS

Commonwealth of Massachusetts Motor Vehicle Inspection and Maintenance Program

Vehicle Inspection Report





Scan to visit website:



VIR Number

Vehicle Inspection Report

THE HISTORICAL AND POLITICAL SIGNIFICANCE OF THIS INFORMATION

Commonwealth of Massachusetts Motor Vehicle Inspection and Maintenance Program

THE UNIVERSITY OF TORONTO LIBRARIES | 2020 COMMERCIAL MOTOR VEHICLE SAFETY TEST AND ITS EMISSIONS TEST

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.

Base Inspection Fee	\$35.00	Station Labor Rate	\$115.00 per hour	Inspection Time	\$115.00 per hour	Total Inspection Fee	\$150.00
Commercial Vehicle Safety Results	Page 2 of this report for:	Commercial Vehicle Safety Results	Page 2 of this report for:	Commercial Vehicle Safety Results	Page 2 of this report for:	Commercial Vehicle Safety Results	Page 2 of this report for:



TOWN OF MAYNARD

Zoning Board of Appeals: Staff Report

195 Main Street · Maynard, MA 01754
Tel: 978-897-1302 · www.townofmaynard-ma.gov

I. Project Information

Application #	ZBA2502
Project Location	30-32 Walnut Street
Property Owner	Daniel & Denise Cormier, 30-32 Walnut Street, Maynard
Petitioner	Daniel Cormier
Type of Request	Special Permit
Zoning	GR
Date App. Received	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 AHBAs** 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 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 AHHBA, 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 *paid check #0981*
- Appeal of Building Commissioners Decision: \$250
- Special Permit Renewal: \$150



Clerk Stamp:

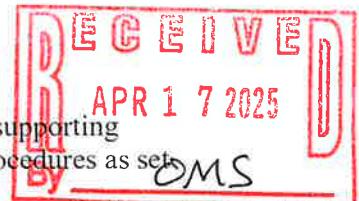
TOWN OF MAYNARD

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 8015 sf Present Use SF

Assessor's Map # 15 Parcel # 109 Zoning District CR 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 An 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) g'hiliw

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

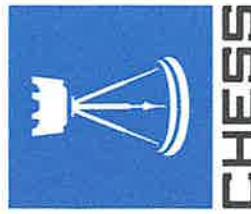


Elizabeth Cobblah





LOCUS



CHESS
ENGINEERING

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

Certified Plot Plan

Prepared For
Tete Cobblah

Owner Of Record -
Auguste Tete Cobblah &
Elizabeth P. Updike Cobblah, Trustees
Of The Cobblah Ratty Trust

25 Garfield Avenue
Maynard, MA 01754
(Middlesex County)

Deed Book 00215, Page 385
Plt: Map 15 Parcel 109

Book 135, Page 40 (Lots 221 & 222)

Area Measured: 8,000 S.F.

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

Date: Approved by:
Frc: Date: Approved by:
Soc: Date: Approved by:

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

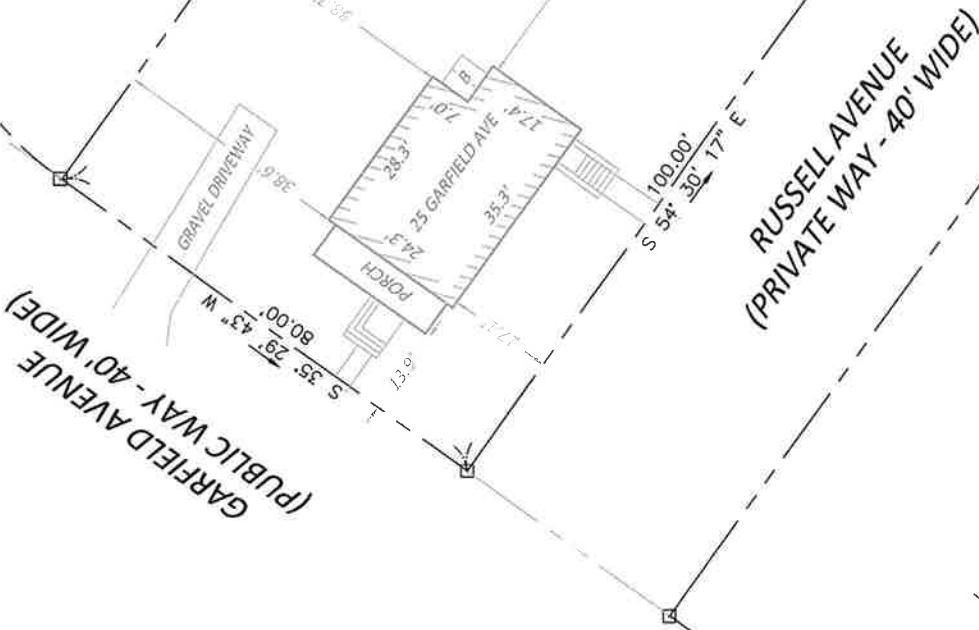
Notes:

- The Data Accumulation And Boundary Survey Depicted Hereon Were Obtained By A Field Survey Using Conventional Survey Methods On March 12, 2023 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, 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.
- 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 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.
- 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 (" = 20') Intended For A 11" x 17" Print Only.

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 CHESS Engineering On This Plan.

7. Scale of Drawing (" = 20') Intended For A 11" x 17" Print Only.



GRAPHIC SCALE
20 40
0 10 20 40
(In feet)

1 inch = 20 feet

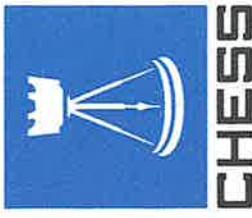
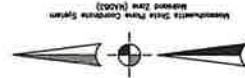
DRAFT COPY
FOR CLIENT REVIEW ONLY

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

Paul Campbell, PLS #52781 Date



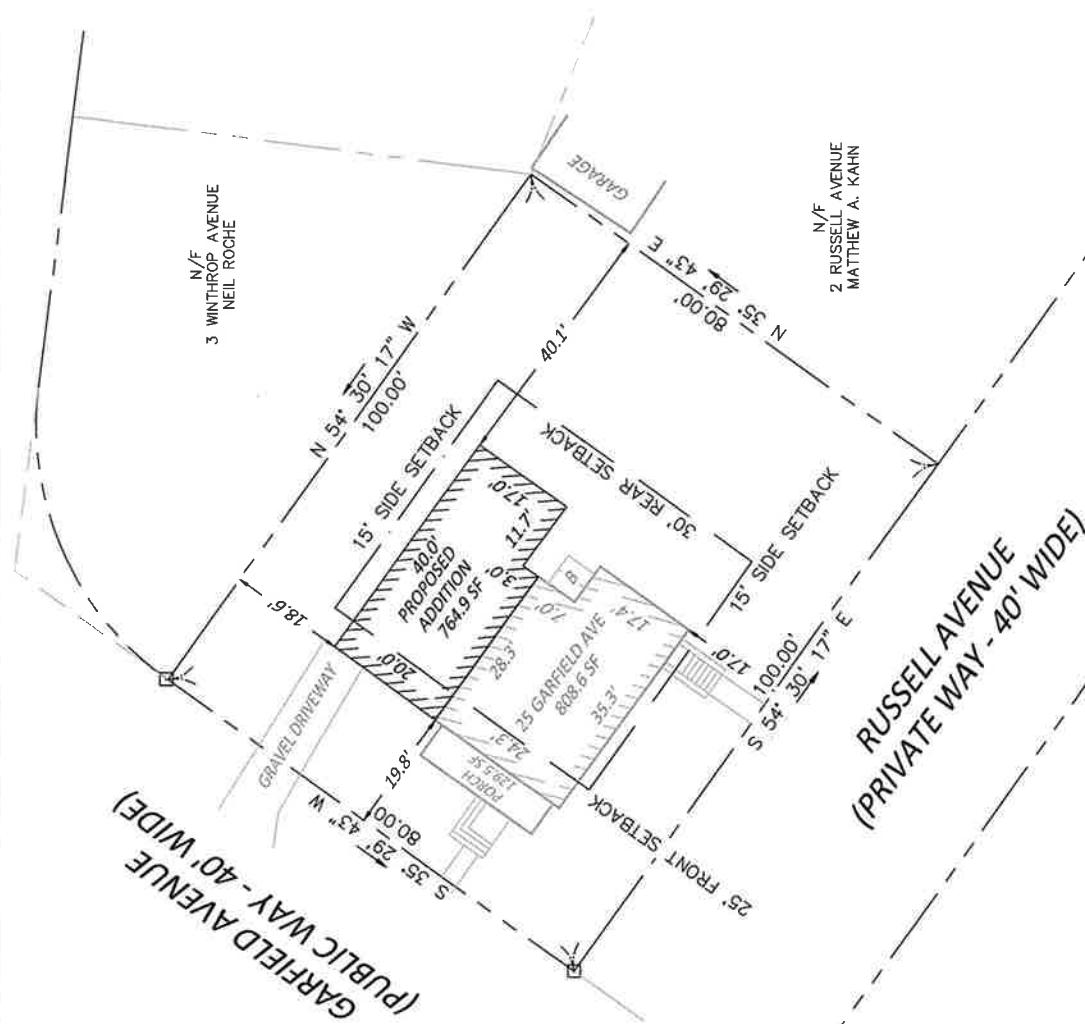
Locus



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

Certified Plot Plan - Proposed
Prepared For
Tete Cobbish

25 Garfield Avenue
Maynard, MA 01754
(Middlesex County)
126 John Street, Suite 11
Lowell, MA 01852
Phone (617) 982-3250
www.chessengineering.com



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, 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.
- 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, 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.
- This Plan: A) Shall Not Be Recorded, B) Does Not Imply Or Otherwise Certify 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 764.9 SF	REQUIRED PROPOSED
MIN. LOT SIZE	10,000 S.F.
MIN. LOT FRONTAGE	100 FT
MIN. LOT WIDTH	80 FT
MIN. FRONTAGE SETBACK	25 FT
MIN. SIDE YARD SETBACK	15 FT
MIN. REAR YARD SETBACK	30 FT
MAX. BUILDING COVERAGE	15 %
MAX. IMPERVIOUS	60 %
MAX. BUILDING HEIGHT	35 FT

NOTES:

- EXISTING BUILDING GROSS FLOOR AREA = 3083 SF PER ASSESSOR RECORDS. INCREASE 764.9 SF = 24.8% ALLOWED BY BUILDING COMMISSIONER PER §5.1.5
- ALLOWED BY BUILDING COMMISSIONER PER §5.1.5.1
- ALLOWED BY BUILDING COMMISSIONER PER §5.1.5.2
- ALLOWED BY BUILDING COMMISSIONER PER §5.1.5.3
- VARIANCE REQUIRED BY ZBA PER §5.1.4

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 PE #49236 Date

Drawing name: C:\Users\Paul\CHESS Engineering Dropbox\Projects\0434 - 25 Garfield Ave Maynard MA\dwg\0434.spc.rev00.dwg
Apr 15, 2025 - 11:46am

Owner Of Record:
Augustus Tete Cobbish &
Elizabeth P. Updike Cobbish, Trustees
Of The Cobbish Realty Trust
25 Garfield Avenue
Maynard, MA 01754

Deed Book 80215, Page 385
PLID: Map 15 Parcel 109
Plan: Book 40 Page 40 (Lots 221 & 222)
Area Measured: 8,000 S.F.

Date: March 19, 2025

GRAPHIC SCALE
1 inch = 20 feet



40
20
10
(in feet)

Fete + Elizabeth

Table B. Dimensional Requirements

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



80% = min width

160' 9/16"

6°-4 43/64"

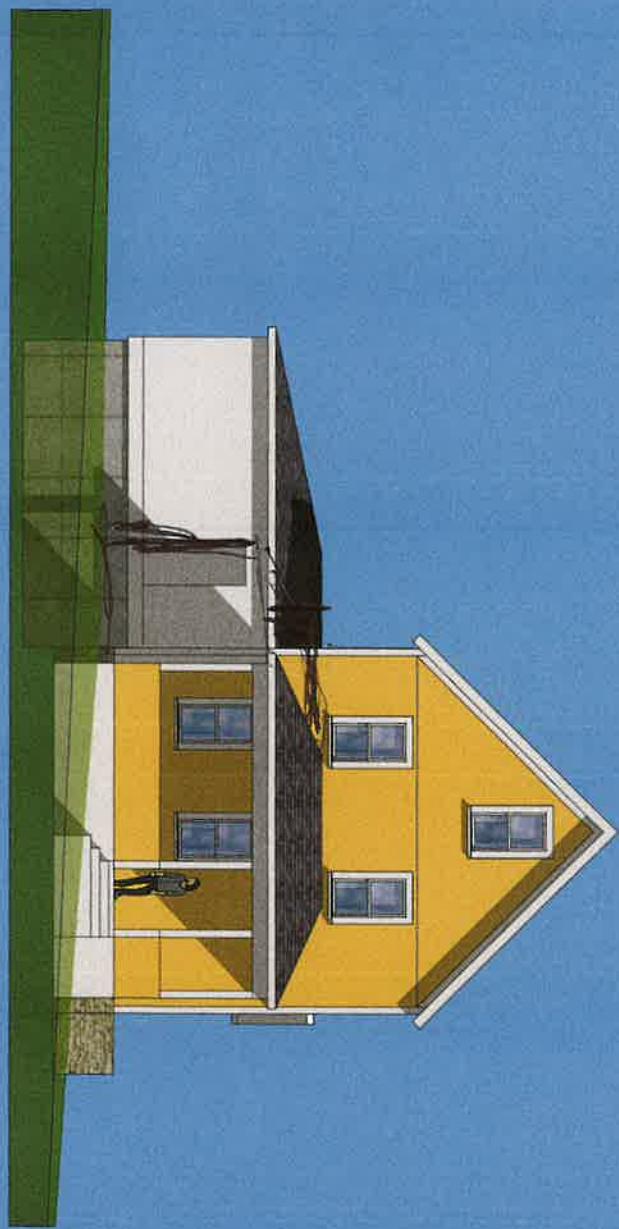
11'-11/32"

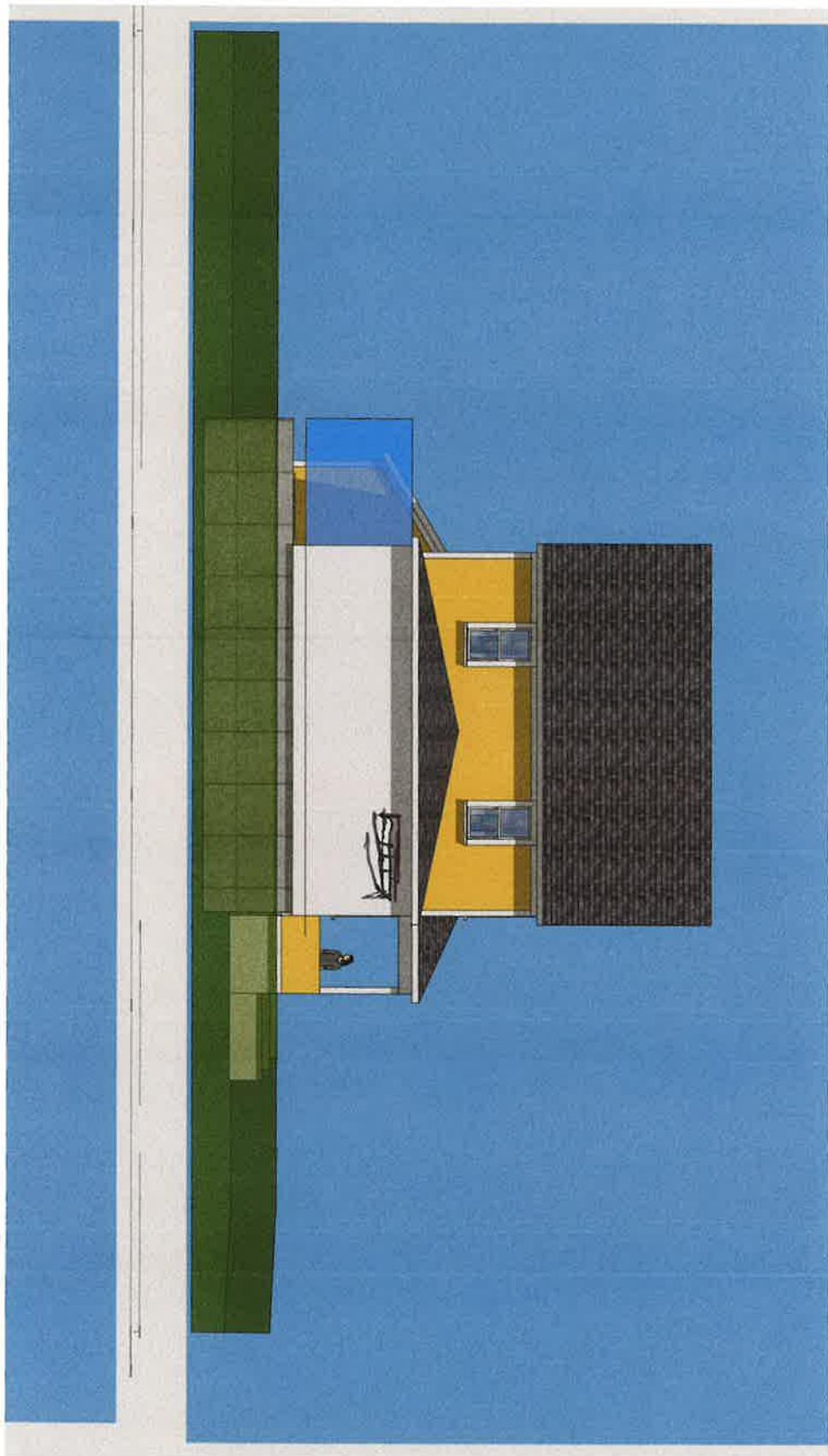
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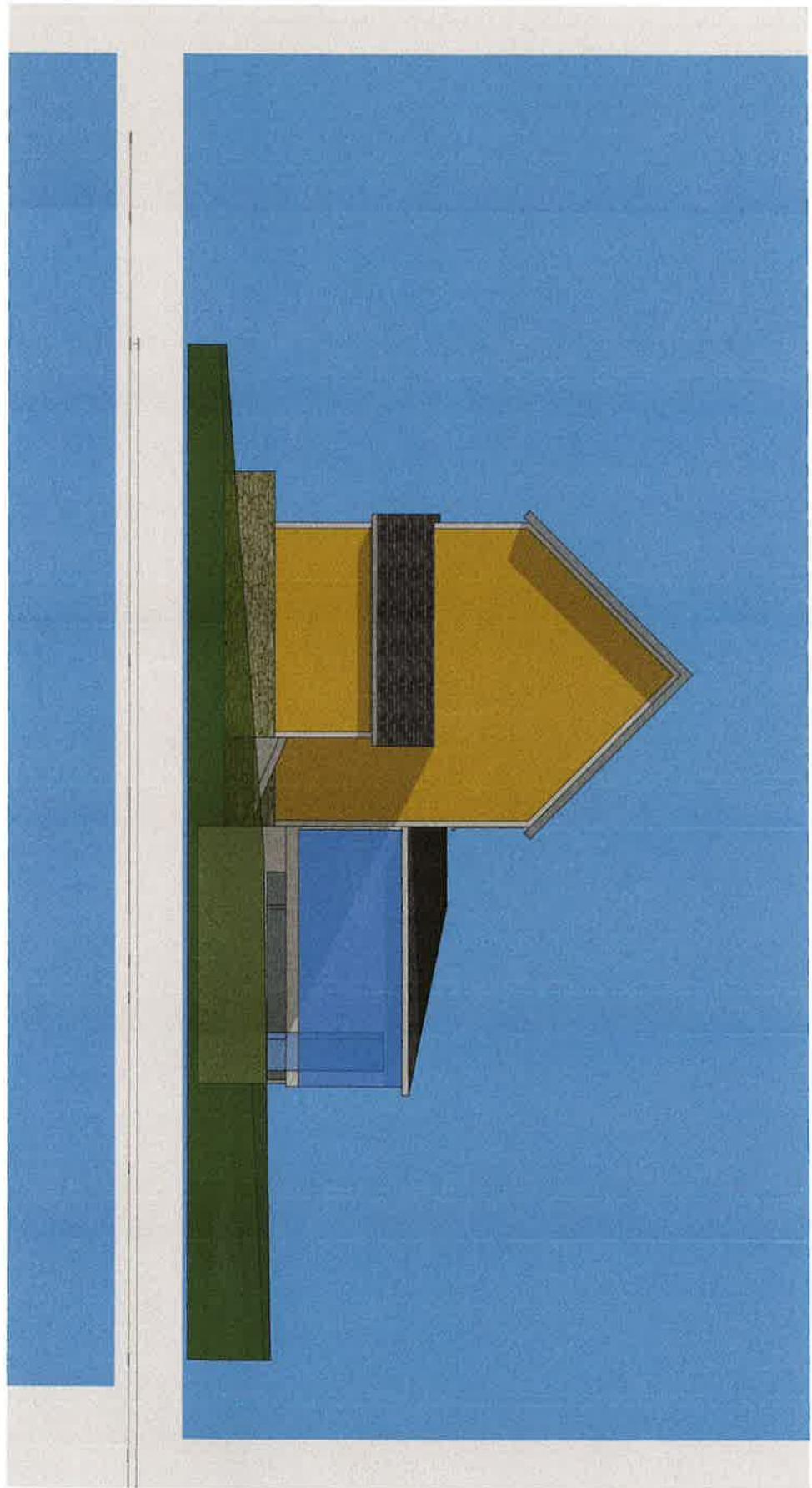
min from -

26'-9 7/64"









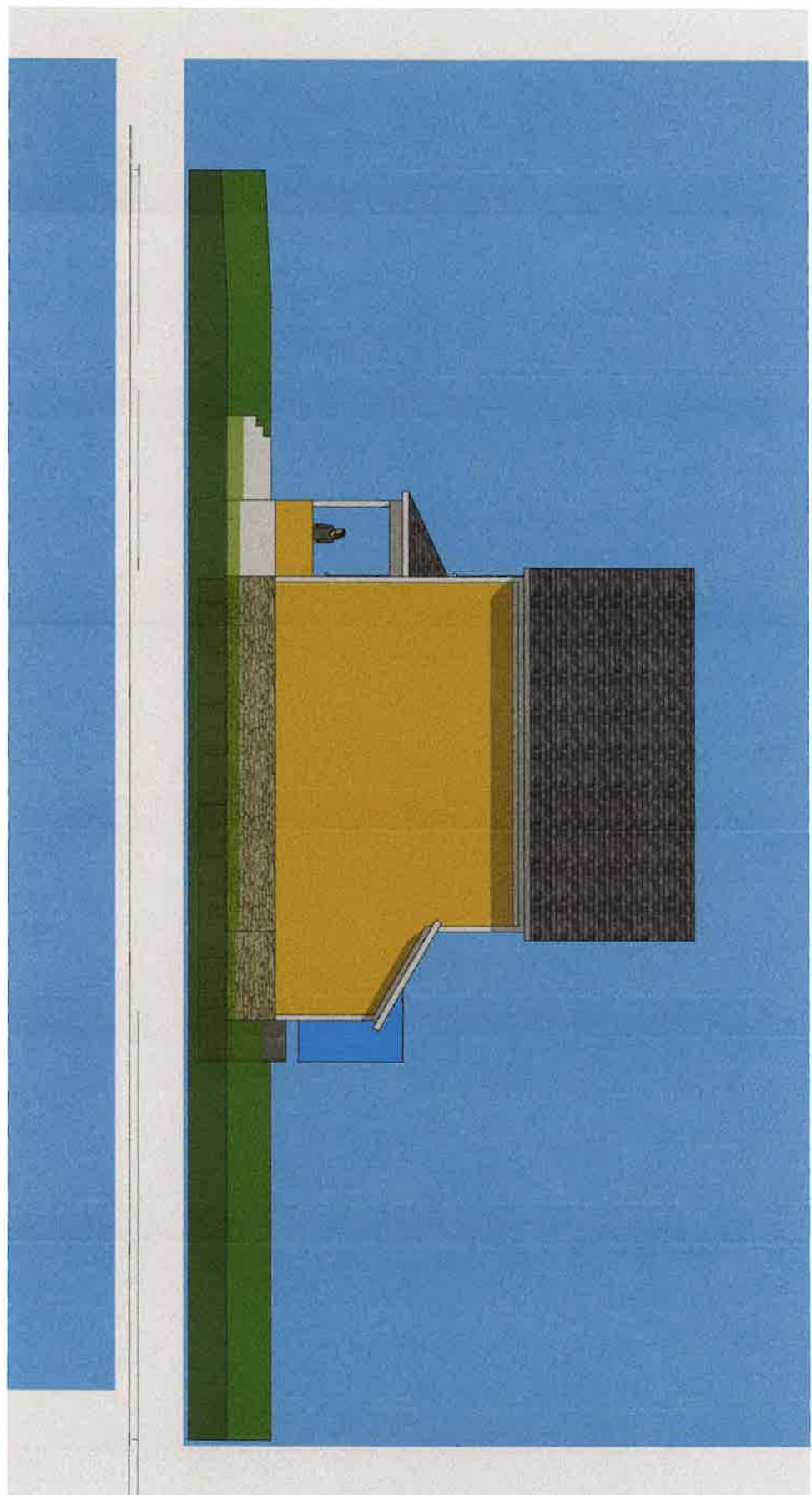


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By Impervious Surface (%)	60
Maximum Building Height (feet)	35
Minimum % of Lot Area	
Landscape Open	0
Located in front yard	0









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.

Joseph Tompkins
S. D.
B. Schmitz

Board of Assessors



25 Garfield Ave - 15/109 - SP

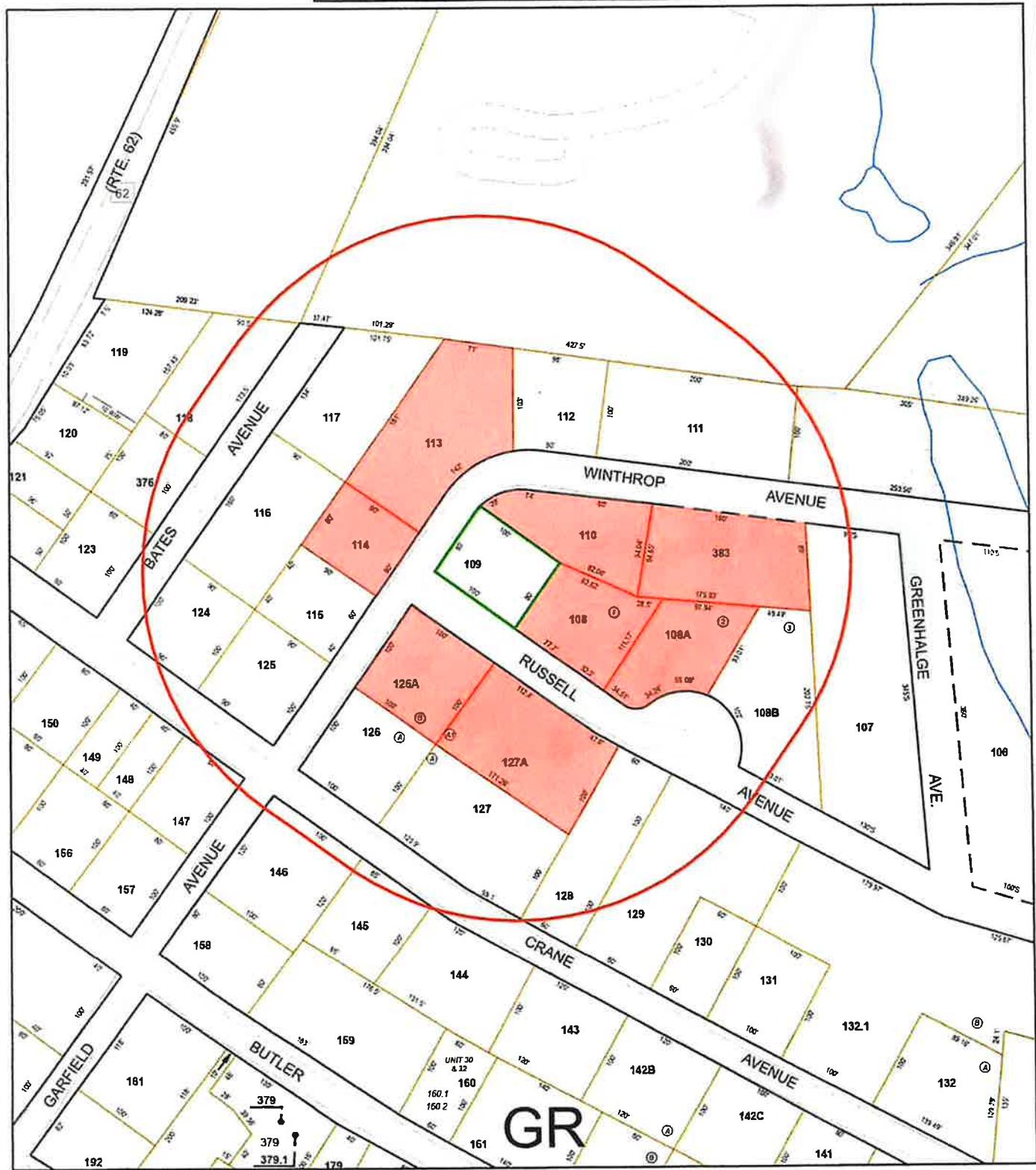
Town of Maynard, MA

CAI Technologies
Precision Mapping Geospatial Solutions

www.cai-tech.com

February 21, 2025

0 140 280 420



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

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2/21/2025

Page 1 of 1

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



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 1109

Please Indicate USE OF LIST:

PLANNING BOARD ZONING BOARD OF APPEALS
 CONSERVATION LIQUOR LICENSE
 SPECIAL PERMIT OTHER – Please describe:

Requested by:

Richard Bourque

Phone # 508-328-4323

Email: 6ebourque@6ebourque.com

GE BOURQUE

Signature

Date

2/20/25

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
425*

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	MA	01752
		H			
LECLAIR STEPHEN G &	DOUGHTY ALISON L	4 RUSSELL AV	MAYNARD	MA	01754
PESSOA RALPH M S & AMELIA K		22 GARFIELD AV	MAYNARD	MA	01754
M					
ROCHE NEIL		143 MEADOW LN	BOXBOROUGH	MA	01719
		H			
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

I. Project Information

Application #	ZBA2503
Project Location	25 Garfield Ave.
Property Owner	Tete & Elizabeth Cobblah, 25 Garfield Ave., Maynard MA 01754
Applicant	same
Type of Request	Variance
Zoning	S-1
Date App. Received	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
Min. Lot Area	10,000 sf.	8,000 sf.	unchanged
Min. Lot Frontage	100 feet	80 feet	unchanged
Max. Building Coverage	15%	10% (809 sf.)	21% (1,703 sf.)
Setback Side Right (E)	15 feet	39 feet	19 feet
Setback Side Left (W)	15 feet	17 feet	unchanged
Setback Front	25 feet	13.9 feet	20 feet
Setback Rear	30 feet	40 feet	unchanged

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

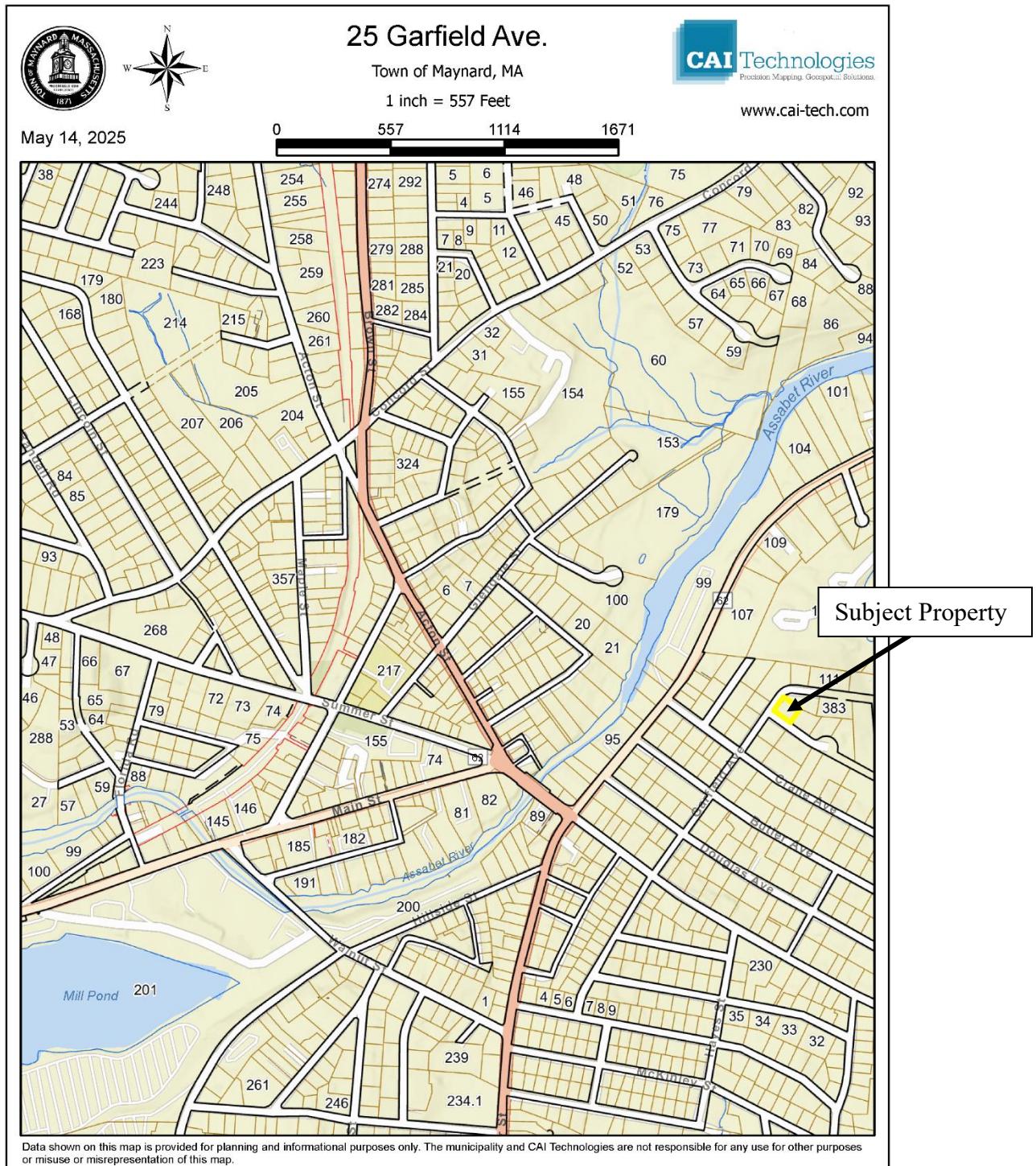


Exhibit B: Justification Statement

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

