
Setback Violation

From Cody Mack <codytylermack@gmail.com>

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To Bill Nemser <bnemser@TownofMaynard.net>; Zoe Piel <zpiel@townofmaynard.net>; Richard Asmann <rasmann@TownofMaynard.net>

To the Town of Maynard,

Before I make this report, I'd like to provide a background with dates to show how long problems can continue.

January 5th 2023 -- I inquired with Richard Asman on the definition of a "structure" and what the setback of a carport shelter would be. Richard's response, "Same as a building. Setbacks are for structures. Attached to the house, a carport would be subject to the same as the house, measured to supports with a 2-foot roof allowance into the setbacks."

As you are aware, 30-32 walnut St. is in a GR residential zoning district in the Town of Maynard. And based on the certified town mailing that I received, I was made aware and invited to a Board of Appeals meeting discussing a **Accessory Home Based Business (Type-B)** operating out of said residence but also the allowance of additional vehicles on the property for both business and overnight parking.

My response to the past hearing,

"It looks like they have since removed the excavation service from their website. In addition, based on the Handy for Hire LLC business website (home) page it states, "It would be a mistake not to check out our other company at dirtanduglyhouses.com"

I deliver this information for review before the Zoning Board of Appeal makes a decision on this Special Permit. It is unclear if there are (1) or (2) businesses and how many commercial vehicles comply with the town laws. I appreciate the government oversight and I make my concerns with the knowledge of the homeowner willfully making past setback and permitting violations."

I also saw a copy of Daniel Cormier's appeal on the town website, a letter to the board of appeals with a surveying map which showed a tent **moved in red pen**. I assumed this was a requirement by the town, in part to my complaint but also a review of the property done by town officials. A perfect time to right a wrong is when you need a special permit from the town, right?

As they say you can't fit a square peg in a round hole. People can also skew or take advantage of a law or ignore them all together. Since the date of the hearing there has been some activity but the end goal is unknown. It appears that he outgrew his property and for the most part this is because of his **business**. Especially when you're not using the majority of the land for residential activity but for commercial park, turn around and business related storage. If the exposed dirt was asphalt, this would undoubtedly be a commercial lot. Whether his board of appeals was approved or he's working toward

it -- this is still a concern.

Dan has been noisy almost every weekend since the hearing. Something you would expect from a commercial lot during weekday business hours. Whether it's the audio system mounted on the side of his house with volumes near state limits, chainsaws, tractor idling and moving stuff around, slamming, throwing, dropping metal, hammering, cutting, digging, plowing dirt. You should know what your neighborhood deals with on a regular basis.

Much of the change has been abstract and I sit here writing this confused. He recently erected a fence perpendicular to the property line. This was done, based on my understanding, to block what was behind it. Yet, he excavated a large part of his property over 2 years ago and the project is sitting vacant right in front of this new fence. Regardless of whether he had the right to cut in what would be a driveway, this excavation was without **proper consideration, planning, approval and execution** and now a couple large trees standing with roots exposed causing hazard to my house, my family, and the public.

So finally, I write to report two setback violations involving two carports on the 30-32 Walnut St. residence that stand within the setback zone. Again, this possible setback violation dates back to January 2023. One tent moved several times and recently one was moved out of the setback, then removed completely, then just yesterday a NEW tent was added close to the property line. Again, I simply cannot find reason in the madness. **I ask the town to enforce the bylaws and setbacks and get this corrected as soon as possible.**

Best,
The 34 Walnut residence

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