

**Maynard Zoning Board of Appeals (ZBA) Meeting and Public Hearing
May 21, 2025 – 7:00 p.m.
(Held remotely via Zoom)**

ZBA Board Members Present: Paul Scheiner – Chair; Leslie Bryant; Jerry Culbert; John Courville; Brad Schultz and Jackie Downing (Alternate).

Others Present: Zoe Piel – Assistant Town Planner/Conservation Agent; Bill Nemser – Planning Director; Tete and Elizabeth Cobblah, Richard Bourque, Daniel Cormier

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

1. Meeting Minutes of February 27, 2025

Chair Scheiner made one correction to attendees listed.

Ms. Bryant made a motion to accept the minutes of the February 27, 2025 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 - 25 Garfield Avenue

The owner/applicants, Tete and Elizabeth Cobblah, represented by their contractor, Richard Bourque, 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).

Mr. Bourque introduced himself and advised the board he would be speaking on behalf his clients who were also present.

Mr. Bourque explained that he wished to add an addition of approximately 765 square feet to the existing structure. Because the proposed addition would exceed the maximum building coverage of 15% to approximately 20%, a Variance required.

Chair Scheiner explained that for a variance, the board has very strict criteria under state law that it must follow and that each must be met in order for the board to allow a variance and asked the applicant to explain what specific hardships warranted this request. Mr. Bourque responded that the lot was undersized, but that the applicants needed additional first floor room to prepare

for aging in place and to accommodate visitors. Chair Scheiner acknowledged this was understandable but pointed out that the law does not allow for personal hardships, but that the hardship must be connected specifically with the parcel and the structure.

Chair Scheiner asked Ms. Piel to clarify data in the staff report table, indicating that the property could be expanded roughly half the size proposed without exceeding the coverage and consequently negate the need for a variance. Ms. Piel stated that was the case.

Chair Scheiner asked the board for comments: Mr. Schultz asked if the proposed addition would add or expand the basement of the structure. The contractor stated that was not the case. Mr. Schulz explained that this was to clarify soil conditions on the property to determine if they should be factored into the request. Mr. Schulz concluded by pointing out that the applicant could avoid the need for a variance at all with an expansion that brought the structure to 15% coverage.

Mr. Culbert stated he agreed with Mr. Schulz's assessment and said that he was not sure he could support the application for Variance when the petitioner had the opportunity to expand and stay within the dimensional requirements of Zoning By-laws.

Ms. Bryant asked staff if the applicant would be prohibited from filing a similar request for a two-year period if they went forward with this petition and were denied by the board. Ms. Piel stated that was the case.

Chair Scheiner pointed out that in cases similar to this, where both sides are working towards a solution, it has been successful for the applicant to resubmit plans based on the ZBA input. Mr. Bourque stated that he did not want to have a denial that would prevent the work for two years. The contractor agreed that this would be the best approach, but then he had to consult with his clients. Leslie Bryant made a motion to continue the hearing to June 16 at 7 PM. The motion was elected by Jerry Culbert (the meeting date was scheduled a week early in June because of conflicting availability of several members).

3. Public Hearing – 30-32 Walnut Street

The owner/applicant, Daniel Cormier, is requesting Special Permit approval to operate an Accessory Home-Based Business – Type B, per Section 8.3 of the Zoning By-laws.

Mr. Cormier introduced himself and provided the board with a description of the scope of his home business activities. He described the business as including small home repairs, picture-hanging, and other "handy" jobs, but not construction. He also described the three vehicles he uses for the business, including a truck used as a mobile workshop; a dumptruck; and a Japanese *kei* truck used for errands.

Chair Scheiner and Mr. Culbert inquired about a backhoe parked on the subject property. Mr. Cormier stated that the equipment was in use for driveway excavation on his own property and had never been used for the business.

Ms. Bryant asked the petitioner whether the excavation was threatening any trees on the property. Mr. Cormier replied that he did not believe so. Ms. Bryant also asked when the driveway excavation had begun, which Mr. Cormier estimated two years ago. He explained that an injury had interrupted the progress of the driveway project.

Chair Scheiner referred the petitioner to the new AHHBA by-law and its criteria for the Board's favorable findings. Ms. Downing asked the petitioner to consider potential mitigation approaches for exterior storage of vehicles and equipment. Mr. Schultz pointed out that other small-job handyman services can be operated as AHHBA-Type A, as all outside evidence of the business activity is screened or otherwise mitigated.

Mr. Cormier noted to the Board that he planned to retire in 5-10 years, so he did not feel the business should be considered a long-term issue. Multiple members of the Board discussed continuing the public hearing pending a site visit to the property. Mr. Culbert moved to continue the public hearing. Ms. Bryant seconded the motion. The Board voted to continue the public hearing to the meeting of June 16, 2025, at which the ZBA would conduct a site visit at 6:30PM and reconvene the public hearing on Zoom after completion of the visit at 7PM.

Jerry 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 8:55 p.m.