



TOWN OF MAYNARD
Zoning Board of Appeals
Office of Municipal Services

The Maynard Advantage
New England Living for Everyone

195 Main Street
Maynard, MA 01754
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Findings and Decision

Project Name: **55 Glendale St., Maynard, MA 01754**
Petition No: **ZBA 23-10**
Petition Type: **Special Permit Request**
Property Owner/Applicant: **John Mallin**
55 Glendale Street
Maynard, MA 01754
Description of Request: **Special Permit to exceed building coverage**
Project Location: **55 Glendale St.**
Map & Lot # **Map 10, Lot # 166**
Current Zoning: **Single Residence District 2 (S2)**
Lot Size: **9,217 SF (0.2 Acres)**
Application Date: **10/24/2023**

Description of Request:

The subject property is a single-family dwelling and a pre-existing nonconforming structure. The applicant requested ZBA approval to extend Building Coverage to construct an addition to the residence.

The subject property has a building coverage of 15.5% (maximum allowable coverage in the S2 District is 15%). The applicant's request was to allow a building coverage of approximately 23.43% to construct the addition.

The application, which included the petitioner's Justification Statement, was provided for review and a determination by the Zoning Board of Appeals (ZBA) on issuance of a Special Permit (Exhibit "A").

I. Procedural History

- a. 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 owner and filed with the Zoning Board of Appeals (ZBA) on October 24, 2023.

- b. The Special Permit application was accompanied by a plan and survey.
- c. A public hearing on the Special Permit application was scheduled for November 27, 2023. The Legal Notice was placed in the MetroWest Daily News on November 13th and 20th, 2023 and sent via certified mail to interested parties on October 31st, 2023. The hearing closed on January 22, 2024.
- d. The application documentation and other submitted material were reviewed by Town Staff.

II. Regulatory Criteria

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:

- a. Social, economic, or community needs which are served by the proposal. **The ZBA determined the project benefits the neighborhood by improving the subject property.**
- b. Traffic flow and safety, including parking and loading. **The ZBA determined there are no impacts associated with this request.**
- c. Adequacy of utilities and other public services. **The ZBA determined there are no impacts associated with this request.**
- d. Neighborhood character and social structures. **The ZBA determined the project enhances community character through modernization of the property.**
- e. Impacts on the natural environment. **The ZBA determined there are no impacts associated with this request.**
- f. Potential fiscal impact, including impact on town services, tax base, and employment. **The ZBA determined the project will benefit the neighborhood and the tax base by increasing the property value.**

III. Vote of the Board and Decision

The ZBA deliberated and determined that the request meets the criteria as detailed above in Section II. Leslie Bryant made a motion to approve a to allow construction of a home addition at 55 Glendale Street that will allow a building coverage of approximately 23.43% in order to construct an addition to the residence as depicted in the Petitioner's application date-stamped October 24, 2023, subject to the following Conditions of Approval:

- a) A native-species tree shall be planted to replace the tree removed for the construction of the addition.
- b) The new addition shall not have plumbing.

The motion was seconded by Jerry Culbert.

The Board voted as follows ("Y" to approve):

Paul Scheiner	Y
Page Czepiga	Y
Leslie Bryant	Y
Jerry Culbert	Y

Recording of Decision

The Applicant shall file a certified copy of 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.

Appeals

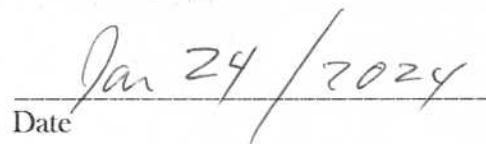
Appeals shall be made within twenty (20) days of the date of filing this decision in the Office of the Town Clerk directly to a court of competent jurisdiction in accordance with the provisions of M.G.L., Chapter 40A, Section 17.

Electronic Signatures

The signature(s) hereunder are made in accordance with M.G.L. c.110G and pursuant to the board's electronic signature authorization vote recorded on November 8, 2022, in Book 80925 and Page 60 at the Middlesex South District Registry of Deeds.



Paul Scheiner, Chair
For the Zoning Board of Appeals



Date

****NOT VALID UNTIL CERTIFIED BY THE TOWN CLERK OF MAYNARD****

EXHIBIT "A"

ZBA2310

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: **RECEIVED**

OCT 24 2023

Town Clerk's Office
Maynard, MA 01754



ZONING BOARD OF APPEALS
APPLICATION NUMBER: ZBA2310
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 55 Glendale Street

Characteristics of Property: Lot Area 9,217 SF Present Use Residential

Assessor's Map # 10 Parcel # 166 Zoning District S-2

Name of Petitioner Kristen & John Mallin Phone # 978-987-7494

Mailing Address 55 Glendale Street, Maynard, MA 01754

E-mail Address jmallin30@gmail.com

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

Petition is for An Appeal from the Decision of the Building Commissioner

(Check One) A Variance

A Special Permit Special permit from 15% maximum coverage set forth in the S-2 zoning regulations

Other (Please Specify) _____

Applicable Section of the Zoning By-Laws: Section 8 Table 1 regulations

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

Lot is non-conforming to S-2 regulations and as a result too small to allow construction of 28' x 26' house addition without a special permit to 15% maximum coverage regulations.

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

Signature of Petitioner (or representative) John J. Mallin

Address (if not Petitioner) _____

Telephone Number 978-987-7494

Signature of Owner, if other than Petitioner _____

EXHIBIT "A"

EXHIBIT "A"

Special Permit Request for 55 Glendale St, Maynard, MA 01754

We are seeking a Special Permit within the S-2, 15% maximum coverage requirement listed in Section 8, Table 1 regulations located in the Maynard Zoning Laws. This special permit will enable us to build a 26' x 28' house addition to the back of our home to accommodate a growing family of 5. See Certified Plot Plan with building addition layout.

The 15% maximum coverage set forth in the S-2 zoning tables for 55 Glendale Street is based upon current requirements for a 20,000 square foot lot. This would represent 3,000 square feet of buildable area on the lot.

Our lot, which was established well before those current zoning regulations, is only 9,217 square feet, less than of the regulation size. This means that the existing house and structures on the property, at 1,432 square feet, occupies 15.5% of the lot.

Adding a 26' x 28' addition in the back of the house would increase the coverage to 23.43% of the square footage of the lot. By comparison, existing building coverage of our neighbors on Glendale Street and residents on Lewis Street range from 19.8% to 28.72%.

We intend to keep our addition within the style of our current Colonial-style home, while also adding livable square footage to bring our home in line with the house size and coverage comparable to those of our neighbors. The new addition will be located in the back of the house.

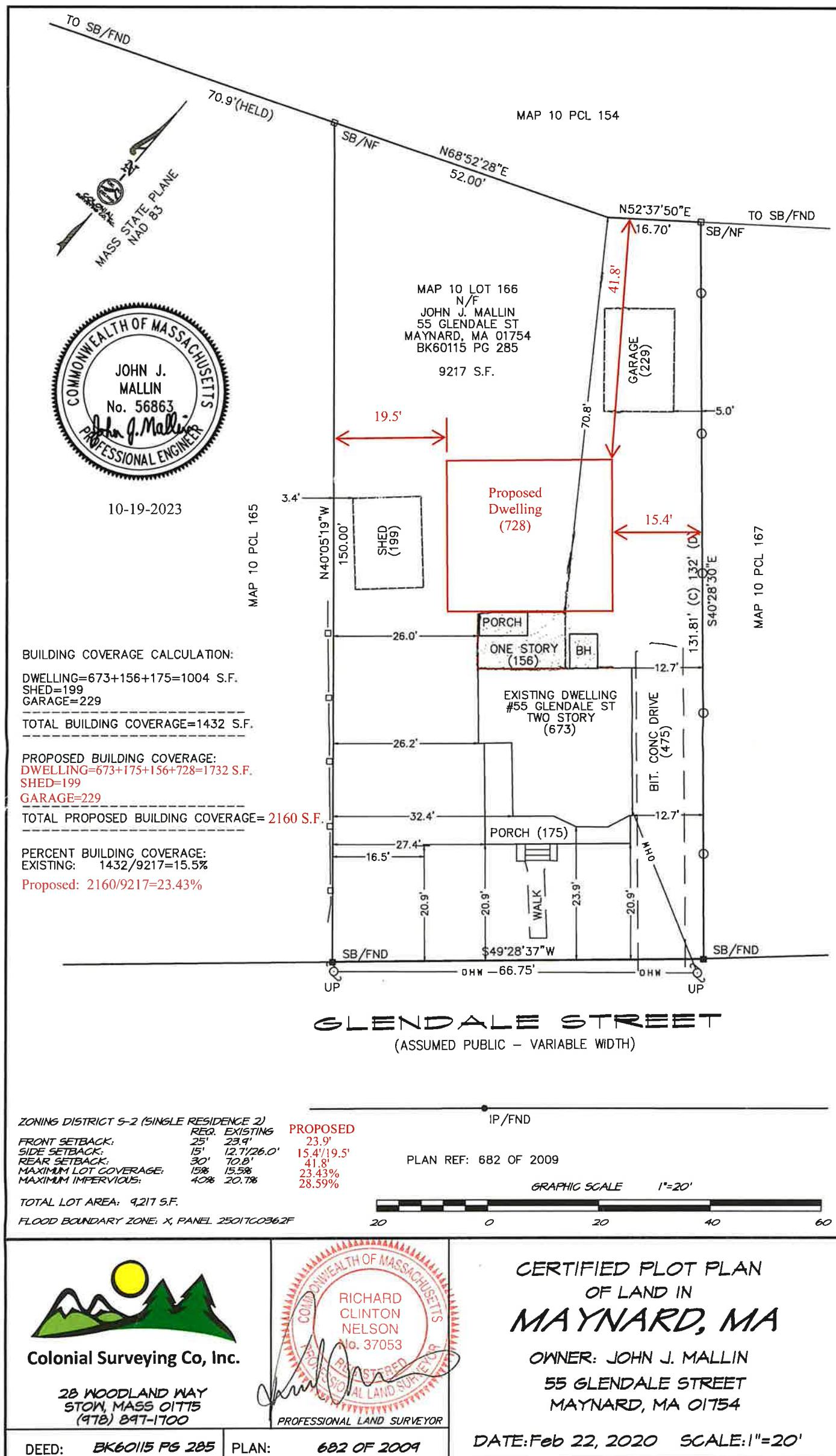
Thank you for your consideration of this Special Permit request. We look forward to your response.

Kristen & John Mallin

55 Glendale St.

Maynard, MA 01754

Cell: 978-987-7494



Drawing Modified by John J. Mallin, PE
Date: October 19, 2023