



**TOWN OF MAYNARD**  
**Office of Municipal Services**  
**MUNICIPAL BUILDING**  
195 Main Street  
Maynard, MA 01754

Tel: 978-897-1302 Fax: 978-897-8489  
www.townofmaynard-ma.gov

**RECEIVED**  
**MAR - 5 2018**  
TOWN CLERK'S OFFICE  
MAYNARD, MA 01754

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***Maynard Zoning Board of Appeals***  
***Notice of Decision***

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To: Michelle Sokolowski, Town Clerk  
195 Main Street  
Maynard, MA 017

March 1, 2018

Re: Special Permit approval for the plan entitled "Barton Residence, 12 Harrison Street" (latest revision date January 23, 2018) modified by J.F. Basnett Co., Inc. dba Basnett Design Build Remodel, 14 Gilson Road Littleton, Ma. 01460. Planning File #: ZB 18-01.

Dear Ms. Sokolowski:

Please accept this Special Permit Decision for 12 Harrison Street, Maynard, MA. (Map 20, Parcel 154). This is ready for recording by the Maynard Town Clerk's Office.

**I. General**

On January 24, 2018, J.F. Basnett Co., Inc. dba Basnett Design Build Remodel (hereinafter referred to as "the Applicant") on behalf of the owner Rachel Barton, submitted to the Maynard Zoning Board of Appeals (hereinafter referred to as "ZBA") an application for the residence located at 12 Harrison Street for a Special Permit to extend a pre-existing, non-conforming structure and allow construction of an addition and decks to the residence.

The subject property is located within the General Residential district and is a legal pre-existing non-conforming structure located on a pre-existing non-conforming lot.

**II. Plans and Documents Submitted in Support of the Application**

The following documents (hereinafter referred to as the "The Plans") and supporting documents were submitted to and reviewed by the ZBA either with the associated application, or during the Public Hearing process, and form the basis of this Decision.

Table 1		
Document	Prepared by	Date
Application for Special Permit	J.F. Basnett Co., Inc. dba Basnett Design Build Remodel	January 24, 2018
Proposed Plan	J.F. Basnett Co., Inc. dba Basnett Design Build Remodel	Final plan modification date: January 23, 2018

The ZBA reviewed these materials during the application, public hearing and deliberation processes.

### III. Review Criteria

#### **Special Permit Approval**

- a. Section 5.1.5 of Maynard's Zoning By-laws (ZBL) state the ZBA may, by Special Permit, allow a reconstruction, extension, alteration, or change, where it determines that the proposed modification will not be substantially more detrimental than the existing nonconforming structure to the neighborhood.
  
- b. Section 10.4.2 of the ZBL state a Special Permit shall be granted only upon determination that the adverse effects of the proposed use will not outweigh its beneficial impacts to the town or the neighborhood, in view of the particular characteristics of the site, and of the proposal in relation to that site. In addition, 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.

### IV. Public Hearings(s) and Vote(s) of the Zoning Board of Appeals

The ZBA began Public Hearings for a Special Permit to extend a non-conforming structure by allowing construction of an addition and decks to the residence on February 26, 2018 and closed the Public Hearing on February 26, 2018. Notice for the public hearing was published in the Beacon-Villager (February 1 and 8, 2018) and sent to abutters of the

property and other interested parties by certified mail according to the Assessors' Certified Abutters List.

**V. Special Permit to extend a non-conforming structure. Findings of the ZBA:**

**a. Finding - Pre-existing, Non-conforming Structure**

- The ZBA finds the proposed Special Permit can extend the pre-existing, nonconforming structure without encroaching into the setback any further than exists now.
  
- The ZBA determined that the proposed plan will not be substantially more detrimental than the pre-existing, non-conforming structure to the neighborhood.

**b. Special Permit:**

After conducting the public hearing, and after its own analysis and deliberation relative to the proposed project and the supporting documents and plans described above and herein, the ZBA has and found no issue with the application meeting the requirements for the issuance of Special Permits as listed above in Section III b.

**VI. Decision**

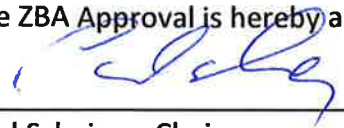
At its meeting of February 26, 2018 the ZBA:

- a. Voted 5 in favor to 0 opposed to grant Special Permit Approval to allow for the residence located at 12 Harrison Street for a Special Permit to extend a non-conforming structure and allow construction of an addition and decks to the residence. The Board voted as follows:

- |                          |   |
|--------------------------|---|
| 1. Paul Scheiner (Chair) | Y |
| 2. Marilyn Messenger     | Y |
| 3. John Courville        | Y |
| 4. Jerry Culbert         | Y |
| 5. Leslie Bryant         | Y |

**VII. Zoning Board of Appeals Endorsement**

The ZBA Approval is hereby approved with the Findings contained herein.

  
\_\_\_\_\_  
Paul Scheiner, Chair  
For the Zoning Board of Appeals

3/2/18  
Date

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Filed with the Town Clerk on: \_\_\_\_\_

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