



**BOARD OF APPEALS
Town Building
195 Main Street
Maynard, Ma 01754**

**Petition of MARFRAN REALTY TRUST,
FRANK DENTINO AND MARTIN MARIA, TRUSTEES**

PREMISES: 16-18 Mill Street, Maynard

Case no. 2012 SP 19

Date of Decision: July 16, 2012

On May 11, 2012 the Petitioners filed an application with the Maynard Zoning Board of Appeals for a Special Permit in accordance with Maynard Zoning ByLaws, pursuant to Section 3.2.5 to allow for a trade shop, for the owner who lives and or maintains a home on the premises or building thereon in connection with his trade by annual Special Permit.

“Parties of interest” were verified by the Board of Assessors. Notice of Public Hearing was mailed by the recording secretary of Zoning Board of Appeals to the “Parties of interest” and said notice was advertised, all according to statute.

The hearing was held on May 11, 2012, as scheduled and advertised. The Board considered the request in the light of statutory criteria and the requirements of said bylaw. The petitioner, Frank Dentino, Trustee, spoke on their application. The following abutters spoke at the hearing regarding concerns they had with the application, Mike Ricard, 10 Mill Street, Ellen Delaney, 10 Mill Street.

WHEREFORE, the Board hereby grants the requested Special Permit pursuant to Section 3.2.5 to allow for a trade ship, for the owner who lives and or maintains a home on the premises or building thereon in connection with his trade by annual Special Permit pursuant to their findings with the following conditions.

Findings:

1. The applicants do own and maintain a garage at 16-18 Mill Street, located in the General Residential District.
2. The Garage at this location has been taxed and classified by the Maynard Board of Assessors as being 100% commercial for the last 20 years.
3. The grant of Special Permit meets the statutory criteria of the Maynard Zoning Bylaw , Section 3.2.5 and the provisions of Massachusetts General Laws, Chapter 40A, Section 9; in that the granting of the Special Permit is for a use in general harmony with the general purpose and intent of the Bylaw.

4. The board found that allowing for this trade shop will not be substantially more detrimental than the existing structure.

5. The public health and safety will not be affected by a grant of this Special Permit since there will remain adequate access for emergency and fire vehicles and apparatus.

Conditions of Approval:

1. The garage office shall be used only for file storage and office space and some material and equipment storage inside on the garage side.

2. No commercial signage shall be allowed.

3. The Special Permit is not transferable to a different owner.

4. There shall be no rental of the garage.

5. The Special Permit shall have to be renewed after one year from the date of issuance.

6. The hours of operation shall be limited to 7:00 a.m. to 7:00 p.m., Monday through Saturday.

7. No trucks larger than a pickup truck shall be allowed on the premises.

8. There shall be no commercial use or storage outside of the garage.

This decision does not relieve the Petitioner or any other person of the necessity of complying with all other applicable federal, state and local Bylaw.

Any appeals of this Decision shall be made pursuant to Massachusetts General Laws Chapter 40A, Section 17 and a copy of the appeal shall be filed in the Town Clerk's Office within twenty (20) days after the date of the filing of the Decision in the office of the Town Clerk.

MEMBERS: Attending and voting as follows on the within petition:

Paul Scheiner, Acting Chair _____

Leslie Bryant: _____

Lynne Lombardi: _____

Martha Elliot _____

Dated: July 16, 2012