



## Maynard Building Department

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July 18, 2016

Jean L. Cook  
2 Rice Road  
Maynard, MA 01754

### **Re: 2 Rice Road, Assessor's Map 4 Parcel 124**

Dear Ms. Cook,

This office has received a number of citizen complaints concerning the placement of 4 camping trailers at your residence, 2 Rice Road in Maynard. The complaints, for the most part, centered on the visual impact to the neighborhood and altering the nature of the property to one that is non-residential in character. Some complaints suggested that the activities on the property were consisted with that of a junk dealer or that of unpermitted home business involving the renovation and sale of these trailers. After an inspection of your property on May 18, 2016, I documented the following:

- 1) 1 medium size and 2 small camping trailers in a fenced in side/rear yard area;
- 2) 1 small camping trailer in the front/side yard located less than 25 feet from the street line;
- 3) All 4 trailers show signs of being in the process of restoration;
- 4) None of the trailers show any indication of habitation;
- 5) None of the trailers had functional plumbing or cooking facilities.
- 6) Your daughter, Ann-Marie, has asserted that she is not restoring these trailers for resale.

In reviewing this situation for possible violations under the Maynard Town By-laws or Protective Zoning By-Laws, I made the following findings:

- 1) These non-motorized camping trailers do fit within the definition of 'Trailer' in the Zoning By-laws;
- 2) The current Zoning By-law for trailers (Section 7.4) is unworkable. Taken literally, Section 7.4.2 requires a Special Permit for every recreational, camping or travel trailer in the Town of Maynard, regardless of size, whether or not motorized and whether or not garaged. It is difficult and too much of a leap in reasoning to assume that there was a grammatical error at the time of writing that would have allowed one trailer by right with additional trailers by Special Permit. The definition of trailers applies to non-motorized recreational trailers with or without kitchen and bathroom facilities (which may be up to 45 feet long) and to something as large as a doublewide motor home. For this reason, I cannot assume the By-laws' intent to allow one trailer by right.
- 3) The smaller trailers on the property range in length from around 10 to 17 feet. The medium size trailer is close to 35 feet in length. Ann-Marie had mentioned during my inspection that she might use one or more of the trailer as a shed for storage. There is

no local definition for what constitutes the accessory structure called a shed. There are no limits on the material or appearance of these structures. The State Building Code does not require a foundation or anchorage for detached one to two family use accessory structures 200 square feet or less in area. Such structures would have to meet setback and coverage requirements of the Maynard Protective Zoning By-laws. The area of the parcel at 2 Rice Road is  $\approx 12,327$  sq. ft. The allowable coverage on this lot of structures with roofs is  $\approx 1,849$  sq. ft. The current on this parcel by the house and porch is 1,450 sq. ft. Therefore, if you or Ann-Marie wanted to use the trailers as sheds, you would be limited to two of the smaller trailers or just the medium size trailer (which would require a Building Permit and a suitable foundation and anchorage).

- 4) It is my opinion that these trailers do not fall under the provisions of Chapter IX, Section 21 of the Town By-laws, concerning unregistered motor vehicles.
- 5) It is also my opinion that the presence of all 4 trailers on the parcel may constitute a nuisance under the provisions of Chapter IX, Section 22 of the Town By-laws. Section 22.2.1 defines blight as, "Any condition seriously impairing the value, integrity, strength, durability or appearance of real property." An argument can certainly be made that this collection of trailers on one single family lot affects not only the value of this parcel but others in the immediate neighborhood.

Therefore, it is my opinion that this condition constitutes a nuisance under the Town's general By-laws. A copy of this report will be filed with the Town Clerk's Office. Pursuant to Chapter IX, Section 22.3.1, the Board of Selectmen will set a hearing date within 30 days receipt of the report.

Respectfully,

Richard A. Asmann  
Maynard Building Commissioner

CC: Kevin Sweet, Maynard Town Administrator





