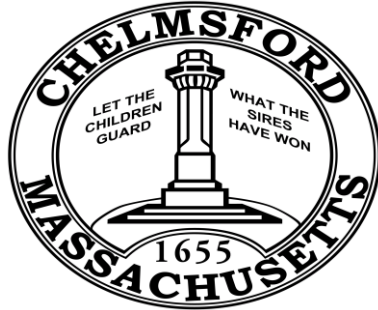


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Meeting Minutes
Thursday, January 11, 2018

Members Present: Brian Reidy, Jerry Loew, Charlie Wojtas, Nancy Morency
Members Absent: Jaclyn Martin, Mark Carota, Steve Mendez
Others Present: Atty. Paul Haverty, Community Development director, Colleen Stansfield, Department Assistant

Meeting was called to order by Mr. Brian Reidy, Chair, at 7:00PM. He made an announcement that meeting was being televised by Chelmsford Telemedia and hand recorded for the purposes of minute-taking.

95 Drum Hill Road, AutoFair Realty, LLC for a Variance of the Zoning by-laws 195-135, Sign Bylaw, to allow for temporary advertising fixtures on the premises at 95 Drum Hill Road, AutoFair Realty Chelmsford, LLC.

The Chair read a letter from Atty. Melissa Robbins requesting a continuance to the February 1, 2018, meeting of the Board of Appeals. Wojtas made a motion to continue the hearing to February 1, 2018, seconded by Morency. Unanimous 4-0

Thomas Gonsalves, 132 Tyngsboro Road. AKA Lot 1A Dunstable Road is seeking a variance under 195-9, Conformity, and a special permit under 195-9 B conformity required, to create a new lot from an existing lot, which will not conform to the requirements in the RB zoning district (lot frontage / lot width / lot area / side setbacks). Wojtas made a motion to continue the hearing to February 1, 2018, seconded by Morency. Unanimous 4-0

Pam Vega, 54 Parker Road, a variance under 195-9, conformity to split existing conforming lot with a non-conforming structure (front setback-corner lot) into two (2) non-conforming lots.

Attorney Hausler, Representing the applicant, appeared before the Board and explained the request. The Board asked how many lots are involved in this request. It was stated that there are actually 3, two of which are shown on the assessor's map and the 3rd was created by separate deed and was the result of a land court decision. Atty. James Hall, representing the residents of 4 and 3 Drummer Lane, 52 Parker, and 16 Stage Roads, appeared before the Board and stated that the laws do not allow for a variance for lot area. He cited several court decisions supporting his statements. John Gallant, 2 Wells Fargo Road, stated that he did not receive notification. Edith Murphy, 67 Hall Road, is against the variance because of the past projects that did not have the same density. Erin Carlon, 15 Stage Road, opposes this variance because of the rural nature of the neighborhood. Michael Donahue, 11 Stage Road, opposes the variance because the 2 lots in question should be one lot. 51 Parker Road, also opposes the variance. Karen Christianson, 88 Carlisle, opposes the variance and had questions about zoning and wetlands. Ezequiel Rivera, 17 Stage Road, stated he opposes the variance. Dean Porier, 26 Brian Road, also opposes the variance. Also, does not want all the trees to be cut down. The Chair read the letters into the record.

Nancy Fagan, 16 Stage Road, is against the request and stated that her privacy is her biggest concern.

Mr. Haverty asked that the attorneys on both side of this submit a brief to him prior to the next meeting and he wanted time to research this on his own.

Wojtas made a motion to continue to February 1, 2018, seconded by Morency. Unanimous.

26 Glenn Ave, Lot 12, Lot 11, a variance under 195-9 (A), conformity to keep existing non-conforming dwelling-now made more non-conforming (lot area/lot frontage) at lot 12, and create a new non-conforming lot for future dwelling unit that will not meet requirements for lot area and lot frontage on lot 11.

Attorney Hausler responded to a letter from Atty. Pam Brown representing an abutter. He argued that the entire neighborhood is pre-existing, non-conforming. The Board asked Town Counsel to look into whether or not they could approve a variance on lot size. Sarah Salvi, 20 Glen Ave., pointed out that the lot in questions did not have enough frontage to be divided into two lots. She stated that it is simply not right. Mefarreh Al-Harbi, 5 B Street, stated that he was denied when he asked for the same relief and called for consistency. Suzanne Curry, 10 B Street, stated she did not receive an abutter notification and then stated that the new owner was aware of the challenges when he purchased the property. Roland Mainville, applicant, stated that he buys lots like this for a living and the intent is clear that when the subdivision was first done the lots were supposed to be the size it is. Attorney Hausler informed the Board that his client is now withdrawing his application. Wojtas made a motion to accept the withdrawal without prejudice, seconded by Loew, unanimous.

Wojtas made a motion to adjourn, seconded by Loew, unanimous.