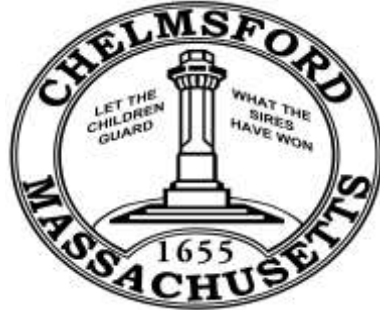


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Chelmsford Board of Appeals
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Meeting Minutes
Thursday, July 11, 2019

Members Present: Brian Reidy, Erin Drew, Jamie Brown, Steve Mendez, Mark Carota,
Members Absent: Charlie Wojtas, Nancy Morency, Ida Gates
Others Present: Colleen Stansfield, Department Assistant, Shaun Shanahan, Building Commissioner

Administrative:

Sign regulatory agreement for Pineview Condominiums, Atty. Melissa Robbins, Deschenes & Farrell

Continued Public Hearings:

361 Littleton Road, John Wickens, is seeking variances under 195-9, conformity, to move a lot line which will leave a pre-existing, non-conforming lot more non-conforming. The applicant requests relief from minimum lot area, frontage and width and any other relief deemed necessary. <https://www.townofchelmsford.us/DocumentCenter/View/10007/361-Littleton-Road-Application-6-6-2019>
<https://www.townofchelmsford.us/DocumentCenter/View/10008/361-Littleton-Road-plan-6-6-2019>
<https://www.townofchelmsford.us/DocumentCenter/View/10009/361-Littleton-Road-plan-corrected--6-6-2019>

Atty. Douglas Hausler appeared before the Board and explained the request which included moving a lot line to correct what is on the ground today. He explained that both parcels are owned by the same family, parcel A is owned by John Wickens and parcel B is owned by his 5 brothers and sisters. John built a garage for himself on Parcel B and now that one of his

brothers is buying the rest of the siblings out of the family home on parcel B, he wants the lot line to reflect the true ownership. This will make Parcel B more non-conforming and Parcel A more conforming. The Board discussed how to handle this request and discussed the hardship needed for the variance. Mr. Belansky, Com. Dev. Dir., addressed the Board and explained that this is not a typical variance since the lots are in common ownership (family) and nothing on the ground is changing, just the lot lines. The Board asked to see the 1988 Variance. Atty. Hausler agreed if the Board would allow him to continue this hearing until later in the agenda. Brown made a motion to continue the hearing until later this evening, seconded by Carota, unanimous.

New Public Hearings:

25 Mission Road, Jamie Elmore, for a special permit under 195-8 E (2) to construct a 24'x28' addition on the rear of the structure that is over the 30% allowable by right and any other relief that may be deemed necessary.

<https://www.townofchelmsford.us/DocumentCenter/View/10069/25-Highland-7-11-2019>

Jamie Elmore appeared before the Board and explained his project which includes constructing a 2 car garage with a room above. The Chair read the department letters into the record. There was no one from the public to speak for or against this application. Brown made a motion to close the public hearing, seconded by Drew, unanimous. Brown made a motion to approve the special permit for 25 Mission Road and noted the letters, seconded by Carota, unanimous. 5-0

12 Spring Street, Lisa Tomaino, for a special permit under 195-8 to construct a farmer's porch that will increase the nonconformity on the front setback and any other relief that may be deemed necessary.

<https://www.townofchelmsford.us/DocumentCenter/View/10072/12-Spring-Street>

Lisa and Tom Tomaino appeared before the Board. Lisa explained that she was requesting a farmers porch that will encroach on the front setback. She stated that she has spoken to her neighbors and no one had any issues with what she is planning. The Chair read the Department letters into the record. There was no one from the public to speak for or against this project. Carota made a motion to close the public hearing, seconded by Brown, unanimous. Drew made a motion to approve the special permit and noted the department letters, seconded by Brown, unanimous. 5-0

21 Sunset Ave., Mark & Stephanie Sees, for a special permit under 195-8E (2) to construct a new second floor addition and converting the garage to living space and will meet setbacks but is over the 30% allowable by right and any other relief that may be deemed necessary.

<https://www.townofchelmsford.us/DocumentCenter/View/10076/21-Sunset>

Mark Sees appeared before the Board and went over the project. This project includes a second floor addition and another front addition that will not be any closer to the road that the home is now. The Chair read the letters into the record. The applicant submitted several letters of support from the abutters. There was no one from the public to speak for or against this

application. Carota made a motion to approve the application and noted the departmental letters, seconded by Brown. Unanimous. 5-0

7 Needham Street, Derek Ilg, for a special permit under 195-8 E(2) to construct a 2 car garage and an addition to the rear of the structure that will meet the rear setback and any other relief that may be deemed necessary.

<https://www.townofchelmsford.us/DocumentCenter/View/10073/7-needham-application>

<https://www.townofchelmsford.us/DocumentCenter/View/10097/7-Needham-St-Survey--CPP-PRO>

Derek Ilg appeared before the Board and described his project which includes a second floor and expansion of the first floor to the rear but will still meet the rear set back. The Chair read the departmental letters into the record. Dorinda and Ray Peterson, 1 Kiberd Dr., spoke in favor of the project. Carota made a motion to close the public hearing, seconded by Drew, unanimous. Mendez made a motion to approve the special permit and noted the departmental letters, seconded by Brown, unanimous. 5-0

3 Murray Hill Road, Donald & Casey Casey, for a special permit under 195-8E (2) to construct a 32'x28' addition and a 16'x22' deck and will not meet the side setback and is over the 30% allowable by right and any other relief that may be deemed necessary.

<https://www.townofchelmsford.us/DocumentCenter/View/10075/3-Murray-Hill-Plan--2>

<https://www.townofchelmsford.us/DocumentCenter/View/10074/3-Murray-Hill-Plan-application>

Eric Murray and Donald Casey appeared before the Board and went over the plan. The Chair read the departmental letters into the record. There was no one from the public to speak for or against the application. Carota made a motion to close the public hearing, seconded by Mendez, unanimous. Carota made a motion to approve the application and noted the departmental letters, he also noted that compliance with 195-6.1 – LAA, be verified by the Building Commissioner, seconded by Mendez, unanimous. 5-0

14 Bradford Street, Adriano Mendes, for a special permit under 195-8E (2) to construct a new 8'x46' covered porch, and a second floor addition which will include a garage expansion and living area and will meet side setbacks and will be over the 30% allowable by right and any other relief that may be deemed necessary.

<https://www.townofchelmsford.us/DocumentCenter/View/10071/14-Bradford-Application>

<https://www.townofchelmsford.us/DocumentCenter/View/10071/14-Bradford-Application>

Adriano Mendes appeared before the Board and explained his project which includes a second story, expanded garage and a farmer's porch. The Chair read the departmental letters into the record. There was no one from the public to speak in favor or against. Drew made a motion to close the public hearing, seconded by Brown, unanimous. Mendez made a motion to approve the application and noted the letters, seconded by Brown, unanimous. 5-0

Continued Public Hearings:

361 Littleton Road, John Wickens, is seeking variances under 195-9, conformity, to move a lot line which will leave a pre-existing, non-conforming lot more non-conforming. The applicant requests relief from minimum lot area, frontage and width and any other relief deemed necessary.

Brown made a motion to re-open the public hearing for 361 Littleton Road, seconded by Mendez, unanimous. Atty. Doug Hausler stated that he had gone back to his office and printed the variance from 1988. The Board reviewed the decision and the requirements of a hardship per MGL 40A section 10. He then went over the valid hardships on the lot. The Board was satisfied they could grant the variance. Mendez made a motion to close the public hearing, seconded by Brown, unanimous. Mendez made a motion to grant the variance and noted that the literal enforcement of the provisions of this ordinance would involve a substantial financial hardship, seconded by Brown, unanimous. 5-0

Mendez made a motion to adjourn, unanimous

Next Meeting – August 1, 2019