

Chelmsford
Board of Appeals
Town Offices
50 Billerica Road
Chelmsford, MA 01824
Phone: 978-250-5231



Meeting Minutes
Thursday, January 7, 2021

Hearings for Special Permits & Variances Begin at 6:00 P.M.

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

Administrative: None

New Public Hearings:

49 Old Stage Road, Nicholas Raffaello – for a special permit under 195-6.1, Limited Accessory Apartment to build a limited accessory apartment within the stand alone garage that will be connected to the house with a common area, and any other relief that may be deemed necessary. <http://www.townofchelmsford.us/DocumentCenter/View/11908/49-Stage-Road-Application>

The applicant had a difficult time managing the zoom meeting. They were present but the Board could not hear them. The project is a limited accessory apartment to be built out in the detached garage. The applicant will also build a 5'x10' connection to the main house to make this all one structure. The interior plans were shown for the LAA. There were no questions for the applicant. The department letters were read into the record. The Board reminded the applicant about the fire code upgrade for Fire Prevention and that they will be required to apply for an address through the E911 Committee. Farrell, 54 Old Stage Road, asked about the connection being built and if there was an exit to the outside. There is no exit to the outside. She also wanted to know if this will be a rental unit. The LAA is not allowed to be a rental unit and must have its own address and mailbox. They also need to file a Deed Restriction stating who is in the LAA and the relationship. There was no one else to speak. Carota made a motion to close the public hearing, seconded by Brown. Unanimous. Carota made a motion to approve the application and noted the letters that were read into the record as well as noting the Fire Code upgrade, seconded by Morency, unanimous. 5-0

17 Sandra Drive. Jonathan LaRoche, for a special permit under 195-8, Non-conforming uses and structures, to construct a garage addition and new 2nd floor that will not meet the front and side setback and any other relief that may be deemed necessary.

<http://www.townofchelmsford.us/DocumentCenter/View/11897/17-Sandra-Application>

<http://www.townofchelmsford.us/DocumentCenter/View/11898/17-Sanda-Drive-Documents-For-Zoning-December-10-2020>

<http://www.townofchelmsford.us/DocumentCenter/View/11899/17Sandra12-14-20-Survey>

<http://www.townofchelmsford.us/DocumentCenter/View/11900/17-Sandra-Drive-Zoning-Package-December-11-2020>

Jonathan LaRoche appeared before the Board and presented his plan. They will be building a second floor on the existing ranch and adding a 2 car garage. The request is for a special permit for the left side setback and a special permit for the front setback. The chair opened the hearing to the public and there was no one to speak for or against this project. The department letters were read into the record. The Board had no further comments. Morency made a motion to close the public hearing seconded by Brown, unanimous. Carota made a motion to approve the special permit for the front and side setback and noting the letters that were read into the record, seconded by Brown, unanimous. 5-0

8 St. Nicholas Ave., Timothy and Lesley Whalen, for a special permit under 195-8, non-conforming uses and structures, to construct a 20'x20' addition that will not meet the front setback and any other relief that may be deemed necessary.

<https://www.townofchelmsford.us/DocumentCenter/View/11896/8-St-Nichols-application>

Tim and Lesley Whalen appeared before the Board and presented their project. The Board noted that there are two front setbacks for a corner lot, otherwise this project would meet zoning. The department letters were read into the record. The Chair opened the hearing to public comment. Robert Normindan, 7 Bowl Road, Spoke in favor of the proposal and stated that the applicant has been a great neighbor that maintains there property. Being the closest neighbor to the project he has no objections. Brown made a motion to close the public hearing, seconded by Morency, unanimous. Brown made a motion to approve the application as presented and noted the letters that were read into the record, seconded by Morency. Unanimous. 5-0

20 Marose Ave., Joseph Farmer, for a Variance under 195-9, Conformity, to construct a garage addition that will not meet the side setback and any other relief that may be deemed necessary.

<http://www.townofchelmsford.us/DocumentCenter/View/11901/20-Marose-application>

Joe Farmer appeared before the Board and presented his project. He stated that he currently has a carport and intends to go 5 feet to the side and back and wrap it in with a breezeway from the back kitchen door to the garage. The Board asked what was to the right of the garage and the GIS map was opened to show another home to the right. The department letters were read into the record, including a letter of support from the closest abutter. 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 Brown, unanimous. Brown made a motion to approve the variance and noted the letters that were read into the record, seconded by Morency, unanimous. 5-0

39 Sherman Street, Ryan Gallagher – for a special permit under 195-6.1, Limited Accessory Apartment to build a limited accessory apartment and any other relief that may be deemed necessary.

<http://www.townofchelmsford.us/DocumentCenter/View/11902/39-Sherman-Applicatoion>

<http://www.townofchelmsford.us/DocumentCenter/View/11904/39-Sherman-Plans>

<http://www.townofchelmsford.us/DocumentCenter/View/11903/39-Sherman-Plans-pg-2>

Darryl McCrensky, 72 Byam Road, representing the applicant appeared before the Board and presented the project. The limited accessory apartment is 470 sf and consists of a living area small kitchen, bedroom and a ¾ bath. The apartment can be accessed from the driveway on the right and from the common mudroom. The department letters were read into the record along with a letter of concern from abutter Monica Gregoire, 10 Mansur St. She spoke about the drainage and ponding on the street. She asked for some plantings at the front of the property that may help with water absorption. The applicant agreed to her request. Frank Reen, 41 Sherman St., disclosed that he is the Chief Assessor for the Town of Chelmsford. As a direct abutter to the project he wanted to state his support for the project and said that Hancock Builders does a great job. There was no one else to speak. Brown made a motion to close the public hearing, seconded by Carota, unanimous. Brown made a motion to approve the special permit for the LAA and noted the letters and the agreed to plantings in front of the home on the right side of the driveway, seconded by Mendez, unanimous. 5-0

Continued Public Hearing:

72-74 Littleton Road, Michael Smith -for a variance under 195-9- conformity, seeking relief from lot area and frontage to create a buildable lot and any other relief that may be deemed necessary.

<https://www.chelmsfordma.gov/DocumentCenter/View/11650/72-Littleton-Road-Variance-10-1-2020>

A letter was read into the record requesting a continuance to the next meeting on February 4, 2021. Brown made a motion to continue the hearing to the February 4, 2021, meeting, seconded by Morency. Unanimous. 5-0

Request to Withdraw

75-77 Concord Road, Mathew and Michele Nestor -for a modification to a previously approved variance under 195-9- conformity, seeking relief from frontage for #75 Concord Rd., and any other relief that may be deemed necessary.

<https://www.chelmsfordma.gov/DocumentCenter/View/11715/75-77-Concord-application>

<https://www.chelmsfordma.gov/DocumentCenter/View/11721/75-77Concord-Rd-Chelmsford-Variance-plan>

Brown made a motion to accept the withdrawal of this application at the request of the applicants without prejudice, seconded by Carota. Unanimous. 5-0

125 Graniteville Road, Ronald Couture, for Administrative Appeal to the Chelmsford Zoning Board of Appeals. Applicant seeks to appeal the October 9, 2020, Building Inspector's determination of compliance for Home Occupations.

<https://www.chelmsfordma.gov/DocumentCenter/View/11814/CoutureRonald-appeal-125-Graniteville>

<https://www.chelmsfordma.gov/DocumentCenter/View/11811/10-9-2020-letter-MAllen>

Morency and Brown recuse themselves from this hearing.

The Chair informed the applicant that he is working with 4 eligible voters and will need all 4 to overturn the Building Inspector's determination. He requested to continue this hearing to the next meeting and the Chair will speak with Town Counsel on the situation. Carota made a motion to continue to the next meeting on February 4, 2021. Seconded by Mendez, unanimous. 4-0

Meeting Minutes:

8-6-20 <http://www.townofchelmsford.us/DocumentCenter/View/11909/8-6-2020-MCC>
Carota made a motion to approve the minutes from 8-6-2020, seconded by Mendez, 4-0-1
Drew abstains

9-3-20 <http://www.townofchelmsford.us/DocumentCenter/View/11910/9-3-2020-MCC>
10-1-20 <http://www.townofchelmsford.us/DocumentCenter/View/11911/10-1-2020-MCC>
11-5-20 <http://www.townofchelmsford.us/DocumentCenter/View/11912/11-5-2020-MCC>
Mendez made a motion to approve the minutes from 9-3-2020 and 10-1-2020 and 11-5-2020,
seconded by Carota, 4-0-1 Drew abstains

Next Meeting: February 4, 2021 March 4, 2021

Morency made a motion to adjourn, seconded by Mendez, unanimous.