



**Chelmsford Zoning Board of Appeals  
Town of Chelmsford  
50 Billerica Road  
Chelmsford, MA 01824**

**ZONING BOARD OF APPEALS  
Meeting Minutes  
March 3, 2022**

TIME: 7:00 PM

LOCATION: Town Offices, 50 Billerica Road, Chelmsford, MA

ROOM: 204

**Members Present:** Brian Reidy-Chair, Steven Mendez, Nancy Morency, Erin Drew, Jamie Outland-Brown, Peter Casserly

**Members Not Present:** Charles Wojtas, Glenn Diggs

**Others Present:** Jose Negron-Building Inspector, Evan Belansky-Community Development Director (via Zoom),

Chairman Reidy called the meeting to order at 7:00PM. The following Notice was read into the record:

Pursuant to Chapter 20 of the Acts of 2021, this meeting will be conducted in person and, as a courtesy, via remote means in accordance with applicable law. Please note that while an option for remote attendance and/or participation is being provided as a courtesy to the public, the meeting/hearing will not be suspended or terminated if technological problems interrupt the virtual broadcast, unless required by law. Public input shall be limited to statements from the public relating to any issues with the jurisdiction of the Chelmsford Planning Board that are not currently the subject of a pending public hearing before the Planning Board. Public comment on any pending public hearings shall only be heard during such public hearings.

**ADMINISTRATIVE REVIEW:**

None

**CONTINUED PUBLIC HEARING(S):**

**11 & 13 Third Street, Daniel Ruggiero: Variance application seeking relief under 195-9 relating to conformity, specifically front setbacks and floor area ratio, and any other relief deemed necessary. Applicant would like to construct a farmer's porch and garage**

<https://www.townofchelmsford.us/DocumentCenter/View/13804/11-13-Third-Street--Variance-1-6-2022>

<https://www.townofchelmsford.us/DocumentCenter/View/13805/11-13-Third-St-ArchPlan>  
<https://www.townofchelmsford.us/DocumentCenter/View/13806/Department-CommentsFire-and-Engineering>  
<https://www.townofchelmsford.us/DocumentCenter/View/13807/Dept-Comments-BOH>  
<https://www.townofchelmsford.us/DocumentCenter/View/13808/Support-Letters-3>

Mr. Ruggerio clarified the floor area ratio is an issue; lot coverage will be 24%. Corrected, certified & stamped plans were received by the Board. The applicant is demolishing an existing garage, and building a new garage attached to the house. The neighborhood has similar garages. A letter from Mr. Ruggerio was read into the record. Many lots in the neighborhood are smaller than the applicant's lot. The home was built in the 1800's, and is non-conforming. The new garage will expand the kitchen area, and will make the property more conforming as it will meet all setbacks. A prior variance was granted to an abutter before the applicant purchased the property to allow a garage on the abutter's property which made the applicant's lot smaller. The decision from 1977 was also read into the record.

Public Comments:

No one came forward at this time.

**Motion:** by Ms. Outland-Brown to Close the Public Hearing for 11-13 Third St. Seconded by Mr. Mendez. **Motion carries, unanimous, 5-0.**

Board Discussion:

Mr. Mendez felt there is no hardship under the current bylaws. The existing two-family home is non-conforming now. The Board concluded that the improvements do not deter from the lot, and the lot shape and the previous variance from 1977 creates the hardship. The new calculations make the lot coverage 20.4% had the prior variance not existed.

**Motion:** by Ms. Outland-Brown to approve the variance application seeking relief for 11-13 Third St. under 195-9 based on lot size, and including the letters presented as part of the application Seconded by Ms. Drew. Mr. Reidy, Ms. Outland-Brown, and Ms. Drew in favor, Mr. Mendez and Ms. Morency opposed, Mr. Casserly abstained. **Motion fails for lack of super majority, 3-2.**

The board discussed options under a Special Permit, and the plans as presented do not qualify for this, either. The applicant will consider other options.

**8 Coolidge Street, Daniella Santos & Anston Silva: Special Permit under 195-6.1 Limited Accessory Apartment and any other relief deemed necessary. Map 12, Lot 16, Lot 29, RB District, 0.86 acre**

**\*\*\*CONTINUANCE REQUESTED\*\*\***

<https://www.townofchelmsford.us/DocumentCenter/View/13809/8-Coolidge---1-6-2022>  
<https://www.townofchelmsford.us/DocumentCenter/View/13810/Plan-8-Coolidge>  
<https://www.townofchelmsford.us/DocumentCenter/View/13811/Department-CommentsFire---Engineering-BOH>

A letter requesting continuance until April 7, 2022 was received from the applicant.

**Motion:** by Ms. Morency to continue the Hearing for 8 Coolidge St., to April 7, 2022. Seconded by Ms. Drew. **Motion carries, unanimous, 5-0.**

**NEW PUBLIC HEARING(S):**

**25 Walnut Road, Stephen Finneral: Article IV dimensional requirements, Special Permit 195-9(b) 20% reduction and any other relief deemed necessary. Parcel ID: 48-177-21 in the RB District. Applicant would like to add an addition as well as a porch to his existing home.**

<https://www.townofchelmsford.us/DocumentCenter/View/13812/25-Walnut-Application--Abutter-list>

<https://www.townofchelmsford.us/DocumentCenter/View/13813/25-Walnut-ElevationPlans>

<https://www.townofchelmsford.us/DocumentCenter/View/13814/25-Walnut-Plan>

<https://www.townofchelmsford.us/DocumentCenter/View/13815/All-Dept-Comments-25-Walnut>

Letters were presented to the Board.

Mr. Finneral would like to add a two car (24'x24') garage to his property, which will reduce his setback from 25 feet to 20 feet. The property abuts a large wooded parcel owned by the Armenian Church.

Plans were reviewed by the Board.

The denial letter from the Building Inspector was read into the record. Relief from side yard setback is required.

Letters from the Water Department, Police Department and the Board of Health indicated no concerns.

A letter from the applicant to his neighbors was read into the record. Bonnie Hehir, 27 Walnut Rd. and Joseph Sousa, 21 Arbutis Ave., both supported the project and requested approval of this request.

No comments were received from the audience.

**Motion:** by Ms. Drew to Close the Public Hearing for 25 Walnut Rd. Seconded by Ms. Morency. **Motion carries, unanimous, 5-0.**

**Motion:** by Ms. Drew to approve the Special Permit for 25 Walnut Rd., under 195-9(b), as presented. Seconded by Ms. Morency. **Motion carries, unanimous, 5-0.**

**NEW BUSINESS:**

None

**MEETING MINUTES TO APPROVE: February 3, 2022**

<https://www.townofchelmsford.us/DocumentCenter/View/13820/2-3-2022-ZBA-Minutes>

Minor corrections were noted; a name correction page 2, and a note that a second to adjourn is not required, but was requested.

**Motion:** by Ms. Outland-Brown to approve the Meeting Minutes of February 3, 2022, as amended. Seconded by Mr. Mendez. **Motion carries, unanimous, 5-0.**

**ADJOURN**

NEXT MEETING DATE(S): April 7, 2022 May 5, 2022

**Motion:** by Ms. Drew to adjourn the meeting at 8:55PM. **Motion carries, unanimous, 5-0.**

Respectfully Submitted,

Vivian W. Merrill  
Recording Secretary

-Supporting Documents are listed in the body of the minutes.