



**Chelmsford Board of Appeals**

**Town Offices**

**50 Billerica Road**

**Chelmsford, MA 01824**

**Phone: 978-250-5231**

**Meeting Minutes**

**Thursday, March 7, 2019**

**Members Present:** Brian Reidy, Nancy Morency, Charlie Wojtas, Jamie Brown, Erin Drew, Mark Carota, Steve Mendez, Ida Gates

**Members Absent:** None

**Others Present:** Colleen Stansfield, Department Assistant, Shaun Shanahan, Building Commissioner

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.

**Administrative Review:**

**243 Riverneck Road, Comprehensive Permit-** Request for extension of the approved comprehensive permit for the project at 243 Riverneck Road. Original approval – March 2003  
Atty. John Mckenna appeared before the Board and requested an extension of the comprehensive permit for the property at 243 Riverneck Road. Attorney Jeff Brown, representing Princeton Properties, also appeared before the Board and requested an extension of the Comprehensive permit for 3 years. Morency made a motion that the Board determined that there has been no substantial change to the approved permit, Seconded by Carota, unanimous. Carota made a motion to grant the extension for 3 years, seconded by Morency, unanimous.

**Continued Public Hearings:**

**9 Rogers Road, Estate of Phyllis Clark, M/P 13-20-7, for a Variance** under section 195-9, of the Chelmsford Zoning By-Laws - Conformity for Lot Area.

Atty. Gregg Haladyna representing the applicant, appeared before the Board and stated that he hopes the Board got a chance to get out there and see the lot with the proposed structure staked out. Alan Clark spoke about the smaller footprint of the structure they are proposing to be put on the lot and photos were presented. Charles LaRoase, 60 Dunstable Road, showed photos of the property as it relates to his property. Adam Vela, 10 Rogers Road, stated he was grossly opposed to this variance. There was no further public input. Morency made a motion to close the public hearing, seconded by Wojtas, Unanimous. Drew made a motion to approve the variance at 9 Rogers Road and reference the plot plan dated January 18, 2019, citing the hardship as the shape of the lot and the topography, seconded Brown, 2-3, motion fails. Brown, Morency, and Wojtas vote nay

#### **New Public Hearings:**

**15 Chatham Road, Scott Durkin,** for a special permit under 195-8E (1c-2) to construct a new 1,090'sf addition which will include a new garage and living area and will not meet side setbacks and will be over the 30% allowable by right and any other relief that may be deemed necessary. Scott Durkin appeared before the Board and explained his proposed project. The Chair read the letters into the record. Roger Spurell, 11 Chatham Road, had no serious exceptions. He wanted to be sure that the applicant cannot go further toward his property than what is being requested this evening. Wotjas made a motion to close the public hearing, seconded by Morency, unanimous. Wojtas made a motion to approve the application, seconded by Morency, unanimous. 5-0

**19 Elm Street, Elizabeth Haines,** for a special permit under 195-8E (2) to construct a new 35'x30.5' two story addition which will include a new garage and living area and a 500 sf covered deck that meets all setbacks but will be over the 30% allowable by right and any other relief that may be deemed necessary. Hooshi Afshar, Engineer on the project, appeared before the Board and went over the request. The letters were read into the record. There was no one from the public to speak. Morency made a motion to close the public hearing, seconded by Carota. Unanimous. Carota made a motion to approve the application for 19 Elm Street, seconded by Wojtas, unanimous.

**7 Mallory Street, Joshua Marcotte,** is seeking a special permit under 195-6.1, to construct a Limited Accessory Apartment over an existing garage with outside stairs that will further encroach on the side setback and any other relief that may be deemed necessary. The Applicant appeared before the Board and described the project which was a staircase that created access to the living area over the garage. The letters were read into the record. Carota made a motion to close the public hearing, seconded by Morency, unanimous. Morency made a motion to approve the special permit under 198-8 E (2), to construct a stair case that will further encroach on the side setback, seconded by Wojtas, unanimous.

**25 Research Place, Entera Branding, LLC,** is requesting a variance under 195-32 A(1, 3) B(1) C, exceed allowable number of wall signs, exceed square footage, unpermitted advertising on directional signs and install an additional free standing sign. Above signage in excess of what is allowable by right and any other relief that may be deemed necessary. John Brenner, representing the applicant, appeared before the Board and explained the requested signs for the new hotel. He stated that this is an Element, which is an upscale hotel under the Marriot brand. Due to the location at drum hill, the need for more signage became apparent. John went over all the signs and included directional signs that did not have advertising. Carota made a motion to close the public hearing, seconded by Morency, unanimous. Carota made a motion to approve the application and all the requested signs and to require a dimmer on the lighted signs, seconded by Mendez, unanimous.

Brown made a motion to adjourn, seconded by Mendez, unanimous