



TOWN OF MARION
ZONING BOARD OF APPEALS
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MINUTES OF MEETING MAY 14, 2015

The Marion Zoning Board of Appeals convened at 7:30 p.m. on Thursday, May 14, 2015 in the main conference room of the Marion Town House to hear case number:

- Case #702, that of Sid Bowen & Angela Watson, 16 Vine Street, to request a variance from section 5.1.C of the zoning by-law to allow existing garage to be replaced with a new garage

Zoning Board members present were Acting Chairman John Sylvia, Betsy Dunn, Michelle Ouellette and Bob Alves.

Also present:

George McTurk	599 Front Street
Sid Bowen	16 Vine Street
Jill Pitman	17 Rebecca Way, Plympton
Joanna Wheeler	760 Point Road

Upon arrival the Board was presented with the following information for the evenings Business:

- Agenda
- Materials for case #702, which include:
 - Legal Notice
 - Application form
 - Copies of Plan
 - Field Card
- Minutes from April 9, 2015 to be approved

At 7:30pm, Mr. Sylvia opened the hearing of case number 702, that of Sid Bowen & Angela Watson, 16 Vine Street. He read aloud the Legal Notice and the memo from the Conservation Commission stating that the project was given a Determination of Applicability, under File No. 41D-1566.

Sid Bowen was present and gave plans to the board. He described the project. They are changing from a 3/4 garage to a 3 car garage including a wood shop. One end of the garage would have a double door, a woodshop in between and a single garage door on the other. He showed the board photographs of the current garage. The project is around 10' from the lot line. It is proposed to be constructed on the same angle of the house. Mr. Sylvia asked about the wood shop space. Mr. Bowen said it would be for their use. Mrs. Dunn asked if Mr. Bowen if he knew and had met the criteria for a variance. He stated that he did not know that there were criteria for a variance. Mrs. Dunn read aloud the criteria that must be met in order for the Board to grant a variance. She also stated that variances were difficult to obtain. Mr. Bowen said that if they were to make the 30' setback in the interior of the lot, they would have to take down several trees and he would not do that. The existing property supported this location of the garage; there is minimal amount of landscaping that needs to be done there. He said that if they had to move the building to the middle of the property they would have to remove a stone wall. He said they will not do that because it would be a financial hardship. Mr. Bowen said that the neighbor's property is essentially the same distance from the lot line as the proposed project. He also mentioned that the proposed project is one story.

Mrs. Dunn asked how long the current garage is and how long the proposed garage will be. Mr. Bowen said the current garage is approximately 22' and the proposed garage is approximately 59'.

Ms. Ouellette read aloud by-law 5.1C. Mr. Bowen stated that he is seeking relief from the setback under this by-law.

Mr. Sylvia asked if there were any further questions from the audience or the board. Mr. Alves motioned to take case #702 under advisement; Ms. Ouellette seconded; voted unanimously.

At 7:50pm, the Board met with Jill Pitman who is interested in purchasing the bed & breakfast at 599 Front Street. She stated that in order for the bed & breakfast to be financially feasible, she would need to have four bed & breakfast units and was asking for an informal opinion from the Board. She mentioned that eventually she would like to take the "breakfast" part out of the location. George McTurk, the current owner, was also present for the appointment.

At one point in time the bed & breakfast was operating with 5 bedrooms. Under the

current by-laws, the maximum number of bedrooms for a bed & breakfast is three. A new owner would need to apply for a special permit to operate the bed & breakfast.

There was discussion of renting the bedrooms without the breakfast option with the possibility of adding the extra bedroom.

Mr. Sylvia reviewed the bed & breakfast by-law 7.4. He said it does state that the maximum bedrooms allowed for a bed & breakfast is three.

The board said they will contact Jon Witten, Town Counsel for clarification and will notify Mrs. Pitman with the information.

Discussion returned to case #702. The board felt that the criteria needed to grant a variance had not been met. A letter will be sent to Mr. Bowen stating that the board will recommend that he withdraw the application for a variance without prejudice and that he reapply for a special permit.

Discussion was had regarding potential board member Joanna Wheeler. Mrs. Wheeler was present at the last Zoning Board of Appeals meeting. The board recommended that Mrs. Wheeler be appointed as an Associate Member position. The recommendation will be forwarded to the Board of Selectmen.

With no other business before the Board the meeting was adjourned at 8:47 p.m.

Approved: June 25, 2015

Submitted by:
John Sylvia, Acting Chairman

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