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TOWN OF MARION  
ZONING BOARD OF APPEALS  
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## MINUTES OF MEETING November 12, 2015

The Marion Zoning Board of Appeals convened at 7:30 p.m. on Thursday, November 12, 2015 in the main conference room of the Marion Town House to hear case numbers:

- Case #713, that of Jenna J. Gorraiz, Trustee, 444 Front Street, for a special permit under section sections 2.3.3, 4.2A & 7.2 of the zoning by-law to allow conversion to a two family residence. The property is further identified on Assessors' Plan 23, Lot 36.

Zoning Board members present were Eric Pierce, Domingo Alves, Michelle Ouellette and Kate Mahoney.

Also present: Christopher Shachoy, 18 South Street; Richard Schaefer, 175 Converse Road; Scott Shippey, 2 Spring Street; Helen Hills, 680 Front Street; Bernadette Kelly, 429 Front Street; Jean Perry, The Wanderer; Sheldon Daly, 429 Front Street

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

- Agenda
- Materials for case #713, which include:
  - Legal Notice
  - Memo from Board of Health
  - Memo from Conservation Commission
  - Application
  - Field Card
  - Letter from J. Gorraiz stating that Schaefer & Kunz, P.C. have authority to act on her behalf
  - Memorandum in Support prepared by Richard P. Schaefer
  - Copy of plans prepared by Gifford Coastal Architecture
  - Locus Map
- Baywatch Realty - Request for the Release of Letter of Credit with plans for the board to review

- Minutes from October 8, 2015 to approve

At 7:30pm, Mr. Pierce opened the hearing of case #713 with the reading of the legal advertisement. He read aloud comments from the Board of Health-no objection to the project. He also read aloud comments from the Conservation Commission which stated this project is not within their jurisdiction.

Attorney Richard P. Schaefer was present to represent Jenna J. Gorraiz, Trustee. Christopher Shachoy, one of the beneficiaries of the Trust, was also present. Mr. Schaefer said the application for the special permit is under sections 2.3.3, 4.2A and 7.2 of the zoning by-law. He described the background of the property. The house has on a number of occasions been used as a two family residence. It has been more than two years since it has been used as a two family.

Mr. Schaefer described the proposed plan. The house part of the structure will be on the same footprint. However, the existing deck will be made larger. It is 12' x 18' now and is proposed to be 10' x 36'. There will also be a new deck that will be 10' x 18'. Mr. Schaefer said that the present living area is 2,470 sq. ft. and the proposed living area is 3,051 sq. ft. He said the decks are on the rear of the house and are not viewable from the road unless from an odd angle.

Mr. Pierce asked if the property would be owner occupied. Mr. Schaefer said maybe at the beginning but possibly not in the future. Mr. Pierce asked if the decks would be covered; they will not be. Helen Hills, 680 Front Street, is the previous owner of the property. She gave some history of the house. It was built in 1838 and has been used as a two family dwelling on and off over a number of years.

Bernadette Kelly, 429 Front Street, expressed her concerns for converting this one family dwelling into a two family dwelling. Her concerns included increased traffic as well as how this change could affect the character of the neighborhood. Mr. Pierce thanked her and said her concerns were duly noted.

With no further questions or comments from the audience or the board, Ms. Mahoney motioned to take case #713 under advisement; Ms. Ouellette seconded; the board voted unanimously.

In the matter of the requested Release of the Letter of Credit for Baywatch Realty, Mr. Pierce said that the board was to review the as-built plans that were done for the town. The board reviewed these plans and agreed that the project was 100% complete. Mr. Alves motioned to release the Letter of Credit for Baywatch Realty; Ms. Ouellette seconded; the board voted unanimously.

Minutes from October 8, 2015 were not accepted since members were not present in which to vote on them. This will be added to the next meeting agenda.

With no other business before the Board the meeting was adjourned at 8:16pm.

Approved: December 10, 2015

Submitted by: Eric Pierce, Chairman