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TOWN OF MARION
ZONING BOARD OF APPEALS
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MINUTES OF MEETING December 10, 2015

The Marion Zoning Board of Appeals convened at 7:30 p.m. on Thursday, December 10, 2015 in the main conference room of the Marion Town House to hear case numbers:

- Case #714, that of Bill Marvel, 60 South Street, for a special permit under section 6.1.3 of the zoning by-law to allow the extension of an existing non-conforming structure: a 16' x 16', one story addition. The property is further identified on Assessors' Plan 16, Lot 67.
- Case #664-Continuation, that of Tabor Academy, in the vicinity of Spring Street, Ryder Lane and Front Street to seek relief from a decision of the Building Commissioner. The property is further identified on Assessors' Plan 13 as Lot 44.

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

Also present: Jean Perry, The Wanderer; Will Saltonstall, 657 Point Road; Bill Marvel, 60 South Street; John Quirk, 66 Spring Street; Chris Winslow, 66 Spring Street.

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

- Agenda
- Materials for case #714, which include:
 - Legal Notice
 - Memo from Planning Board
 - Memo from Board of Health
 - Memo from Conservation Commission
 - Application
 - Field Card
 - Copy of plans prepared by Saltonstall Architects and Westgate Land Survey
 - Locus Map
- Minutes from November 12, 2015 to approve
- Fiscal Year 2017 Budget

At 7:30pm, Mr. Pierce opened the hearing of case #714 with the reading of the legal advertisement. He read aloud comments from the Planning Board-recommended to proceed with the project; Board of Health-no objection to the project; and the Conservation Commission had no comments.

Will Saltonstall of Saltonstall Architects was present as was Bill Marvel. Mr. Saltonstall showed the Board the plan and described the project. They are proposing to add a 16' x 16' addition to the pre-existing non-conforming home. The addition will be no closer than 30.8' from the front property line and 32' from the side property line. Mr. Saltonstall said the height of the current house is 22' and the addition is proposed to be 15.5' high.

Mr. Marvel has reached out to many of the abutters including those that are closest to the property. They have all voiced their support for the project. Mrs. Dunn stated that she is an abutter and has no objection.

Mr. Pierce asked if there were questions from the Board or the audience. There were none. Mr. Alves motioned to take Case #714 under advisement; Ms. Ouellette seconded; Mr. Pierce, Mr. Alves, Ms. Ouellette and Ms. Mahoney all voted to take Case #714 under advisement.

Mr. Pierce then invited John Quirk of Tabor Academy to take a seat at the table to discuss continued Case #664. Chris Winslow of Tabor Academy was also present. Mr. Quick stated that they are seeking to withdraw the appeal of the decision of the Building Commissioner with the intent of filing a new application for a Variance. There was a brief discussion regarding procedural matters. Mr. Quick said that there will be changes to the structure to enhance the safety. He stated that Tabor Academy is withdrawing Case #664 without prejudice. A letter will be sent to the Zoning Board for the record. Their intent is to file the new application for a Variance for the January 14, 2016 meeting.

Minutes from November 12, 2015 were approved.

The Board revisited Case # 713, for the proposed two family dwelling at 444 Front Street. Based on By-law 5.3 the Board decided to deny the Special Permit application. By-law 5.3 states that a multifamily dwelling must be within Zoning District Residence E and 444 Front Street is in Zoning District Residence A. Mr. Pierce motioned to deny Case #713; Ms. Mahoney seconded; Mr. Pierce, Mr. Alves, Ms. Ouellette and Ms. Mahoney all voted to deny the application. Mrs. Dunn did not voted since she was not present for the original hearing date.

Tentative Meeting Dates for 2016 were approved.

Fiscal Year 2017 Budget was approved and will be submitted to the Town Administrator.

The Board revisited Case # 714 for Bill Marvel. Mr. Pierce motioned to grant the Special Permit for the 16' x 16' addition as it will be a non-exacerbation of a pre-existing nonconformance and it will not be more detrimental to the neighborhood; Ms. Ouellette seconded; voted unanimously.

With no other business before the Board the meeting was adjourned at 8:00pm.

Approved: January 14, 2016

Submitted by: Eric Pierce, Chairman