



TOWN OF MARION
ZONING BOARD OF APPEALS
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MINUTES OF MEETING

August 25, 2016

The Marion Zoning Board of Appeals convened at 7:30 p.m. on Thursday, August 25, 2016 in the main conference room of the Marion Town House to hear case number:

- Case #726, James & Nancy Kiehl, 15 West Avenue, for a Special Permit under section 6.1.3 of the zoning by-law to allow reconstruction, extension, alteration or change to a non-conforming single family structure.
- Under Advisement: Case #725, Kate Hill, 460 Front Street, for a Special Permit under section 7.4.1 of the zoning by-law to allow a revision of the current special permit to now allow a three bedroom bed and breakfast.

Zoning Board members present were Marc Leblanc-Chairman, Michelle Smith, Betsy Dunn and Kate Mahoney.

Also present: Jim & Nancy Kiehl, 15 West Avenue; Anthi Frangiadis, 11 Spring Street; Jean Perry, The Wanderer; Judith Cope, 16 West Avenue; Kate & Ryan Hill, 460 Front Street; Scott Shippey, Building Commissioner

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

- Agenda
- Additional Materials for Case # 726, which include:
 - Legal Notice
 - Memo from the Board of Health dated August 5, 2016
 - Memo from the Board of Assessors dated August 25, 2016
 - Application
 - Letter from Anthi Frangiadis Associates dated July 29, 2016 describing the project
 - Site Plan dated July 28, 2016
 - Assessors' Field Card
- Minutes from August 11, 2016 to be approved

At 7:30pm, Mr. Leblanc read aloud the Legal Notice for Case #726, for James & Nancy Kiehl, 15 West Avenue. He also read aloud memos from the Board of Health – no objection to the approval and the Board of Assessors stating that they request a plan be submitted to the Planning Board to combine lots 38 & 43. Anthi Frangiadis and Mr. & Mrs. Kiehl were present. Ms. Frangiadis explained the special permit application. The single family dwelling is on two lots. Ms. Frangiadis showed the plans with the existing conditions as well as the proposed addition. She said that they will be adding a covered porch and an attached three car garage. They will be removing the existing garage/shed building and extending the non-conforming setback on the

northwest property line. There will be an interior first floor renovation which will include a small addition to the deck. Ms. Frangiadis showed pictures of the existing deck.

Ms. Frangiadis noted that there will be some removal of vegetation but the Kiehls intend to maintain as much as possible as a buffer along East Avenue. There are not changing the location of the driveway. The garage is proposed to be a one and three quarter story building with a game room above the garage. There was a brief discussion about the existing grade of the lot. The new garage will be connected square with the existing building so the slight change to the setback is 5.9' instead of 5.2'. No bedrooms are being added. There is a bathroom proposed for the game room.

Mr. Leblanc asked if the paperwork has been submitted with the Planning Board to combine the lots. Ms. Frangiadis said they were not aware of it previously but will get that paperwork submitted. Building Commissioner Scott Shippey said that zoning by-law 5.2C allows a dwelling to be on two lots with common ownership. He read aloud the by-law. The Board of Assessors comments may be due to assessing property values.

There were no questions from the audience and no further questions from the Board. Mrs. Dunn motioned to take Case # 726 under advisement; Ms. Mahoney seconded; voted unanimously.

Minutes from August 11, 2016 were approved.

Case # 725 for Kate Hill, 460 Front Street, had been taken under advisement at the last meeting. In order to continue discussions the hearing was reopened. Ms. Mahoney motioned to reopen Case #725; Mr. Leblanc seconded; all members voted in favor. The new hearing will be held on Thursday, September 22, 2016, abutters will be notified and the hearing will be advertised in The Wanderer for two consecutive weeks.

Discussion then returned to Case #726 for Kiehl that had been taken under advisement earlier in the evening. After a brief discussion, it was decided that granting the special permit would not be detrimental to the neighborhood. Mrs. Dunn motioned to grant the special permit for Case #726, James & Nancy Kiehl; Mr. Leblanc seconded; all members voted in favor.

With no other business before the Board the meeting was adjourned at 8:10pm.

Approved: September 22, 2016

Submitted by: Marc Leblanc, Chairman

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