



TOWN OF MARION
ZONING BOARD OF APPEALS
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MINUTES OF MEETING
January 26, 2017

The Marion Zoning Board of Appeals convened at 7:30 p.m. on Thursday, January 26, 2017 in the main conference room of the Marion Town House to hear case number:

- Case #734 – William E. & Jaquelyn M. Scharnick, 82 Main Street, Map 15, Lot 74A for a special permit under section 8.6 – Accessory Apartments, of the zoning by-law to allow renovation of the existing basement and garage for an accessory apartment within the existing building footprint for use by family member only.
- Case #728 – Continued from October 27, 2016 and January 12, 2017 – 418 Point Road Trust, 418 Point Road, Map 2, Lot 15 for a Special Permit under sections 2.3.3, 4.2A and 7.2 of the Zoning By-laws to allow the “Conversation To Two Dwelling Units” as allowed under Section 7 – Uses by Special Permit.

Zoning Board members present were Chairman Marc Leblanc, Domingo Alves, Kate Mahoney and Michele Smith.

Also present: Jean Perry, The Wanderer; Anthi Frangiadis, AFA, 11 Spring Street; Scott Shippey, 2 Spring Street

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

- Agenda
- Minutes from November 10, 2016 and December 8, 2016
- Additional Materials for Case # 734, which include:
 - Legal Notice
 - Memo from the Board of Health dated January 12, 2017
 - Memo from the Conservation Commission dated January 19, 2017
 - Field Card
 - Application including plot plan, architect plans and required documentation as required under Section 8.6 of the by-laws.
- Request from the Planning Board for comments for a Site Plan review for 173 & 177 Spring Street
- Copy of a letter from Mass Housing and an Irrevocable Letter of Credit from BayCoast Bank for Bay Watch Realty Trust

At 7:30pm, Mr. Leblanc read aloud the Legal Notice for Case #734. He also read aloud the memo from the Board of Health and they have no objection. The Conservation Commission memo stated that this project is not within its jurisdiction.

Anthi Frangiadis, Architect, and the home owners were present. Ms. Frangiadis said that the Scharnicks purchased the property approximately 6 months ago. She described the current conditions; it is a walkout basement with a bath and a den. Their intent is to renovate the basement for use by Jaqueline Scharnick who currently lives in Texas. An affidavit had been submitted with the application stating that the unit will be used for a family member only. Ms. Frangiadis reviewed the plans for the one bedroom, one bath and kitchen area. She said that the home will function as a split level ranch. The apartment will be 610 square feet.

There were no further questions from the audience or the Board. Mr. Alves motioned to take Case #734 under advisement and close the public hearing; Mrs. Smith seconded; voted unanimously.

Minutes from November 10, 2016 were approved. Mr. Leblanc, Ms. Mahoney and Mr. Alves voted in favor. Mrs. Smith abstained. Minutes from December 8, 2016 were approved; voted unanimously.

Mr. Leblanc read aloud the Legal Notice for continued Case #728, 418 Point Road Trust. The applicant's attorney requested to continue the public hearing to Thursday, February 9, 2017. Mr. Leblanc motioned to continue the hearing as requested, to Thursday, February 9, 2017 at 7:45pm; Mr. Alves seconded; voted unanimously.

The Board reviewed the letters regarding Bay Watch Realty Trust. This is notification that they are starting the next phase of the construction (the single family homes).

The Board briefly discussed the request from the Planning Board for the Site Plan Review of the project at 173 & 177 Spring Street. It was determined that the Board did not have comments at this time. Mr. Alves motioned to send a memo stating as such; Mrs. Smith seconded; voted unanimously.

Under other matters, Mr. Leblanc informed the Board that we have received the first monthly report on occupancy at the Silvershell Inn.

Discussion returned to Case #734, Scharnick. After a brief discussion the Board determined that the applicant met all criteria required in by-law 8.6. Mrs. Smith motioned to grant the special permit for Case #734, Scharnick; Mr. Alves seconded; voted unanimously.

With no other business before the Board the meeting was adjourned at 8:20pm

Approved: February 23, 2017

Submitted by: Marc Leblanc, Chairman