

**Millis Zoning Board of Appeals
May 10, 2012
Veterans Memorial Building
Room 206**

BOARD MEMBERS PRESENT:

Chairman Peter Koufopoulos, Vice Chairman, Joseph Coppola; and Member, Donald Roman; and Associate member Charlotte McEnroe.

The meeting was opened the meeting at 7:30 pm.

Mr. Howie, 42 Union Street:

The Continuation Hearing for 42 Union Street was opened at 7:30 pm for the petition filed by applicant John Howie, for property located at 42 Union Street., Map #25 Parcel 67, R-V Zone.

The applicant is seeking a finding that the replacement of an existing deck (13.5 ft. x 16 ft.) to an existing single family home.

The Board did receive a further clarified plan which showed the staircase with full details. The Board was also in receipt of a letter from Mr. Charles Rolke supporting the improvement request.

Abutters, Sadie & Ellie Fontaine presented photographs of the current deck and spoke in opposition.

The applicant Mr. Howie was present.

The Board members reviewed the plan, along with the modified plan with details and photographs.

Mr. Coppola moved to close the hearing. Ms. McEnroe seconded the motion. So voted the Board unanimously.

Mr. Coppola moved to grant a finding under Section IXB, non-conforming uses, structures and lots that the replacement of an existing deck (13.5ft. x 16 ft.) this will not be more detrimental to the neighborhood, Ms. McEnroe seconded the motion. So voted the Board unanimously.

The requirements for the granting of a granting of a finding, as outlined in M.G.L. c. 40 A, Subsection 6 are (a) Pre-existing non-conforming structures or uses may be extended or altered, provided, that no such extension or alteration shall be permitted unless there is a finding by the permit granting authority designated by ordinance or by-law, and (b) That such change or alteration shall not be substantially more detrimental than the existing non-conforming use to the neighborhood.

The Millis Zoning Board of Appeals finds that the request is not unreasonable and would be of benefit to the general community. It was also determined that the proposed change and alteration will not be substantially more detrimental to neighborhood.

Therefore, the Millis Zoning Board of Appeal voted unanimously to find for property located at 42 Union Street, Map# 25, Parcel #67 that the replacement of an existing deck (13 ft x 16 ft) will not be more detrimental to the neighborhood.

Mr. Larrivee, 20 Oakview Ave.:

The Chairman opened the hearing at 7:40 pm for a petition filed by applicant Larrivee, for property located at 20 Oakview Ave., Map #19, Parcel 8, R-V Zone. The applicant is seeking a finding that the replacement of an existing deck 12ft. x 10 ft. to an existing single family home.

Notice of the application was published in the Milford Daily News.

Notice of the hearing was provided to the petitioners, abutters, and appropriate town boards and officials. Notice of the hearing was posted in the Veterans Memorial Building.

Member Roman read the petition into the record.

The applicant Mr. & Mrs. Larrivee were present.

The Board members reviewed the plan.

Mr. Coppola moved to close the hearing. Ms. McEnroe seconded the motion. So voted the Board unanimously.

Mr. Coppola moved to grant a finding under Section IXB, non-conforming uses, structures and lots that the replacement of an existing deck (12 ft. x 10 ft.) will not be more detrimental to the neighborhood, Ms. McEnroe seconded the motion. So voted the Board unanimously.

The requirements for the granting of a granting of a finding, as outlined in M.G.L. c. 40 A, Subsection 6 are (a) Pre-existing non-conforming structures or uses may be extended or altered, provided, that no such extension or alteration shall be permitted unless there is a finding by the permit granting authority designated by ordinance or by-law, and (b) That such change or alteration shall not be substantially more detrimental than the existing non-conforming use to the neighborhood.

The Millis Zoning Board of Appeals finds that the request is not unreasonable and would be of benefit to the general community. The Board also noted that the proposed change and alteration will not be substantially more detrimental to neighborhood.

The Millis Zoning Board of Appeal votes unanimously to find for property located at 20 Oakview Ave, Map# 19, Parcel #8 that the replacement of an existing deck (12ft. x 10 ft.) will not be more detrimental to the neighborhood.

Mr. Howie, 42 Union Street:

Chairman Koufopoulos called the hearing to order at 7:50 p.m.

A petition was filed by applicant John Howie, for property located at 42 Union Street., Map #25, Parcel 67, R-V Zone.

The applicant is seeking a finding that the construction of a detached garage (24 ft. by 36 ft.) to the existing single family dwelling will not be more detrimental to the neighborhood.

Notice of the application was published in the Milford Daily News. Notice of the hearing was provided to the petitioners, abutters, and appropriate town boards and officials. Notice of the hearing was posted in the Veterans Memorial Building.

Member Roman read the petition and supporting information into the record.

The Board did receive further supporting information. The Board was also in receipt of a letter from Abutter, Mr. Charles Rolke, 53 Union St. supporting the improvement request. Abutters, Sadie & Ellie Fontaine of 50 Union Street were present and had photographs of the current site and spoke in opposition expressing that the garage is too big.

The applicant Mr. Howie was present.

The Board members reviewed the plan, along with the letter and photographs.

Mr. Coppola moved to close the hearing. Ms. McEnroe seconded the motion. So voted the Board unanimously.

Mr. Coppola moved to grant a finding under Section IXB, non-conforming uses, structures and lots that the construction of a detached garage (24 ft. x 36 ft.) this will not be more detrimental to the neighborhood, Ms. McEnroe seconded the motion. So voted the Board unanimously.

The requirements for the granting of a granting of a finding, as outlined in M.G.L. c. 40 A, Subsection 6 are (a) Pre-existing non-conforming structures or uses may be extended or altered, provided, that no such extension or alteration shall be permitted unless there is a finding by the permit granting authority designated by ordinance or by-law, and (b) That such change or alteration shall not be substantially more detrimental than the existing non-conforming use to the neighborhood.

The Millis Zoning Board of Appeals finds that the request is not unreasonable and would be of benefit to the general community. It was also noted that the proposed change and alteration will not be substantially more detrimental to neighborhood.

The Millis Zoning Board of Appeal votes unanimously to find for property located at 42 Union Street, Map# 25, Parcel #67 that the construction of a detached garage (24 ft. x 36 ft.) will not be more detrimental to the neighborhood.

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The Board discussed that when Mr. Whelan requested a finding that the proposed reconstruction that he was going to remove the garage since it was a non-conforming structure. The garage was located on the property line. The Board would like to inquire about if the owner of adjacent property did a "land swap" which would require moving the property line in such a way to make the garage conforming. The Board would like follow-up from the Building Commissioner on this matter.

Minutes:

On a motion made by Joseph Coppola and seconded by Don Roman, the Zoning Board voted unanimously to accept the minutes of April 11, 2012.

Bills:

On a motion made by Joseph Coppola and seconded by Don Roman, the Zoning Board of Appeals voted unanimously to sign the bills for \$168.36.

Adjourn:

On a motion made by Charlotte McEnroe and seconded by Don Roman, the Zoning Board voted unanimously to adjourn the meeting at 8:15 pm.

Respectfully Submitted,

**Amy Sutherland
Recording Secretary**

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