

Millis Zoning Board of Appeals  
Minutes June 13, 2012  
Accepted August 8, 2012

**Millis Zoning Board of Appeals  
June 13, 2012  
Veterans Memorial Building  
Room 206**

**BOARD MEMBERS PRESENT:**

Chairman Peter Koufopoulos, Vice Chairman, Joseph Coppola; and Member, Donald Roman.

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

The hearing for applicant Rich Maraggio, for property located at 903 Main Street Map #23, Parcel 61, C-V MCEOD Zone. was opened at 7:30 pm.

The applicant is seeking a finding to allow for roof replacement, window replacement, gutter installation, general rehab of building and grounds and possible installation of fence. Such work will not involve changing the footprints of existing building and 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.

Vice Chairman Coppola left the meeting due to family emergency.

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

No other correspondence was received.

The applicant was present.

The Board members reviewed the plan. .

Mr. Roman moved to close the hearing. Mr. Koufopoulos seconded the motion. So voted the Board unanimously.

Mr. Roman moved to grant a finding under Section IXB, non-conforming uses, structures and lots lots to allow for roof replacement, window replacement, gutter installation, general improvements of building and grounds and possible fence installation and this will not be more detrimental to the neighborhood, Mr. Koufopoulos 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:

1. The request is not unreasonable and would be on benefit to the general community.
2. The proposed improvements will not be substantially more detrimental to neighborhood.

Therefore, the Millis Zoning Board of Appeal votes unanimously to find for property located at 903 Main Street, Map# 23, Parcel #61 lots to allow for roof replacement, window replacement, gutter installation, general improvements of building and grounds and possible fence installation and this will not be more detrimental to the neighborhood.

Voting on this petition were: Peter Koufopoulos, and Donald Roman.

**Douglas Atkinson, 30 Dean Street:**

The public hearing for applicant Douglas Atkinson, for property located at 30 Dean Street., Map #46, Parcel 13, RT Zone was opened at 7:40 pm.

The applicant is seeking a variance and finding that the construction of a 28 by 16 two story addition with 8.6 x 4.8 bulkhead and construction of porch 30.6 x 10.7 will not be more detrimental to the neighborhood. The applicant is also seeking a finding that the construction of a 24 x 28 detached garage will not be more detrimental to the neighborhood and requesting any additional variances as required.

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.

There was additional information added into the record. There was a letter written by Robert Sullivan, 14 Dean Street. The letter indicated no opposition to the construction. The Board is also in receipt of a letter from Paul & Theresa Knowles, 20 Dean Street. They are in support of the addition. The Board of Health supplied a letter indicating that the Health Department will be approving the plan with the Board of Health variance request.

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The applicant Doug Atkinson was present. The engineer was also present at the meeting.

The Board members reviewed all the documentation.

Mr. Roman moved to close the hearing. Mr. Koufopoulos seconded the motion. So voted the Board unanimously.

Mr. Roman moved to deny a finding under Section IXB, non-conforming uses, structures and lots that the a finding under Section IXB, of the Millis Zoning Bylaw (Nonconforming Uses, Structures and Lots that the construction of a 28 ft. by 16 ft. two story addition with 8.6 ft. by 4.8 ft. bulkhead and construction of a porch 30.6 ft. x 10.7 ft. and construction of a 24 ft. x 28 ft. detached garage will be more detrimental to the neighborhood.

Mr. Koufopoulos 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 the nature of the alterations and extensions to the existing non-conforming structure will significantly make the property more non-conforming.

Therefore, the Millis Zoning Board of Appeal votes unanimously to deny for property located at 30 Dean Street, Map# 46, Parcel #13 that the proposed finding under Section IXB, of the Millis Zoning Bylaw (Nonconforming Uses, Structures and Lots that the construction of a 28 ft. by 16 ft. two story addition with 8.6 ft. by 4.8 ft. bulkhead and construction of a porch 30.6 ft. x 10.7 ft. and 24 ft. x 28 ft. detached garage will be more detrimental to the neighborhood.

Voting on this petition were: Peter Koufopoulos, and Donald Roman.

The requirements for the granting of a Variance, as outlined in M.G.L. c. 40 A, Subsection 10, are:

(a)Owing to circumstances relating to the soil conditions, shape, or topography of such land or structures but not affecting generally the zoning district in which it is located, a literal enforcement of provisions of the By-Law would involve substantial hardship, financial or otherwise, to the petitioner, and

(b) Desirable relief may be granted without substantial detriment to the public good and without nullifying or substantial derogating from the intent or purpose of such By-law.

The petitioner is seeking a variance.

The Millis Zoning Board of Appeals finds:

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1. The request is unreasonable since there is no hardship in soil conditions, shape or topography.
2. The proposed change and alteration will be substantially more detrimental to neighborhood.

Therefore, the Millis Zoning Board of Appeal votes unanimously to deny for property located at 30 Dean Street, Map 46, Parcel 13, a variance pursuant to Section VI, Table 2 to grant a setback variance. The numbers were not indicated on the application.

Voting on this petition was: Peter Koufopoulos and Donald Roman.

**Ermanno Santospago, 46 Timberline Rd.**

The public hearing for applicant Ermanno Santospago, for property located at 46 Timberline Rd., Map #16, Parcel 101, R-V Zone was opened at 7:45 pm.

The applicant is seeking a special permit under Section V Table 1 agricultural #5 to be allowed to keep chickens on property with less than five acres.

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.

Present were: Peter Koufopoulos, Chairman; Donald Roman, Member

Chairman Koufopoulos called the hearing to order at 7:45 p.m.

Member Roman read the petition into the record.

The following documents were also entered into the record.

- A Cease and Desist Order letter from the Building Commissioner.
- Walpole Times July 28, 2012.
- A letter from Children's Hospital Boston, Karameh Hawah, MD.
- A letter from Children's Hospital Boston, Mike Bright, CCC-SLP
- A letter from Michelle & Rob Santospago
- Photographs were included
- Letter from the Board of Health
- Letter from Town Administrator

There were several abutters present to speak in opposition of the Special Permit.

- Mr. & Mrs. Selter and daughter, 44 Timberline, spoke in opposition.
- Mr. & Mrs. Downing, 40 Timberline, spoke in opposition.

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Mr. Roman moved to close the hearing. Mr. Koufopoulos seconded the motion. So voted the Board unanimously.

Mr. Roman moved to deny the following Special Permit under Section V Table 1 Agricultural #5 to be allowed to keep chickens on property less than five acres for Ermanno Santospago for property located at 46 Timberline Rd. Map# 16, Parcel 101, R-V Zone.

Mr. Koufopoulos seconded the motion. The Board voted unanimously to deny the Special Permit.

The Millis Zoning Board of Appeals finds:

1. The request is unreasonable and would not benefit to the general community.

Therefore, the applicant does not meet the requirements necessary for granting of a Special Permit.

Voting on this petition was: Peter Koufopoulos, and Donald Roman.

**Lori Morgan, for property located at 50 Lavender Street.,**

The public hearing for Lori Morgan was opened at 7:45 pm for property located at 50 Lavender Street.

The petitioner is seeking a variance under Section VII, Table 2, setback requirements (seeking a 13.8 side yard setback and 17.6 ft. front yard setback to allow for a (5.9 ft. by 23.5 ft.) single story porch and is seeking a finding under Section IXB, of the Millis Zoning Bylaw (Nonconforming Uses, Structures and Lots that the reconstruction of a porch (5.9 ft. x 23.5) to existing single family lot 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.

No other correspondence was received. There were photographs presented for the Board to view.

The applicant Lori Mazzola (Morgan) was present.

The Board members reviewed all the documentation.

Mr. Roman moved to close the hearing. Mr. Koufopoulos seconded the motion. So voted the Board unanimously.

Mr. Roman moved to grant a finding under Section IXB, non-conforming uses, structures and lots that the a finding under Section IXB, of the Millis Zoning Bylaw (Nonconforming Uses, Structures and Lots that the reconstruction of a porch (5.9 ft. x 23.5) to existing single family lot will not be more detrimental to the neighborhood, Mr. Roman 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:

1. The building is currently pre-existing and is non-conforming.
2. The request is not unreasonable and would be on benefit to the general community.
3. The proposed change and alteration will not be substantially more detrimental to neighborhood.

Therefore, the Millis Zoning Board of Appeal votes unanimously to find for property located at 50 Lavender Street, Map# 23, Parcel #41 that the proposed finding under Section IXB, of the Millis Zoning Bylaw (Nonconforming Uses, Structures and Lots that the reconstruction of a porch (5.9 ft. x 23.5) to existing single family lot will not be more detrimental to the neighborhood.

The requirements for the granting of a Variance, as outlined in M.G.L. c. 40 A, Subsection 10, are:

(a)Owing to circumstances relating to the soil conditions, shape, or topography of such land or structures but not affecting generally the zoning district in which it is located, a literal enforcement of provisions of the By-Law would involve substantial hardship, financial or otherwise, to the petitioner, and

(b) Desirable relief may be granted without substantial detriment to the public good and without nullifying or substantial derogating from the intent or purpose of such By-law.

The petitioner is seeking a variance under Section VII, Table 2, setback requirements (seeking a 13.8 side yard setback and 17.6 ft. front yard setback to allow for a (5.9 ft. by 23.5 ft.) single story porch.

The Millis Zoning Board of Appeals finds:

1. The request is not unreasonable and would be a benefit to the general community.
2. The proposed change and alteration will not be substantially more detrimental to neighborhood.

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Therefore, the Millis Zoning Board of Appeal votes unanimously to grant for property located at 50 Lavender Street, Map 23, Parcel 41, a variance and finding pursuant to Section VI, Table 2 to grant a setback requirements (seeking a 13.8 side yard setback and 17.6 ft. front yard setback to allow for a (5.9 ft. by 23.5 ft.) single story and that this will not be more detrimental to the neighborhood.

**Acceptance of Minutes:**

**On a motion made by Peter Koufopoulos and seconded by Don Roman, the Zoning Board voted unanimously to accept the minutes from May 10, 2012.**

**Other Business:**

- **Sign Bills**
- **Secretary Payroll**

**Adjourn:**

**On a motion made by Peter Koufopoulos 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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