

**Millis Zoning Board of Appeals  
May 8, 2013  
Veterans Memorial Building  
Room 206**

**BOARD MEMBERS PRESENT:**

Chairman Peter Koufopoulos, Member, Donald Skenderian, and Associate Member Jeffrey Butensky

The Zoning Board of Appeals meeting was opened at 7:30 pm.

**Public Hearing:**

**Morgan & MaryAnn Stetson:**

Chairman Koufopoulos called the hearing to order at 7:30 p.m.

The petitioner Mary Ann Stetson filed a petition for finding for property located at 107 Pleasant Street, Map# 34, Parcel #040.

The petitioner is seeking a finding under Section IXB, non-conforming uses, structures and lots that that the demolition of the existing three family structure and the re-building of a new single-family structure within the existing footprint will not be more detrimental to the neighborhood.

Notice of the application was published in the Milford Daily News. A public hearing in accordance with said notice was held on May 8, 2013 at 7:30 p.m. in the Veterans Memorial Building, Room 206. 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 Skenderian read the petition and supporting information into the record.

No other correspondence was received.

The applicant Mrs. Stetson was present.

The Board members reviewed the plans and photographs of the proposed to be built home.

Several abutters were present and questioned whether the design of the new structure would be within the existing footprint.

Mary Anne Stetson explained that she looked at the density on the site and thought it was better to rebuild a single family home. The property is unique and part of Millis Heights. The family has a long history and she loves Millis. This house which will put up will not be more detrimental. It will be a nice home.

The foundation will be same. The height will be two story. The engineer stamp is from GLM from Holliston. The plan showed the dimension and 100 % identical.

The proposal is to be no bigger.

**Abutter, 106 Pleasant St.:**

This abutter wanted to know if there is a section of land between the house and neighbor. Is it marked on the property?

Mrs. Stetson responded that everything has been surveyed.

Photographs of the existing home were shown. She wants to make it a showcase and a beautiful place to live.

There will be a circular driveway or horseshoe. There is good footage to do this. There is no driveway access.

Mr. Butensky moved to close the hearing. Mr. Skenderian seconded the motion. So voted the Board unanimously.

Mr. Butensky moved to grant a finding under Section IXB, non-conforming uses, structures and lots that the demolition of existing structure and construction of single family dwelling within the existing footprint, Mr. Skenderian 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 current home is currently pre-existing and 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 107 Pleasant Street, Map# 34, Parcel #040 that the demolition of existing structure and construction of single family dwelling within the existing footprint, will not be more detrimental to the neighborhood.

**Charles & Ellen Wainwright:**

The petitioner, Charles & Ellen Wainwright filed a petition for property located at 165 Farm Street, Map# 32, Parcel #20, R-S Zone.

The petitioner is seeking a variance. Sec. Table 2, for a 3 foot and 3.7 foot side yard setback to allow for a (20 ft. by 34 ft.) conforming single story addition.

The petitioner is also seeking a special permit under Section XIII O. Accessory Family Unit to allow for an in-law apartment for Charles and Ellen Wainwright.

Notice of the application was published in the Milford Daily News. A public hearing in accordance with said notice was held on May 8, 2013 at 7:45 p.m. in the Veterans Memorial Building, Room 206. 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.

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

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

No other correspondence was received.

The applicant Charles and Ellen Wainwright were present.

The Board members reviewed the plan and it was explained that the accessory family unit is only for the applicants.

Mr. Skenderian moved to close the hearing. Mr. Butensky seconded the motion. So voted the Board unanimously.

Mr. Butensky moved to grant a variance under Sec. Table 2, for a 3 foot and 3.7 foot side yard setback to allow for a (20 ft. by 34 ft.) conforming single story addition and also the Special Permit for an Accessory Family Unit for Charles and Ellen Wainwright for property located at 165 Farm Street, Map #32, Parcel #20., Mr. Skenderian seconded the motion. So voted the Board unanimously.

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 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.

Therefore, the Millis Zoning Board of Appeal votes unanimously to find for property located 165 Farm Street Map# 32, Parcel #20 that the a 3 foot and 3.7 foot side yard setback to allow for a (20 ft. by 34 ft.) conforming single story addition shall not be substantially more detrimental to the neighborhood.

Therefore, the applicant does meet the requirements necessary for granting of a Special Permit for and Accessory Family Unit Apartment for property located at 165 Farm Street, Map #32, Parcel #20 pursuant to Section XIII Special Permit (O) Accessory Family Unit, of the Town of Millis Zoning Bylaw.

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 change and alteration will not be substantially more detrimental to neighborhood.

**Payment of Bills:**

**On a motion made by Don Skenderian and seconded by Jeff Butensky, the Zoning Board of Appeals voted unanimously to sign and pay the bills as submitted.**

**Minutes:**

**On a motion made by Don Skenderian and seconded by Jeff Butensky, the Zoning Board of Appeals voted unanimously to accept the minutes from April 10, 2013.**

**Adjourn:**

**On a motion made by Don Skenderian and seconded by Jeff Butensky, the Zoning Board of Appeals voted unanimously to adjourn the meeting at 8:30 pm.**

**Respectfully Submitted,**

**Amy Sutherland**

**Approved June 12, 2013**