

**Millis Zoning Board of Appeals
January 8, 2014
Veterans Memorial Building
Room 130**

BOARD MEMBERS PRESENT:

Chairman Peter Koufopoulos, Member, Donald Roman, and Donald Skendarian

Public Hearing:

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

The application was filed with the office of the Millis Town Clerk, by the petitioner, Ruth Raichle for property located at 1049 Main Street, Map# 23, Parcel #87, R-V Zone.

The petitioner is seeking a 50 foot frontage lot variance from Section VI table 2 and a 10 foot front setback variance from Section VI, table 2 to allow for a two-family residence. The applicant is also seeking a finding under Section IX B that the new two-family 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 contractor Chris Previte was present and provided a chart with comparable two family properties on Main Street.

The Board members reviewed the plan and noted that the parcel is a pre-existing, non-conforming property.

The Board also noted that no correspondence had been received regarding the application and no abutters appeared at the hearing.

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

Mr. Roman moved to grant a Variance under Sec. Table 2, for a 50 foot Frontage Variance and a 10 foot Front Setback Variance for Ruth Raichle for property located at 1049 Main Street, Map #23, Parcel #87., 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 substantially 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 Appeals grants a 50 foot Frontage Variance and a 10 Foot Front Setback Variance for Ruth Raichle for property located at 1049 Main Street, Map #23, Parcel #87 shall not be substantially more detrimental to the neighborhood.

The requirements for the 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 finding under Section IX B that the new two-family for property located at 1049 Main Street, Map# 23 Parcel #, will not be more detrimental to the neighborhood.

Centennial Place:

The Chairman informed the members that the engineer for applicant, John Kazis of Jopa Realty LC, requested to withdraw the application without prejudice for property located at 983 Main Street.

The Board did not want to take a formal vote until a written letter was provided.

The Board is in receipt of a letter seeking withdrawal.

On a motion made by Donald Skendarian and seconded by Don Roman, the Zoning Board of Appeals voted unanimously to accept the withdrawal without prejudice for 983 Main Street since it was determined that the Zoning Board of Appeals has no jurisdiction.

352 Village Street:

Peter Bethony had a representative at the meeting asking about the name change on property located at 352 Village Street. There was a finding granted on the property back in 2007 to demolish and rebuild. This was never acted on but the ownership has since changed. The applicant wants to know if the finding still goes with the property.

The Board would like to get advisement from counsel.

Acceptance of Minutes:

Minutes:

On a motion made by Donald Skendarian and seconded by Don Roman, the Zoning Board of Appeals voted unanimously to accept the minutes from November 13, 2013.

Bills:

On a motion made by Donald Skendarian and seconded by Don Roman, the Zoning Board of Appeals voted unanimously to sign the bills as presented.

Adjourn:

On a motion made by Donald Skendarian and seconded by Don Roman, the Zoning Board of Appeals voted unanimously to adjourn the meeting adjourned at 8:15 pm.

Respectfully Submitted,

Amy Sutherland