

**Millis Zoning Board of Appeals
April 9, 2014
Veterans Memorial Building
Room 130**

BOARD MEMBERS PRESENT:

Chairman Peter Koufopoulos, and Member, Donald Roman, and Member Jeff Butensky

Public Hearing:

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

Public Hearing:

Thomas McDonough, 70 Spring St.:

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

By application filed with the office of the Millis Town Clerk, the petitioner, McDonough Building, Inc. for property located at 70 Spring Street, Map# 30, Parcel #16, R-V Zone.

Notice of the application was published in the Milford Daily News. A public hearing in accordance with said notice was held on March 12, 2014 and continued to April 9, 2014 at 7:30 p.m. in the Veterans Memorial Building, Room 130.

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

The petitioner was present along with Attorney Kenney.

The Board members reviewed the certified plan prepared by O'Driscoll Land Surveying dated November 18, 2013.

The following documents were entered into the record:

- Letter from Planning Board dated January 21, 2014

The Board also noted that Attorney Kenney presented a letter regarding the application.

One resident asked that the required depth in the area is 50% short, where is the hardship. There is no house on it, it is a self-opposed hardship since the applicant bought the land as is.

Attorney Kenney responded that it is in the shape of the irregular lot which causes a hardship. This does not derogate from intent of bylaw and it meets all requirements but the depth. The shape is the primary hardship.

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

Mr. Roman moved to grant a lot depth variance of 51 feet for construction of a two-family residence for property located at 70 Spring Street, Map 30, Parcel #16., Mr. Butensky 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 Appeals grant a lot depth variance of 51 feet for the construction of a two-family residence for property located at 70 Spring Street, Map 30, Parcel #16., which shall not be substantially more detrimental to the neighborhood. The applicant is seeking a 51 ft. depth variance for R-V zone for construction of a two family.

Peter Bethony: 352 Village St:

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

Notice of the application was published in the Milford Daily News. A public hearing in accordance with said notice was held on April 9, 2014 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.

The applicant is seeking a finding that the conversion of the first floor for music teaching will not be detrimental to the neighborhood.

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

The petitioner was present.

The Board members reviewed the certified plan prepared by O'Driscoll Land Surveying dated March 6, 2014.

The Board also noted that Attorney Kenney presented a letter regarding the application.

The attorney presented a memo to the board which was read to the members.

Attorney Kenney explained that the buildings and use pre-date zoning. It was foreclosed property and the applicant purchased it. This will be used for music education classes. There is sufficient parking to support the use.

There would be typically about eight to ten students at one time during the day for hour lessons. There will never be lessons past 9:00 pm.

The abutter across the street was present and he is not opposed.

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

Mr. Roman moved to grant that the proposed use of the commercial space for music education will not be more detrimental to the neighborhood for property located at 352 Village Street, Map 43, Parcel #58., Mr. Butensky seconded the motion. So voted the Board unanimously.

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 proposed use of the commercial space for music education with the conditions that the classes will end at 9:00 pm and also that there will no group events for property located at 352 Village Street, Map# 43 Parcel #58, will not be more detrimental to the neighborhood.

Luppino 128 Norfolk Rd:

The Board will continue the public hearing for the petition filed by applicant, Richard Luppino for property located at 128 Norfolk Rd., Map #39, Parcel 1, R-S Zone for Tuesday, May 20, . The applicant is seeking a finding for the construction of a 14 ft. x 14 ft. addition and also a special permit for an accessory family unit to allow for an in-law apartment. This will not be detrimental to the neighborhood.

On a motion made by Donald Roman and seconded by Jeff Butensky, the Board voted unanimously to continue the hearing to Tuesday, May 20, 2014 meeting at 7:30 pm.

Varga, 4 Cedar St:

The Chairman opened the hearing for Kurt Varga for property located at 4 Cedar St., Map #31, Parcel 52, R-S Zone.

The applicant is seeking a finding that the construction of a 40 ft. x 24 ft. accessory building will not be detrimental to the neighborhood.

Wayne Carlson was present and indicated that they would like to continue the hearing until the next scheduled meeting.

On a motion made by Donald Roman and seconded by Jeff Butensky, the Board voted unanimously to continue the hearing to Tuesday, May 20, 2014 meeting at 7:45 pm.

Charles Vecchi, 44 Walnut St.:

Chairman Koufopoulos called the hearing to order at 8:30 p.m.

By application filed with the office of the Millis Town Clerk, the petitioner, Charles Vecchi for property located at 44 Walnut Street, Map# 7, Parcel #1, R-S Zone.

Notice of the application was published in the Milford Daily News. A public hearing in accordance with said notice was held on April 9, 2014 at 8:30 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 Roman read the petition and supporting information into the record.

The petitioner was present.

The petitioner is seeking a finding and a 33.8 foot front setback variance that the construction of a detached two car garage/workshop 29 x 28 will not be more detrimental to the neighborhood

The Board members reviewed the certified plan prepared by Guzman-Prufer dated July 13, 2013.

The Board also noted that no correspondence had been received regarding the application.

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

Mr. Roman moved to grant a finding and a 33.8 foot front setback for the construction of a detached two car garage/workshop 29 x 28 for Charles Vecchi for property located at 44 Walnut

Street, Map #7, Parcel #1., Mr. Butensky 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 Appeals grants a 33.8 foot front setback for Charles V. Vecchi for property located at 44 Walnut Street, Map #7, Parcel #1 shall not be substantially more detrimental to the neighborhood.

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 finding under Section IX B the construction of a detached two car garage/workshop 29 x 28 for property located at 44 Walnut Street, Map# 7 Parcel #1, will not be more detrimental to the neighborhood.

MINUTES:

- **On a motion made by Don Roman and seconded by Jeff Butensky, the Board voted unanimously to approve the minutes from January 8, & March 12, 2014.**

BOARD BUSINESS:

- The Board will be changing their meeting date to the third Tuesday of the month.

Adjourn:

The meeting adjourned at 9:00 pm.

Respectfully Submitted,

Amy Sutherland

Approved May 20, 2014