

**Millis Zoning Board of Appeals
July 18, 2017
Veterans Memorial Building
Room 229
Meeting opened at 7:30 pm**

BOARD MEMBERS PRESENT:

Chairman Don Roman, Peter Koufopoulos, and Don Skendernian.

Public Hearing: Sabine Jonson

7 Pleasant Street:

The Chairman called the hearing to order at 7:30PM.

By application filed with the office of the Millis Town Clerk, the petitioner, Sabine Jonsson for property located at 7 Pleasant Street, Map #23, Parcel #155, C,C-V Zone.

The petitioner is seeking an amendment to the current permit to change the operating hours to 24 hours a day, 7 days a week allowing for up to 40 dogs to stay overnight.

Notice of the application was published in the Milford Daily News. A public hearing in accordance with said notice was held on July 18, 2017 in the Veterans Memorial Building, Room 229. 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 members Donald Roman, Peter Koufopoulos and Donald Skenderian which constituted a quorum. Also present was the applicant, Sabine Jonsson.

Mr. Koufopoulos read the notice of hearing.

The Chairman noted that abutters had been notified, the hearing had been advertised and no additional correspondence had been received.

Ms. Jonson was present and business partner is splitting off and taking some business with her.

A photo was shown of what will be proposed.

The business is currently not at capacity.

The dogs kept overnight would remain inside.

There was one abutter present, Emily Tuthill who is concerned about the noise and traffic.

On a motion made by Peter Koufopoulos and seconded by Donald Skenderian, the board voted unanimously to grant a special permit to change the operating hours to 24 hours a day, 7 days a week allowing for up to 40 dogs to stay overnight.

On a motion made by Peter Koufopoulos and seconded by Donald Skenderian, the board voted unanimously to close the public hearing.

The hearing was closed at 7:45 pm.

The requirements for the granting of a Special Permit, 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.

Therefore, the applicant does meet the requirements necessary for granting of a Special Permit to change the operating hours to 24 hours a day, 7 days a week allowing for up to 40 dogs to stay overnight.

The permit is subject to the following conditions:

- Outdoor animal waste is to be cleaned up daily and removed from the site on a regular basis.
- Dogs will be brought inside no later than 7:30 pm.
- The special permit is valid for one year and may be extended upon application by applicant.

**Public Hearing: McSweeney & Ricci Insurance Agency:
5 Pleasant Street:**

The Chairman called the hearing to order at 7:45 pm.

By application filed with the office of the Millis Town Clerk, the petitioner, McSweeney & Ricci Insurance Agency for property located at 5 Pleasant Street, Map #23, Parcel 155, and C Zone.

The petitioner is seeking a variance for 3 foot setback variance from Section 7 (Signs) for a monument sign.

Notice of the application was published in the Milford Daily News. A public hearing in accordance with said notice was held on July 18, 2017 in the Veterans Memorial Building, Room 229. 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.

Mr. Koufopoulos read the Notice of Hearing. Mr. Roman noted that abutters had been notified, the notice of hearing had been advertised and no correspondence had been received.

The petitioner was present.

No one spoke in opposition to the request.

Acting on a motion made by Mr. Kofopoulos and seconded by Mr. Skenderian, the Board voted unanimously to close the public hearing at 8:00 pm.

Acting on a motion made by Mr. Kofopoulos and seconded by Mr. Skenderian, the Board voted to grant a for 3 foot setback variance from Section 7 (Signs) for a monument sign at 5 Pleasant Street, Map #23, Parcel 155, 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 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 3 foot setback variance from Section 7 (Signs) for a monument sign at 5 Pleasant Street, Map #23, Parcel 155, which will not be substantially more detrimental to the neighborhood.

Public Hearing: Robert & Donna Jenks:
128 Acorn Street:

The Chairman called the hearing to order at 8:15 pm.

By application filed with the office of the Millis Town Clerk, the petitioner, Robert & Donna Jenks, for property located at 128 Acorn Street, Map #40, Parcel#142, and R-S Zone.

The petitioner is seeking a for a finding that the removal of an existing 6.5 ft X 24 ft. open deck and replacement of a 10 ft. x 24 ft. open deck will not be more detrimental. The applicant also seeks a front setback variance of 35 ft. that 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 July 18, 2017 at 8:15p.m. in the Veterans Memorial Building, Room 229. 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.

Mr. Koufopoulos read the Notice of Hearing.

No correspondence had been received.

The petitioners were present along with Wayne Carlson who was representing the petitioners.

Mr. Carlson explained the request.

No one spoke in opposition to the request.

Acting on a motion made by Mr. Koufopoulos and seconded by Mr. Skenderien, the Board voted unanimously to close the public hearing at 8:30PM.

Acting on a motion made by Mr. Koufopoulos and seconded by Mr. Coppola, the Board voted to grant a finding that the removal of an existing 6.5 ft. X 24 ft. open deck and replacement of a 10 ft. x 24 ft. open deck will not be more detrimental and also grants a 35 ft. a front setback variance on Commonwealth Ave and a 6 ft. front setback on Acorn Street.

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 35 ft. a front setback variance on Commonwealth Ave and a 6 ft. front setback on Acorn Street for Robert & Donna Jenks, for property located at 128 Acorn Street, Map #40, Parcel#142, and R-S Zone, which will 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 to grant a finding that the removal of an existing 6.5 ft. X 24 ft. open deck and replacement of a 10 ft. x 24 ft. open deck will not be more detrimental.

Public Hearing: Toll Brothers, Inc.:
84 Orchard Street:

The Chairman called the hearing to order at 8:30 PM.

By application filed with the office of the Millis Town Clerk, the petitioner, Toll Bros., Inc., is seeking a Special Permit under Section 9 Zoning Bylaw Section C Watershed Protection District and Section XI – Special Flood Hazard District.

Notice of the application was published in the Milford Daily News. A public hearing in accordance with said notice was held on July 18, 2017 and in the Veterans Memorial Building, Room 229. 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.

Mr. Koufopoulos read the Notice of Hearing.

Mr. Roman noted that abutters had been notified, the notice of hearing had been advertised and no correspondence had been received.

The applicant explained their Special Permit requests.

The applicant's attorney and engineer responded to questions from members of the Board.

Acting on a motion made by Mr. Koufopoulos and seconded by Mr. Skenderian, the Board voted unanimously to close the public hearing at 8:45 PM.

Acting on a motion made by Mr. Koufopoulos and seconded by Mr. Skendereian, the Board voted unanimously to grant the following Special Permits to allow construction within the Watershed Protection District and the Special Flood Hazard District as referenced on the Glen Ellen plan dated 7/18/17.

- Orchard Street - 560 linear feet.
- Orchard Street – 180 linear feet.
- Exchange Street -170 linear feet.

The requirements for the granting of a Special Permit, 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.

Therefore, the applicant does meet the requirements necessary for granting of a Special Permit.

Minutes:

June 20, 2017:

Acting on a motion made by Mr. Koufopoulos and seconded by Mr. Skenderian, the Board voted unanimously to approve the minutes for June 20, 2017

June 27, 2017:

Acting on a motion made by Mr. Koufopoulos and seconded by Mr. Skenderian, the Board voted unanimously to approve the minutes from June 27, 2017.

Bills:

The Chairman signed the bills as presented.

Adjourn:

On a motion made by Peter Koufopoulos and seconded by Don Skenderian, the Board voted to adjourn the meeting at 9:00 pm.

Respectfully Submitted,

Amy Sutherland

Secretary

Approved August 15, 2017