

Lot 1L Waban Avenue (Proposed):

Variance: For relief from the minimum lot area dimensional requirement for a single-family semi-detached dwelling in a RL-7 Zone (Article IV, Section 4, Table 4.2)

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Lot 2L Waban Avenue (Proposed):

Variance: For relief from the minimum lot area dimensional requirement for a single-family semi-detached dwelling in a RL-7 Zone (Article IV, Section 4, Table 4.2)

Petitioner: Harry Avery

Present Use: A single-family detached dwelling and garage.

Zone Designation: RL-7 (Residence, Limited) zoning district

Petition Purpose: To demolish the existing site improvements, divide the lot into two, construct a single-family detached (aka duplex) dwelling on each lot (total of 4 units), and conduct associated site work.

Harry Avery and Zac Couture from H.S.&T. called in for the application.

Mr. Rolle gave a brief overview of what was discussed at the last meeting and the plans proposed.

Mr. Avery stated that Mr. Couture had updated the plans and Mr. Couture presented the changes and the 81G road improvements.

Public Comment

Judy & Dave, abutters to the property, expressed concern that he did not want sewage dug up while this project is being constructed.

Michael Hayes, abutter, stated that there would a lot of potential for a single family which is keeping with the neighborhood better than what is being proposed.

The Board discussed proposed drainage for the site and the paper street.

Mr. Couture stated that they would request the Waivers suggested by staff.

Upon a motion by Mr. Berg Powers and seconded by Mr. Cortes the Board voted 5-0 the Public Hearing.

Upon a motion by Mr. Berg Powers and seconded by Mr. Cortes (Mr. Haddon & Mr. Sabo as alternates) to approve the Variances for lot area; approved with waivers requested by the applicant; approved with Conditions of Approval from staff memo which include submission of final revised plans prior to issuance of a Building Permit; recharge 100% of roof runoff; prior to Building Permit provide PDF of O & M plan; prior to Certificate of Occupancy provide written certification from PE; parking/paved areas limited to those shown on plan; substantial accordance; and additional conditions of approval which include no increase in runoff from this site; approval contingent upon Planning Board approval for the street opening.

3. 43 Oread Street (MBL 06-028-00016) (ZB-2020-061)

Special Permit: To modify dimensional standards for a Residential Conversion (Article IV, Section 9)

Special Permit: To modify parking, loading requirements, dimensional requirements, layout, and/or the number of required spaces and/or landscaping requirements (Article IV, Section 7, A, 2)

Variance: For relief from the minimum parking requirements for a residential use (Article IV, Section 7, Table 4.4.)

Petitioner: Elvis Cruz of 43 Oread Street LLC

Present Use: A privileged, non-conforming three-family detached dwelling, with associated site improvements

Zone Designation: RG-5 (Residence, General) zoning district

Petition Purpose: To convert the existing three-family detached dwelling into a multi-family low-rise dwelling (with total of 5 units), to expand and reconfigure the parking area, and to conduct associated site work.

Upon a motion by Mr. Berg Powers and seconded by Mr. Cortes (Mr. Haddon & Mr. Sabo as alternates) the Board voted 0 to allow for Leave to Withdraw for the Special Permit and Variance applications.

4. 757 Salisbury Street (MBL 50-023-00001) (ZB-2021-001)

Variance: For relief of the maximum height dimensional requirements (Article IV, Section 4, Table 4.2)
Petitioner: Premier Property Group, LLC
Present Use: Vacant residential buildings.
Zone Designation: RS-10 (Residence, Single Family) and RS-7 (Residence, Single Family) zoning districts
Petition Purpose: To construct a Continuing Care Retirement Community (CCRC) consisting of three multi-family low-rise buildings with a total of +/- 123 dwelling units, an associated driveway network, and related site work on approximately 17 acres of land (located off Salisbury Street).

Upon a motion by Mr. Berg Powers and seconded by Mr. Cortes (Mr. Haddon & Mr. Sabo as alternates) the Board voted 5-0 to postpone the Variance application to the July 19, 2021 Zoning Board of Appeals meeting and to extend the Constructive Grant Deadline to August 10, 2021.

5. 7 Svea Street and a portion of 195 Vernon Street (MBL 10-005-00026 & -00009) (ZB-2021-019)

Special Permit: To modify parking, loading requirements, dimensional requirements, layout, and/or the number of required spaces and/or landscaping requirements (Article IV, Section 7, A. 2)
Petitioner: Atourourke, LLC
Present Use: On the subject portion of the premises is vacant land.
Zone Designation: RG-5 (Residence, General) zoning district
Petition Purpose: To construct a multi-family low-rise structure (with a total of 8 dwelling units) with associated street parking, and to conduct associated site work.
Public Hearing Deadline: 6/12/2021 **Constructive Grant Deadline:** TBD

Proceeded with 4 member Board (no Mr. Karlstad);

Attorney Jonathan Finkelstein, Andy Baum and Michael O'Rourke called in for the application.

Mr. Finkelstein stated that the request is to construct 8 dwelling units.

Mr. Baum reviewed the scope of the project.

Mr. Finkelstein stated that they would request the waivers suggested by staff.

Mr. Berg Powers asked Mr. Baum to review the curb cut.

Mr. Rolle stated that this application is also going to come before the Planning Board who will review more in detail the curb cut.

Public Comment

No public comment.

Upon a motion by Mr. Haddon and seconded by Mr. Cortes the Board voted 4-0 to close the Public Hearing.

Upon a motion by Mr. Haddon and seconded by Mr. Cortes (Mr. Haddon and Mr. Sabo as alternates) to approve the Special Permit to modify parking layout; approved with waivers requested by the applicant; approved with Condition of Approval from staff memo which include submission of final revised plans prior to issuance of a Building Permit; that a 5 foot

landscaped buffer shall be established by easement west of proposed parking area; and that the project be built in substantial accordance with the plans submitted.

6. 116 Malvern Road (MBL 26-022-00003) (ZB-2021-030)

Variance: For relief from the minimum lot area requirement for a three-family detached dwelling in an R zone (Article IV, Section 4, Table 4.2)

Special Permit: To allow a three-family detached dwelling in an RL-7 Zone (Article IV, Section 2, Table 4.1, Residential Use #16)

Special Permit: To modify parking, loading requirements, dimensional requirements, layout, and/or the number of required spaces and/or landscaping requirements (Article IV, Section 7, A. 2)

Petitioner: Wilbert DeLaRosa

Present Use: A two-family detached dwelling with off-street parking

Zone Designation: RL-7 (Residence, Limited) zoning district

Petition Purpose: To construct an addition to convert the existing two-family detached dwelling into a three-family detached dwelling, with associated site improvements.

Public Hearing Deadline: 7/25/2021 **Constructive Grant Deadline:** 8/29/2021

Upon a motion by Mr. Berg Powers and seconded by Mr. Cortes the Board voted 5-0 to postpone the Variance and Special Permit applications to the June 28, 2021 Zoning Board of Appeals meeting and to extend the Constructive Grant Deadline to July 20, 2021.

7. 196 Beaconsfield Road (MBL 25-018-00188) (ZB-2021-032)

Special Permit: To allow the extension, alteration, or change to a privileged non-conforming structure and/or use (Article XVI, Section 4)

Petitioner: John D'Elia

Present Use: A privileged, non-conforming single-family detached dwelling.

Zone Designation: RS-7 (Residence, Single-Family) zoning district

Petition Purpose: To construct an open-air front porch (with railings and a roof), and to conduct related site work

Public Hearing Deadline: 8/1/2021 **Constructive Grant Deadline:** 9/5/2021

John D'Elia called in for the application.

Ms. Molina Dumas gave a review of the project.

Mr. D'Elia requested the waivers suggested by staff.

Public Comment

No Public Comment

Upon a motion by Mr. Berg Powers and seconded by Mr. Cortes the Board voted 5-0 to close the Public Hearing.

Upon a motion by Mr. Berg Powers and seconded by Mr. Cortes (Mr. Haddon & Mr. Sabo as alternates) to approve the Special Permit to expand/alt/change pre-existing nonconforming structure; approved with waivers requested by the applicant; approved with Conditions of approval from staff memo which include submission of final revised plans prior to issuance of Building Permit (strike 2 structures from first COA); and that the project be built in substantial accordance with the plans submitted.

8. 49 Chilmark Street (MBL 16-019-00002) (ZB-2021-033)

Special Permit: To allow a single-family attached dwelling in an RL-7 Zone (Article IV, Section 2, Table 4.1, Residential Use #12)

Lot 2 Chilmark Street (Proposed):

Variance: For relief from the minimum lot area dimensional requirement for a single-family attached dwelling in a RL-7 Zone (Article IV, Section 4, Table 4.2)

Lot 3 Chilmark Street (Proposed):

Variance: For relief from the minimum lot area dimensional requirement for a single-family attached dwelling in a RL-7 Zone (Article IV, Section 4, Table 4.2)

Petitioner: Harry Avery

Present Use: A vacant lot.

Zone Designation: RL-7 (Residence, Limited) zoning district

Petition Purpose: To construct a single-family attached dwelling (with a total of 4 units), and to conduct associated site work.

Public Hearing Deadline: 7/25/2021 **Constructive Grant Deadline:** 8/29/2021

Upon a motion by Mr. Berg Powers and seconded by Mr. Cortes the Board voted 5-0 to postpone the Special Permit Application to the June 28, 2021 Zoning Board of Appeals meeting and to extend the Constructive Grant Deadline to July 20, 2021.

9. 11 South Buffum Street (MBL 08-023-00008) (ZB-2021-035)

Variance: For relief from the minimum rear yard setback requirements for a single-family detached dwelling in the RL-7 Zone (Article IV, Section 4, Table 4.2)

Petitioner: James & Cheryl Freeman

Present Use: A privileged, non-conforming single-family detached dwelling.

Zone Designation: RL-7 (Residence, Limited) zoning district

Petition Purpose: To construct an addition and deck at the rear of the property, and to conduct associated site work

Public Hearing Deadline: 7/25/2021 **Constructive Grant Deadline:** 8/29/2021

James Freeman called in for the project. Mr. Freeman stated that they are looking for more room as they have a disabled son and would like to create more space for him.

Ms. Molina Dumas reviewed the project which involved an addition of deck.

Public Comment

No Public comment.

Mr. Freeman requested waivers suggested by staff.

Upon a motion by Mr. Berg Powers and seconded by Mr. Cortes the Board voted 5-0 to close the Public Hearing.

Upon a motion by Mr. Berg Powers and seconded by Mr. Cortes (Mr. Haddon & Mr. Cortes as alternates) the Board voted 5-0 to approve the Variance for RYS; approved with waivers requested by the applicant; approved with Conditions of Approval from staff memo which include submission of final revised plans prior to issuance of Building Permit; and that the project be built in substantial accordance with the plans submitted.

10. 29 Sarah Drive (MBL 29-045-00071) (ZB-2021-036)

Variance: For relief from the minimum front-yard setback dimensional requirement for a single-family detached dwelling in an RL-7 zone (Article IV, Section 4, Table 4.2)

Variance: For relief from the minimum side-yard setback dimensional requirement for a single-family detached dwelling in an RL-7 zone (Article IV, Section 4, Table 4.2)

Petitioner: Richard Novick

Present Use: A single-family detached dwelling.
Zone Designation: RL-7 (Residence, Limited) zoning district
Petition Purpose: Retroactive relief for a sunroom located at the front of the dwelling, along with a covered carport and storage shed, and to conduct related site work.
Public Hearing Deadline: 7/25/2021 Constructive Grant Deadline: 8/29/2021

Richard Novick called in for the application.

Ms. Molina Dumas stated that the applicant is looking for retroactive relief for a sunroom and stated that in 2011 a Variance was issued.

Mr. Rolle stated that both Variances would not be required so would suggest a fee waiver for the second Variance.

Public Comment

No Public comment.

Upon a motion by Mr. Berg Powers and seconded by Mr. Cortes voted 5-0 to close the Public Hearing.

Upon a motion by Mr. Berg Powers and seconded by Mr. Cortes the Board voted 5-0 to close the Public to approve Variance for FYS & SYS; approved with waivers requested by the applicant; approved with Conditions of Approval suggested by staff which was that the project be built in substantial accordance with the plans submitted.

11. 0 Hartford Road (MBL 23-038-19+21) (ZB-2021-037)

Variance: For relief from the lot area dimensional requirement for a single-family detached dwelling in a 7 Zone (Article IV, Section 4, Table 4.2)

Petitioner: Christopher DeSantis

Present Use: A vacant lot.

Zone Designation: RS-7 (Residence, Single Family) zoning district

Petition Purpose: To construct a single-family detached dwelling and to conduct associated site work.

Public Hearing Deadline: 7/25/2021 Constructive Grant Deadline: 8/29/2021

Kevin Quinn from Quinn Engineering called in for Christopher DeSantis for the application.

Mr. Quinn gave brief history of the property and what is being requested and stated that this lot is consistent with other lots in the neighborhood.

Ms. Molina Dumas stated that this item had appeared before the Zoning Board of Appeals before but the time had elapsed and the applicant is now requesting to come back before the Board to get approval to construct a single family dwelling.

Mr. Karlstad asked if the applicant would be willing to look at a smaller structure. Mr. DeSantis stated that he could work with Mr. Quinn on that.

Public Comment

Rich Marcotte stated that he had concerns about how close this home will be built to his lot, the parking, drainage and the amount of construction that will impact the neighborhood.

Mr. Quinn stated that a row of arbor vitae is planned between proposed home and Mr. Marcotte's property.

Upon a motion by Mr. Berg Powers and seconded by Mr. Cotes the Board voted 5-0 to continue the Variance application to the July 19, 2021 and to extend the Constructive Grant Deadline to August 10, 2021.

12. 43 Lancaster Street (MBL 02-043-00094) (ZB-2021-038)

Special Permit: To modify dimensional standards for a Residential Conversion (Article IV, Section 9)

Special Permit: To modify parking, loading requirements, dimensional requirements, layout, and/or the number of required spaces and/or landscaping requirements (Article IV, Section 7, A. 2)

Petitioner: Gregory Lavelle

Present Use: A low-rise residential building with 3 units and associated off-street parking.

Zone Designation: RG-5 (Residence, General) zoning district
Petition Purpose: To convert a portion of the existing building into one (1) additional dwelling unit (for a total of two dwelling units), and to conduct associated site work.
Public Hearing Deadline: 7/25/2021 Constructive Grant Deadline: TBD

Upon a motion by Mr. Berg Powers and seconded by Mr. Cortes the Board voted 5-0 to postpone the Special Permit Applications to the June 28, 2021 Zoning Board of Appeals meeting and to extend the Constructive Grant Deadline to July 20, 2021.

13. 34 William Street (MBL 02-039-0039A) (ZB-2021-040)

Special Permit: To modify dimensional standards for a Residential Conversion (Article IV, Section 9)
Variance: For relief from the minimum parking requirements for a three-family detached dwelling in an F Zone (Article IV, Section 7, Table 4.4)
Petitioner: Eileen Milton
Present Use: A two-family detached dwelling.
Zone Designation: RG-5 (Residence, General) zoning district
Petition Purpose: To convert the existing two-family detached dwelling into a three-family detached dwelling, and to conduct associated site work.
Public Hearing Deadline: 7/25/2021 Constructive Grant Deadline: 8/29/2021

Upon a motion by Mr. Berg Powers and seconded by Mr. Cortes the Board voted 5-0 to postpone the Special Permit and Variance applications to the June 28, 2021 Zoning Board of Appeals meeting and to extend the Constructive Grant Deadline to July 20, 2021.

Other Business

- 14. **Communications**
- 15. **Discussion of Board Policies and Procedures**
- 16. **Approval of Minutes – 8/3/2020; 2/22/2021-Held to June 28, 2021**

Adjournment

Upon a motion by Mr. Berg Powers and seconded by Mr. Cortes the Board voted 5-0 to adjourn the meeting at 7:33 p.m.