



# TOWN OF MILLIS

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## MILLIS ZONING BOARD OF APPEALS

900 Main Street • Millis, MA 02054

Minutes of the Millis Zoning Board of Appeal, November 21, 2023

Attending: Peter Koufopoulos  
Rob Fogarty  
Bonnie J. MacDonald

The Chairman called the hearing to order at 7:00 PM.

### **Continuation Public Hearing 1060 Main Street:**

The Chairman opened the continued public hearing for 1060 Main Street.

This petition was filed on behalf of 1060 Main Street Realty, LLC c/o Paul McGovern for a Comprehensive Permit (40B) for a proposed 24-unit apartment building with 1 commercial space at 1060 Main Street, Millis, MA. This is for property located at 1060 Main Street, Assessors Map #23, Parcel #96 Zoning District C-V. MCEOD Overlay District. The applicant falls under M.G.L. Chapter 40B, Section 20-23 to construct a 24-unit (6 affordable) apartment building with one commercial space with associated site improvements.

Engineer Merrikin presented revised site plans which were reviewed by Consultant PSC.

Consultant Houston was present. He explained that the majority of the comments been addressed. The applicant is seeking a waiver from the maximum building height. There was a recommendation for an additional infiltration basin.

The Board reviewed the draft decision and amendments were made. The Board would like to vote on the decision at the next meeting.

**On a motion made by Bob Fogarty, seconded by Bonnie MacDonald, the Board voted unanimously to continue the hearing for 1060 Main Street to December 19, 2023.**

### **Public Hearing: 46 Pleasant Street:**

The petitioner Christina Taddei filed an application with the office of the Millis Town Clerk, for property located at 46 Pleasant Street, Map #30, Parcel #45 R-V Zone.

The petitioner is seeking a side yard setback variance of 13 ft. for the construction of a garage next to the existing dwelling. 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.

The Chairman called the hearing to order at 7:00 pm.

The Notice of Hearing was read. Mr. Koufopoulos noted that abutters had been notified, the notice of hearing had been advertised. There were no abutters present.

The following additional information was submitted and entered into the record:

- Application dated November 2, 2023
- Proposed Plot Plan dated July 13, 2023 prepared by O'Driscoll Land Surveying.

Upon review of the documents, the Board makes the following motion.

Acting on a motion made by Ms. MacDonald, and seconded by Mr. Fogarty, the Board voted unanimously to close the public hearing.

Acting on a motion made by Ms. Mac Donald and seconded by Mr. Fogarty, the Board voted unanimously to grant a 13 ft. side yard setback variance for the construction of a garage next to the existing dwelling.

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:

**FINDINGS:**

1. The Board makes the following findings relative to the requirements of a Variance:
  - a. The Board finds that the granting of this variance will not cause a substantial detriment to the public good or impair the purposes and intent of the By-law.

**Public Hearing 331 Village Street:**

The Chairman called the hearing to order at 7:00 pm.

The petitioner Peter Bethoney filed the application with the office of the Millis Town Clerk, for property located at 331 Village Street, Map #40, Parcel #13 RS Zone.

The petitioner is seeking a finding under Section IX non-conforming uses, structures and extension and alteration to allow for the construction of a 30' x 60' metal building for car storage. This is not substantially more detrimental to the neighborhood than the existing non-conformity.

The 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.

The Notice of Hearing was read. Mr. Koufopoulos noted that abutters had been notified, the notice of hearing had been advertised. There were no abutters present.

The Board reviewed the application.

The following documents were entered into the record:

- Application dated September 27, 2023
- Certified Plot Plan dated September 20, 2023

Acting on a motion made by Mr. Fogarty and seconded by Ms. MacDonald, the Board voted unanimously to close the public hearing.

Acting on a motion made by Mr. Fogarty and seconded by Ms. MacDonald, the Board voted unanimously to make a finding under Section IX non-conforming uses, structures and extension and alteration to allow for the construction of a 30' x 60' metal building for car storage. This is not substantially more detrimental to the neighborhood than the existing non-conformity.

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 request is not unreasonable and would be of 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 grant a finding that under Section IX non-conforming uses, structures and extension and alteration, to allow for the construction of a 30' x 60' metal building for car storage. This is not substantially more detrimental to the neighborhood than the existing non-conformity.

### **Public Hearing: 20 Lexington Lane:**

The Chairman called the hearing to order at 7:00 pm.

By application filed with the office of the Millis Town Clerk, the petitioner Charles & Andrea Bilics, for property located at 20 Lexington Lane Street, Map #41, Parcel #48 R-S Zone. The petitioner is seeking a side yard setback variance of 10 ft. for the construction of an addition including a garage, mudroom with platform lift, family room, and accessible ramp.

Notice of the application was published in the Milford Daily News. A public hearing in accordance with said notice was held on Tuesday, November 21, 2023 at 7:00 pm in the Veterans Memorial Building, Room 130. Notice of the hearing was provided to the petitioners, abutters, and appropriate town boards and officials.

The Notice of Hearing was read. Mr. Koufopoulos noted that abutters had been notified, the notice of hearing had been advertised. There were no abutters present.

The following additional information was submitted and entered into the record:

- Application dated November 2, 2023
- Rosemont Design dated September 15, 2023

- Letters in support from abutters

Acting on a motion made by Ms. MacDonald, and seconded by Mr. Fogarty, the Board voted unanimously to close the public hearing.

Acting on a motion made by Ms. Mac Donald and seconded by Mr. Fogarty, the Board voted unanimously to grant a side yard setback variance of 10 ft. for the construction of an addition including a garage, mudroom with platform lift, family room, and accessible ramp.

### **OPINION/DECISION**

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:

### **FINDINGS:**

2. The Board makes the following findings relative to the requirements of a Variance:
  - a. The Board finds that the granting of this variance will not cause a substantial detriment to the public good or impair the purposes and intent of the By-law.

There was a motion to close the hearing.

Respectfully Submitted,

Amy Sutherland

