



TOWN OF MILLIS

MILLIS ZONING BOARD OF APPEALS

900 Main Street • Millis, MA 02054

Meeting Minutes

7:00 PM, Tuesday, October 20, 2020

Zoom Meeting

Present:

Members: Peter Koufopoulos, Wayne Carlson, Bonnie J. MacDonald and William Lawson.

Public Hearing:

946 Main Street:

The applicant submitted a request for the Zoning Board of Appeals to withdrawal without prejudice the petition which was filed by Medfield Holdings, LLC for property located at 946 Main Street, Assessors Map #23, Parcel 112, MUDOD Zone. The applicant submitted a Comprehensive Permit Application for 10 apartment units as part of a local initiative project.

On a motion made by Wayne Carlson and seconded by William Lawson, the Board voted by Roll Call to accept the request for 946 Main Street for the withdrawal without prejudice and will return the remaining money placed into the consultant account.

Roll Call Vote:

Peter Koufopoulos	aye
Wayne Carlson	aye
Bonnie J. MacDonald	aye
William Lawson	aye

376 Orchard Street:

A petition was filed by The Mill Brook School Foundation, for property located at 376 Orchard Street, Assessors Map #9 Parcel 001/001H, R-T Zone. The applicant seeks a finding that the expansion of the current use will not be more detrimental to the neighborhood.

The applicant has asked for a continuation until November 17, 2020.

On a motion made by Wayne Carlson and seconded by William Lawson, the Board voted by Roll Call to continue the hearing for 376 Orchard Street to November 17, 2020 at 7:00 pm.

Roll Call Vote:

Peter Koufopoulos	aye
Wayne Carlson	aye
Bonnie J. MacDonald	aye
William Lawson	aye

Causeway Street:

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

A petition was filed by Marissa Hannon, for property located at Causeway Street, Assessors Map #13 Parcel 0013-0009-0000, R-T Zone. The applicant seeks a special permit to operate a kennel.

By application filed with the office of the Millis Town Clerk, the petitioner, Melissa Hannon, for property located at Causeway Street, Map #13, Parcel #0013-0009-0000, R-T Zone.

The petitioner is seeking a special permit to operate a kennel per the Millis Town Bylaw, Agricultural Section.

Notice of the application was published in the Milford Daily News. A public hearing in accordance with said notice was held on October 20, 2020 via zoom. 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 public notice of hearing was read.

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

There were no abutters present to oppose this Special Permit.

On a motion made by Wayne Carlson and seconded by William Lawson, the board voted by roll call vote to unanimously to close the public hearing.

Roll Call Vote:

Peter Koufopoulos	aye
Wayne Carlson	aye
Bonnie J. MacDonald	aye
William Lawson	aye

On a motion made by Wayne Carlson and seconded by William Lawson, the board voted unanimously to grant a special permit to Marissa Hannon to operate a kennel.

Roll Call Vote:

Peter Koufopoulos	aye
Wayne Carlson	aye
Bonnie J. MacDonald	aye
William Lawson	aye

The following Condition was included:

- The owner of the property Jen Zarurski will provide a notarized document to the Zoning Board of Appeals granting permission to the applicant to operate the kennel on the noted property.

The hearing was closed at 7:30 pm.

OPINION/DECISION:

Under Section XI Section Q, certain uses, structures, or conditions are designated as permitted only by special permit in Section V, Table 1. Use Regulations and elsewhere in this By-Law. Upon written application duly made to the Special Permit Granting Authority the Special Permit Granting Authority may, in appropriate cases subject to the applicable conditions set forth in Sections XI and XII of this By-Law and elsewhere and subject to other appropriate conditions and safeguards, grant a special permit for such exceptions and no others.

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

416 Orchard Street:

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

Present were: Mr. Koufopoulos, Mr. Carlson, Mr. Lawson and Ms. MacDonald.

A petition was filed by Kevin Murray, for property located at 416 Orchard Street, Assessors Map #9, Parcel 2, R-T Zone. The applicant seeks a side setback variance to finish off existing storage space over garage.

By application filed with the office of the Millis Town Clerk, the petitioner, for property located at 416 Orchard Street, Map#9, Parcel #2 RT Zone.

The petitioner is seeking a finding under Section IX non-conforming uses, structures and extension and alteration that the finishing of the garage and second floor will not be substantially 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 October 20, 2020 at 7:00 pm via zoom. 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 and no correspondence had been received.

The applicant explained that they are seeking a finding that finishing of the existing storage space over the garage for use as an additional bedroom on the second floor which will not be substantially more detrimental to the neighborhood.

Acting on a motion made by Mr. Carlson and seconded by Mr. Lawson, the Board voted by roll call to close the public hearing.

Roll Call Vote:

Peter Koufopoulos	aye
Wayne Carlson	aye
Bonnie J. MacDonald	aye
William Lawson	aye

OPINION/DECISION

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 finding under Section IX non-conforming uses, structures and extension and alteration that the finishing of the garage second floor into a bedroom at 416 Orchard Street will not be substantially more detrimental to the neighborhood.

26 Cedar Street:

A petition was filed by Darrick Ferguson, for property located at 26 Cedar Street. Assessors Map #32, Parcel 42. The applicant seeks a frontage variance for a 28 x 24 addition.

A petition was filed by Darrick Ferguson, for property located at 26 Cedar Street Map #32, Parcel #42 and RS Zone.

The applicant seeks a 26 ft. front set back variance for the construction of an addition and a two-car garage. This is a pre-existing non-conforming structure.

Notice of the application was published in the Milford Daily News. A public hearing in accordance with said notice was held on Tuesday, October 20, 2020 via zoom.

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: Chairman, Peter Koufopoulos. Members; Wayne Carlson, William Lawson and Associate Member Bonnie J. MacDonald.

The Chairman called the hearing to order at 7:15 PM.

Mr. Koufopoulos read the Notice of Hearing and noted that abutters had been notified, the notice of hearing has been advertised.

There was not any additional correspondence entered into the record.

The petitioner Mr. Ferguson was present.

The petitioner explained that a 26 ft. variance is requested for the construction of a garage and addition. There were no abutters present to oppose the petition.

Acting on a motion made by Mr. Carlson and seconded by Mr. Lawson, the Board voted unanimously to close the public hearing.

Roll Call Vote:

Peter Koufopoulos	aye
Wayne Carlson	aye
Bonnie J. MacDonald	aye
William Lawson	aye

Acting on a motion made by Mr. Carlson and seconded by Mr. Lawson, the Board voted by roll call vote to grant a 26 ft. **VARIANCE**. The vote was **4 to 0 in favor**.

Roll Call Vote:

Peter Koufopoulos	aye
Wayne Carlson	aye
Bonnie J. MacDonald	aye
William Lawson	aye

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:

1. The Board makes the following findings relative to the requirements of a Variance:
 - a. This Property has unique conditions with respect to soils and topographical conditions along with the shape of the property which derive hardships.
 - b. 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.

Adjourn:

On a motion made by Mr. Skenderian and seconded by Mr. Lawson, the Board voted unanimously to adjourn the meeting.

The meeting adjourned the meeting at 8:30 pm.

Respectfully Submitted,

Amy Sutherland