



Zoning Board of Appeals

May 25th, 2016 – 7:30 PM

Town of Hanover

The following minutes are from the meeting of the Hanover Zoning Board of Appeals held on Wednesday May 25th, 2016 in Hanover Town Hall.

Zoning Board of Appeals Attendees:

Present: David Connolly, John Tuzik, Christopher Bernard and David Delaney

Others: Heidi Cho, Associate Planner

David Connolly called the meeting to order at 7:30 p.m. and read the rules of the meeting into the record, in the second floor hearing room at Town Hall, Hanover, Massachusetts.

Public Hearing for ZBA Case Z-16-4: 32 Oakland Avenue

David Connolly opened the public hearing for ZBA Case Z-16-4, 32 Oakland Avenue, and read the public hearing notice into the record. John Tuzik made a motion to waive the reading of the list of abutters. Chris Bernard seconded the motion. All others voted in favor. The applicant, Shawn Pinsonneault requested a variance for the removal and intensification of a pre-existing non-conforming garage (14' x 24') structure and construct of new garage (24' x 40') under Zoning By-law Section 4.220.3.b: Pre-Existing Non-Conforming Structures. However the applicant was not presented at the public hearing. Maureen Donohue, 48 Oakland Ave., read the petition letter signed by sixteen neighbors. Jeff Puleo, 40 Oakland Ave, mentioned that the neighborhood is in historical location of the town and stated the proposal of the applicant was not historically appropriate. David Connolly agreed that the neighborhood has the historic nature but it is not within the historic district. Regardless, the Board did not hear from the applicant regarding their reasonable motive concerning the requested special permit and variance. John Tuzik made motion to close the public hearing and to deny the application for 32 Oakland Avenue, Case Z-16-4. Chris Bernard seconded the motion. All others voted in favor.

Public Hearing for ZBA Case Z-16-5: 1070 Washington Street

David Connolly opened the public hearing for ZBA Case Z-16-5, 1070 Washington Street, and read the public hearing notice into the record. David Delaney made a motion to waive the reading of the list of abutters. Chris Bernard seconded the motion. All others voted in favor. The applicant, Michael J. McSharry requested a variance to divide the existing property and create one additional 32,969 sq. ft. lot. Furthermore, the applicant requested a special permit to build a residential structure on the new created lot within the Business zone. The applicant presented the site plan to the Board and stated that the said property is more suited as a residence because the property is located in the middle of residential lots. Thus, Peter Matchak, town planner expressed a special permit is required to allow residential development in a Business zoned district. The Board received an approval letter from Victor Diniak ,

Director of DPW regarding the split of the parcel to obtain a residential lot. The Board received a letter from Debra and Ernes Meads, 184 Old Washington Street, regarding concerns about the access from Union Street and potential expansions of the property with Map 30 Lot 102. Robert Steele, 389 Union Street, also stated his concern about the access from Union Street and failuyre of water pump. The Board wanted to hear more about interdepartmental comments such as police and fire department. John Tuzik made motion to continue this hearing pending the site visit to 1070 Washington Street on June 3rd. Chris Bernard seconded the motion. All others voted in favor.

Public Hearing for ZBA Case Z-16-6: 55 Buttercup Lane

David Connolly opened the public hearing for ZBA Case Z-16-6, 55 Buttercup Lane, and read the public hearing notice into the record. John Tuzik made a motion to waive the reading of the list of abutters. Chris Bernard seconded the motion. All others voted in favor. The applicant Kimberly and Robert Hofeman requested a variance of approximately six (6') feet for the proposed installation of an inground swimming pool.

The applicant presented two options to the Board. First option locates the pool farther away from their home and needs an installation of fence for privacy. The second option locates the pool in the middle of the house in order to have a closer access from the deck and behind the garage for privacy of the kids. This is also the most economical option for the applicant. David Connolly asked if the applicant thought about alternate shapes of a pool to create without a variance. The applicant found that the second option to be most economical and any change will cause 30-50% increase in fund.

The applicant presented a signed approval letter from the three neighbors for this pool variance. The Board also received an approval letter from Kathleen Glynn, 70 Buttercup Lane. Rick Truscello, 47 Buttercup Lane, approved a variance with condition of 4 feet fence around the pool. Mr. Truscello also voiced his concern of the topography of the two abutting lots. Siting that if the above ground pool were to fail flooding could occur to his property. The Board found that the insufficient materials were provided to agree on the statutory guidance of variance law. John made motion to hold the site visit on June 3rd and continue the hearing on June 15th. David Delaney seconded the motion. All others voted in favor

Review Meeting Minutes from Zoning Board of Appeals Meeting March 30, 2016:

John Tuzik made a motion of accept the meeting minutes from March 30, 2016 as written. Chris Bernard seconded the motion. All other voted in favor.

The meeting was adjourned at 8:55 p.m.

Respectfully submitted by:
Heidi Cho
Associate Planner