



Zoning Board of Appeals

August 31th, 2016 – 7:30 PM

Town of Hanover

The following minutes are from the meeting of the Hanover Zoning Board of Appeals held on Wednesday August 31th, 2016 in Hanover Town Hall.

Zoning Board of Appeals Attendees:

Present: Matthew Perkins, David Delaney, John Tuzik, and David Connolly

Others: Peter Matchak, Town Planner

Matthew Perkins 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-16-8: 74 Spring Street

Matthew Perkins reopened the public hearing for ZBA Case Z-16-8, 74 Spring Street, The applicants, Donald R. Parry and Renee F. Parry, requested a special permit for the “utilization of an accessory dwelling unit” applying Section 6.020 of the Hanover Zoning Bylaws of 2002 and Section 6.020 of the Hanover Zoning Bylaws of 2014 for the proposed conversion of a dwelling that has existed for ten years or more to allow for the inclusion of a second dwelling unit. On behalf of the applicant, Donald Kethro Esq. submitted a Memorandum in Support of Application for Special Permit dated and filed with the Hanover Town Clerk on August 26, 2016. Attorney Kethro briefed the Board on his finding and opinion concerning the application filed siting the applicants standing applying under the 2002 bylaw the Section 6.020 due to the date of the original building permit issued on December 27, 2002. Taking all submitted materials the Board reviewed the case. After deliberation the Board came to a consensus the applicant has followed the rules and regulation documenting all necessary steps of the community. Therefore, including all presented evidence including two legal opinions. Matt Perkins made a motion for approves the application for 74 Spring Street case Z-16-8 siting the applicant has complied with the communities rules and regulations. David Delaney moved the motion, John Tuzik seconded the motion. All others voted in favor.

Public Hearing for ZBA Case Z-16-15: 760 Main Street

Matthew Perkins opened the public hearing for ZBA Case Z-16-15, 760 Main 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 JMGH Family Reality Trust, P.O. Box 948, Hanover, MA 02339, filed with the Town Clerk on July 28th, 2016 for property located at 760 Main Street, Hanover, MA, Assessors Map 22, Lot 004, zoned Residence A. The applicant requests a special permit and a variance for demolition and reconstruction of a pre-existing non-conforming single family dwelling under zoning bylaw section 4.220.A.2.b. After review of said application the Board

removed the applicant's request of a variance and cited the proper section of the bylaw that applied to the application is section 4.220.A.2.a requiring a special permit. The Board found the proposed house locations would not cause any extension to the existing pre-existing non-conforming setback.

Greg Morse, of Morse Engineering representing the applicant presented the proposed site plan describing the applicants proposal to raze the current dwelling and barn structure at 760 and build a one family dwelling. Abutter John O'Leary, 754 Main Street inquired if the location of the fence between the two properties marked the correct property line.

Board Member, David Connolly for the record accepted the identified the existing non-conforming attributes of the lot in question concerning the frontage, square footage, and side yard setback. The proposed location of the new structure will bring both the rear and front yard setbacks into compliance.

David Connolly made a motion to approve the application of JMGH Family Trust, 760 Main Street case Z-16-15. David Delaney seconded the motion all other voted in favor.

Public Hearing for ZBA Case Z-16-14: 1105 Main Street

Matthew Perkins reopened the public hearing for ZBA Case Z-16-14, 1105 Main Street. The Town Planner, Peter Matchak presented to the Board with a revised submitted diagram with site plan. Furthermore Town Planner, Peter Matchak informed the Board of a conversation which was had with Sandra Phillips of 1113 Main Street. Ms. Phillips expressed her concerns including the size of the proposed structure and the negative effect to the storm water runoff to the local area. Joe Abraham, the applicant asked to withdraw the application Z-16-14 without prejudice. The Board accepted the applicants request and states the Board would be willing to work with the applicant in the future with a modified

Public Hearing for ZBA Case Z-16-17: 57 Jefferson Road

Matthew Perkins opened the public hearing for ZBA Case Z-16-17, 57 Jefferson Road and read the public hearing notice into the record. David Delaney made a motion to waive the reading of the list of abutters. John Tuzik seconded the motion. All others voted in favor. The applicants James Camperchio, 57 Jefferson Road, Hanover, MA 02339, filed with the Town Clerk on August 10th, 2016 for property located at 57 Jefferson Road, Hanover, MA, Assessors Map 35, Lot 032, zoned Residence A. The applicant requests a variance of front setback of approximately ten (10') feet under Zoning Bylaw Section 7.430, Front, Side and Rear Setbacks, Table 7-1 Dimensional Regulations, for the proposed installation of an above ground swimming pool.

Mr. Camperchio presented site plan of the locus to the Board explaining that due to the attributes of the lot in question being a corner lot and due to the location of the parcels leaching field and septic system the requested area is the scene by the applicant to be the most appropriate and safe location for an above ground swimming pool. There were no abutters present at the meeting. After reviewing all submitted material the David Connolly made a motion to approve the requested variance for the installation of an above ground swimming pool. John Tuzik seconded the motion. All others voted in favor.

Review Meeting Minutes from Zoning Board of Appeals Meeting August 10, 2016:

David Delaney made a motion to accept the meeting minutes from August 10, 2016 as written. John Tuzik seconded the motion. All other voted in favor.

The meeting was adjourned at 9:14 p.m.

Respectfully submitted by:

Peter Matchak

Town Planner