



ZONING BOARD OF APPEALS

OCTOBER 7, 2015 – 7:30 PM

TOWN OF HANOVER

The following minutes are from the meeting of the Hanover Zoning Board of Appeals held on Wednesday, October 7, 2015 in Hanover Town Hall.

Zoning Board of Appeals Attendees:

Present: Matthew Perkins, David Delaney, Brian Callow and Christopher Bernard.

Absent: David Connolly and John Tuzik.

Others: Peter Matchak, Town Planner

Matt Perkins, Chairman of the Zoning Board of Appeals, called the meeting to order at 7:35 p.m. and read the rules of the meeting into the record, in the second floor hearing room at Town Hall, Hanover, Massachusetts.

Review Minutes from Zoning Board of Appeals Meeting held on September 2, 2015:

The Board reviewed the meeting minutes from September 2, 2015. David Delaney made a motion to accept the meeting minutes as written, Christopher Bernard seconded the motion. All others voted in favor.

Requested Extension of Special Permit, Variances and Site Plan Approval ZBA Case Z-14-7: 263 Winter Street:

Pursuant to Section 13.200 of the Hanover Zoning Bylaws, American Towers, LLC (“American Tower”), requests a six (6) month extension of the Special Permit, Variances and Site Plan Approval granted by the Board and filed with the Hanover Town Clerk on October 9th, 2014 for the development of cell tower facility at 263 Winter Street. American Tower, LLC has purchased the ZBA’s approval from AT&T the original applicant to develop a 160’ cell tower located at 263 Winter Street. American Tower is requesting a six month extension to complete their due diligence period. Matt Perkins made a motion to grant American Towers, LLC a six (6) month extension to April 9, 2016. David Delaney seconded the motion. All others voted in favor.

Public Hearing for 1087 Main Street, ZBA Case Z-15-17:

Matt Perkins opened the public hearing for ZBA Case Z-15-17, 1087 Main Street, and read the public notice into the record. David Delaney made a motion to waive the reading of the list of abutters. Christopher Bernard seconded the motion. All others voted in favor. The applicant, MJB Investments, c/o Matt Bessette, 50 Waterman Street, East Bridgewater, MA 02333, filed with the Town Clerk September 18, 2015 for property located at 1087 Main Street, Hanover, MA Assessors Map 9, Lot 10. The applicant

requests a Special Permit under Section 4.220 “Pre-Existing Non-Conforming Structures” of the Town’s Zoning Bylaws. The applicant proposes the reconstruction of a new foundation and single family dwelling in the same location of the existing structure, using the same footprint which currently exists on the site. The applicant presented a site plan describing the preexisting non-conformances. The Board recognized the existing home is situated on a pre-existing non-conforming lot consisting of 10,454 sq. ft. Additionally, the Board recognizes existing setback non-conformances (Front yard setback: 19.3’, southerly side set back: 1.5’, and a northerly side set back of 10.9’). No parties of interest or abutters spoke were present or spoke in opposition. Matt Perkins made a motion to close the public hearing and to approve the application for 1087 Main Street, Case Z-15-17 with condition that required permits will be obtained through the Board of Health and Conservation Commission. Furthermore, the existing structure was built in 1860. Due to the age of the home the applicant is required demolition approval from Hanover Historical Commission. Chris Bernard seconded the motion. All others voted in favor.

Public Hearing for ZBA Case Z-15-16: 54 Old Shipyard Lane

Matt Perkins, Chairman opened the public hearing for ZBA case Z-15-17, 54 Old Shipyard Lane and read the public hearing notice into the public record. The Board was presented with a request for a continuance from the petitioners, Caleb Estabrooks and Elizabeth Johansen to the next scheduled Zoning Board of Appeals Meeting. Caleb Estabrooks and Elizabeth Johansen, 67 Washington Street, Hanover, MA 02339, filed a notice of appeal with the Town Clerk on August 17, 2015 for property identified as 54 Old Shipyard Lane, Hanover, MA Assessors Map 58, Lot 39. The petitioner has filed a notice of appeal concerning the Zoning Enforcement Officers, zoning determination pursuant to M.G.L. c. 40A Section 7 and 15, related to Section 5.700 of the Town of Hanover Zoning Bylaw. The petitioner is appealing the Zoning Enforcement Offices ruling; the Hanover Zoning Bylaw Section 5.700 – Lots in Wetland Resource Area or Well Protection Zone is not applicable to the locus identified as 54 Old Shipyard Lane due to the existence of the locus prior to the adoption of Section 5.700 of Hanover Zoning Bylaw. Receiving the requested continuance Matt Perkins made a motion to continue the to the next scheduled Zoning Board of Appeals meeting on November 4, 2015 at 7:30 p.m. Brian Callow seconded the motion. All others voted in favor.

David Delaney made a motion to adjourn the meeting at 8:15 p.m. Chris Bernard seconded the motion. All others voted in favor.

The next Zoning Board of Appeals meeting is scheduled for Wednesday, November 4th, 2015.

The meeting was adjourned at 8:15 p.m.

Respectfully submitted by:
Peter Matchak
Town Planner