



ZONING BOARD OF APPEALS

NOVEMBER 4, 2015 – 7:30 PM

TOWN OF HANOVER

The following minutes are from the meeting of the Hanover Zoning Board of Appeals held on Wednesday, November 4, 2015 in Hanover Town Hall.

Zoning Board of Appeals Attendees:

Present: David Delaney, David Connolly and John Tuzik.

Absent: Matthew Perkins, Brian Callow and Christopher Bernard.

Others: Peter Matchak, Town Planner

David Delaney, Vice 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 first floor Advisory hearing room at Town Hall, Hanover, Massachusetts.

Public Hearing for 109 Bardin Street, ZBA Case Z-15-19:

David Delaney opened the public hearing for ZBA Case Z-15-19, 109 Bardin Street, and read the public notice into the record. David Connolly made a motion to waive the reading of the list of abutters. John Tuzik seconded the motion. All others voted in favor.

The applicants William and Diane Hallett, 109 Bardin Street, Hanover, MA 02339, filed with the Town Clerk September 18, 2015 for property located at 109 Bardin Street, Hanover, MA Assessors Map 72, Lot 049, zoned Residence A. The application requests two variances from Zoning Bylaw Section 7.400, Front, Side, and Rear Setbacks, Table 7-1 Dimensional Regulations. The applicant requests a variance of 28'6" of relief from the rear lot line. Secondly, the applicant requests a variance of 13'4" of relief from the side lot line. The applicants are requesting the two variances for a pre-existing shed which was placed in its current location in 2009. William Hallett read a letter addressed to the Board dated September 18th, 2015 which described the time line of events concerning the current location of the existing non-conforming shed at the property of 109 Bardin Street. The shed in question has been located in its present-day location since 2009. Said shed was first built in 1999 in a location which encroached on the property line of 103 Bardin Street and 109 Bardin Street. Additionally, the applicant submitted pictures showing the location of the shed and abutting property line. Mr. Hallett when questioned by the Board stated that in 2009 when relocating the shed he knew he was in violation of the zoning setbacks.

The Board then opened the public hearing up for citizen inquires. Peter Goodine asked if the shed required a building permit. Peter Matchak, Town Planner stated due to the size of the shed no building permit was required. However, all structures must comply to Zoning setbacks. Christopher and Karen

Wallace of 103 Bardin Street, direct abutters stated the location of the shed negative impacts their property and was like to see the shed moved from its current location.

John Tuzik made a motion to deny the application of William and Diane Hallett, 109 Bardin Street, ZBA case Z-15-19, citing the applicant failed to prove a hardship required under M.G.L 40 A section 10. David Connolly seconded the motion. The Board voted unanimously.

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

David Delany reopened the public hearing for ZBA case Z-15-17, 54 Old Shipyard Lane and was presented with a letter from Attorney Adam J. Brodsky dated September 29, 2015 requesting to withdraw the application of the petitioners, Caleb Estabrooks and Elizabeth Johansen, 67 Washington Street, Hanover, MA 02339, for property identified as 54 Old Shipyard Lane, Hanover, MA Assessors Map 58, Lot 39. The Board unanimously accepted the withdrawal of ZBA case Z-15-17, 54 Shipyard Lane.

David Delaney made a motion to adjourn the meeting at 8:35 p.m. John Tuzik seconded the motion. All others voted in favor.

The next Zoning Board of Appeals is to be determined.

The meeting was adjourned at 8:35 p.m.

Respectfully submitted by:

Peter Matchak

Town Planner