

## Zoning Board of Appeals Minutes, 04/06/2016

**Zoning Board of Appeals  
Minutes  
April 6, 2016  
Landuse Meeting Room**

**Members present:** Chair Ethan Berg, (EB); Robert Fuster Jr., (RFjr); Ned Douglas, (ND); Al Harper, AH; Robert Fuster, RF

**Absent with notification:** Clifford Snyder, (CS); Shawn Leary Considine, (SLC)

**Staff present:** Gwen Miller, Land Use Director/Town Planner; Peggy Ammendola, Land Use Clerk

**Alternate member** recommendation to Board of Selectmen-The Board unanimously agreed to recommend that the Board of Selectmen appoint Clayton Hambrick as an alternate to the ZBA.

**Michael D. and Sara B. Lane, 168 Hubbard Street, Map 47 Parcel 61, Special Permit under Section 7.2** “Accessory Dwelling Unit” (ADU) to allow use of an existing living space as an Accessory Dwelling Unit.

Presenting the Petition was Attorney Jeff Lynch and Sara and Michael Lane.

Abutters present were: Tom Bosworth, Neal Carpenter and Doug Gould, all residents of Hubbard St. Tom Delasco was also present.

Attorney Lynch stated that about five years ago the Lanes built a double garage with a 700 foot one bedroom unit above with the vision to build a larger home later. A larger addition, the primary residence, has since been added on the 11 acre lot. The structure is barely visible from the road in the winter and not visible when the trees are leafed out. The Lanes are seeking approval for the use of the apartment as an ADU which will provide additional housing but without additional construction. Attorney Lynch reviewed each part of Section 7.2 of the bylaw and demonstrated how the unit meets all requirements. The Lanes will continue to live in the primary residence and have provided an affidavit which affirms this fact.

Neal Carpenter, of 170 Hubbard, said that he supports the petition, and added that ADUs should be allowed for all homeowners without a Special Permit provided that they meet all of the building codes. Tom Bosworth of 135 Hubbard also spoke in support of the petition. Doug Gould of 160 Hubbard said that he supports the petition but expressed concern regarding traffic on Hubbard related to the equipment and machines associated with Mr. Lane’s business. It was noted that this is a separate issue from the application presented. Mr. Gould asked if the existing lighting would change. Mr. Lane said that it would not.

EB made a motion to close the public hearing. ND seconded the motion and the Board voted to agree 5-0.

RF made a motion to allow the granting of the Special Permit as presented. RFjr seconded the motion and the Board voted to agree 5-0.

Late today the Board received written request from the Petitioner to withdraw without prejudice the following petition which had been scheduled for 7:30 PM: **Stephane Ferioli, 94 and 100 Church Street (Map 43, Parcels 86 and 87), Special Permit Section 5.1.7** “Reduction of Parking Requirements” of the Zoning Bylaw for a By Right Use in the “C” district. *This hearing had been opened by reading the notice. A letter was provided by the petitioner who requested to continue to April 6, 2016.*

**Minutes:** March 16, 2016-Due to a lack of a quorum, the approval of the minutes were tabled.

Respectfully submitted,

Peggy Ammendola