



*ZONING Board of APPEALS
14 Wallace Ave.
Fitchburg, MA 01420*

**MINUTES OF THE MEETING
February 14, 2017**

- 1. Call to Order: LM**
- 2. Communications**
- 3. Hearings**

PLEDGE OF ALLEGIANCE: All
ATTENDANCE: LM, MM, NS, AP & AZ

6:00 PM
ZBA-2016-24
Hannah Wanjiku & Timothy Kihiko
160 Plymouth St.

Petitioner not present when the case was called.

Councilor Paul Beauchemin (Ward 2) asked to make a statement on the case:

Beauchemin: I live right up the street from that area. When they first bought the property, I complained about trash out front, and that trash is still there. Also, they started renovations before coming here to get permission. My major concern, though, is that these people are out-of-towners – they live in Lowell. So, if there's a problem, how do the neighbors get ahold of them to complain.

LM: I believe at the first meeting, the petitioner did say that the person working on the renovations would be living in the property and managing it, but we'll check with him on that. Anyone else seeking any information?

[Seeking Information: None, In Favor: None, Opposed: None]

LM: We have to wait two more minutes before we can call the next case.

LM: So, how do we want to proceed on this case?

AZ: Petitioner was very late last time, too. Frankly, I'd like to just vote now and reject – I wasn't in favor in the first place, and given where we left it last time, I can't imagine what he'd say tonight that would change anything.

MM: I'm ready to vote.

NS: I think we should put it off for another month and give him another chance. For us, it's just time, but for him, he's got a lot invested.

LM: I think I'd be inclined to give him one more opportunity.

AZ & MM: No dissent.

MM: Motion to continue to 3/14/17, time TBD.

AZ: Seconded.

VOTE: 5-0 (LM, MM, AZ, AP, NS)

Continuance

6:15 PM
ZBA-2017-03
Craig LaCrosse
26 Caswell St.

Petitioner not present. Some audience members looking to give information on the case.

LM: We haven't opened the case yet, because we haven't heard any initial info from the petitioner, so no information yet.

[Petitioners from the first case enter – Board informally agrees to reopen that case at the end of the night.]

[Mr. LaCrosse arrives, explains that he went to the wrong building initially. Case is opened.]

Petitioner is seeking a Special Permit for Reinstatement of a preexisting nonconforming structure. He explains that he purchased a single-family home, got permits to do roofing, windows, and siding, but was then informed that it was a non-conforming lot and received a C&D from the Building Department.

LM: Anyone seeking information?

Jeff Jollimore [131 Longwood Ave.]: I'm probably the closest abutter. I'm happy that the property is being cleaned up, and I applaud the effort, but I'm a bit disappointed that it's lost much of its Victorian character and now looks a bit like a box – I understand market necessities, though. My concern is that thus far, Mr. LaCrosse has engaged in some renovations beyond the scope of his existing permits. I'm also concerned that it has looked like the property is being converted from a one-family to a two-family [including a second door on the front], which I'm concerned to see does not happen. Also, three trees on city property were taken down, and I don't recall there being any Live Tree Hearing for those. The driveway has been rebuilt, and widened, further causing concerns that it's being intended for multiple occupancy. Lastly, it looks like the garage is being converted into a possible accessory apartment. Also, work on the property has continued late into the evenings, causing some disruption. And the property has been regraded with loam, but care wasn't taken, leading to a significant runoff of mud all down the street.

LM: Mr. LaCrosse?

Craig LaCrosse: It is definitely a single-family, and there are no plans to change that. The issue with the Building Department in terms of scope of work was just that there was a delay in getting them a floor plan. The garage is just a garage, and doesn't have any plumbing, so no one could live there – it has a man-door on both sides only because the way the garage is built, those are necessary for access after parking a car. As for the trees, there was an Asian longhorn beetle infestation discovered, so we contacted the city and got permission to remove the trees at my own expense. I have emails from the city arborist confirming that permission. The driveway is the same size as it was when I bought it – the only difference is that I paved it, when it was dirt before. We got a permit for that, too. As for the loam, I apologize – we were trying to divert water to prevent flooding of the basement, but the weather caused problems. We're working with the city to get a full curb put in. In the meantime, I'd be happy to personally clean up the runoff of mud. I have no plans to sell the house or use it for tenants – my mother will be living there.

LM: So, what about the addition of an extra door to the front?

LaCrosse: The original door opened onto the staircase, like a boarding house. We put a new door to open into the living room. When the Building Inspector objected, we removed one of the doors, so there's now only one.

LM: Anyone else with different information?

Emily Grandal [335 Blossom St.]: We have a great view and are pleased with the progress, but the view is too good – are you planning to replace the trees with any sort of privacy fence or hedge?

LaCrosse: Well, we didn't remove the trees for any view or privacy reasons – it was to get rid of the beetles. We can do a fence, just not along the road itself because that would create visibility issues for cars.

Michael Kushmerek (Ward 4) [339 Blossom St.]: I've spoken to Mr. LaCrosse several times, and I approve of the restoration. My concerns are similar to Mr. Jollimore's – I don't want to see a two-family. If it's a one-family, it will be a good thing for the neighborhood. I can confirm that I was informed that the trees were coming down, and also that I spoke to the city's Tree Warden, Gary Withington, and he confirmed a tree infestation and that they would have to be taken down. I can also confirm that we're working with the DPW to get them to look into that curb in the spring – they'd like to see some trees to prevent erosion.

[Audience member – name indistinct in recording: 148 Longwood Ave.]: Did I hear that it's for your mother? Would she be the owner?

LaCrosse: Yes, that's correct.

[No further audience members with information or questions]

[AP and NS – no questions]

MM: Since this is a Special Permit for reinstatement, the ordinance requires us to find architectural features worthy of rehabilitation. There were originally some nice old porches on the house, and those have been removed. Any plans to put those back on? Right now it looks a bit like a condo.

LaCrosse: We applied for a permit to put one of the two porches back on, but we were told that we had to get permission here first.

MM: So, if you're approved tonight, will you put them back on?

LaCrosse: I don't think we'd put the one on the front back on – just a landing, but no roof. But the one on the back will probably be restored.

AZ: One question – can we get copies of some of the paperwork you mentioned earlier, like the email from the Tree Warden?

LaCrosse: Certainly.

AZ: OK, nothing else – I think we have the mandatory SP findings covered, and any concerns we could address through conditions.

LM: How long do you think the construction will continue?

LaCrosse: A few weeks left on the outside work, maybe 5-6 months on the interior.

LM: How about removal of debris?

LaCrosse: The interior was already gutted, including someone having stolen the plumbing, and all the outside removal has been completed.

NS: So, only your mother will be living there?

LaCrosse: I'm not positive – it might be my mother and another relative.

NS: Are you planning on renting out rooms?

LaCrosse: Definitely not – it wouldn't be allowed, and I wouldn't want to have my mother living with strangers anyway.

NS: You see why I'd ask? It's a large place for an older woman living alone.

LaCrosse: I own a 5,000 sq. ft. house, myself. Just because you have the money to own a large property doesn't mean you're going to run it like a boarding house.

Hearing Closed:

Deliberations:

[All members indicate favorable to the petition.]

MM: Don't know if we need a review for completion. I'd like to see a condition that that rear porch be rebuilt, since the petitioner said he already intends to.

AZ: I agree, it meets the criteria – it has architectural value and the restoration will be good for both the neighborhood and the city. I believe the petitioner when he says it will be a single-family, but for the peace of mind of the neighbors, I'd like to see that made an express condition. Technically it would be a violation anyway to have a two-family in Zone RA-1. I agree with the condition on the porch, and would also like to see a condition that construction stop maybe at dusk, since there have been noise issues.

LM: I agree with the conditions thus far, but I don't want to limit him to dusk because people like to work in their homes in the evenings.

AZ: Agreed – I was thinking in terms of machinery, not so much hammer and saw.

LM: Do we want to address the issue of fencing?

AZ: I think we can do that on review, if it hasn't already been addressed by then.

LM: A review for 6 or 8 months, then?

MM: He said at least 6 months to do the interior, so maybe 8 months.

MM: Motion to approve the Special Permit with conditions as stated.

AZ: Seconded.

VOTE: 5-0 (LM, MM, AZ, AP, NS)

Approve the Special Permit

6:30 PM
ZBA-2017-04
John & Kelly Caban
24 Aimee's Way

Petitioner seeks a renewal of an accessory apartment permit. Accessory apartment has been in use for over 10 years, no issues, in compliance with all regulations, no external indication that there is anyone else living there.

[Seeking Information: None, In Favor: None, Opposed: None]

[MM, AZ – no questions]

LM: When it's done being used as an accessory apartment, what's the plan for re-converting to a single-family?

John Caban: Just change the bedroom back to a family room – that's it.

[NS, AP – no questions]

Hearing Closed:

Deliberations:

[All members indicate in favor]

MM: Motion to grant the Special Permit with standard accessory apartment conditions.

AZ: Seconded.

VOTE: 4-1 (LM, MM, AZ, AP, NS)

Approve the Special Permit

7:00 PM
ZBA-2017-05
Cumberland Farms, Inc.
479 Electric Ave.

Petitioner seeks a Special Permit for fuel dispensing, as the existing structure will be demolished and rebuilt. Tom Reedy (Atty. for Petitioner) introduces civil engineer Phil Henry, who explains the plans as on-file. Plans have been updated to reflect Planning Board requests.

Councilor Beauchemin: I'm not here as a Councilor, just as a citizen. I feel that we have far too many curb-cuts along Electric Ave. already, so I think one of the two proposed curb-cut along Electric should be eliminated in favor of using the rear right-of-way through the shopping plaza. Cumberland Farms has another facility on Mechanic St. that has only one access, and it works just fine. The additional left turn off Electric is a traffic risk and a pedestrian risk. [The Councilor re-emphasizes the rear right-of-way access and the presence of too many curb cuts.]

Phil Henry: We're not adding any curb cuts, and are already restricting an existing full-access cut to a right-in-only cut. We do need all the curb cuts for site circulation, particularly for access by fuel trucks. We're also giving significant consideration to site lines from the entrances.

Beauchemin: The trucks don't come in from Electric – they come in from Rollstone. [Reiterates the limited access on Mechanic.] I ask that they just try it with fewer curb cuts, and if it doesn't work, they can come back and change it.

Henry: The new site has completely different layout than the current site. Right now, I don't doubt that the trucks come in from Rollstone, but that isn't feasible with the new pump and tank location. The trucks fill from the right, as a best-practice, and that isn't feasible if the truck has to come in from the rear access, given the location of the tanks and the fuel fill-pipes. They'd have to snake through the entire lot and disrupt all traffic.

[AZ, AP, NS – no questions at this time]

LM: What will the outer store look like?

Henry: It will be similar to the other newer Cumberland sites you may have seen – very much New England architecture, quality materials.

LM: Where will the dumpster be? Will it be enclosed?

Henry: [Indicates location on plot] 6-foot high white vinyl fences.

LM: [Confirms location of parking and shrubbery on plot]

Henry: All the shrubbery is low-lying and won't impede sight lines. The trees are sited to clear sight lines as well.

LM: Trees? Where will those be, and how tall will they be?

Henry: At install, 6-8 ft., growing to 20-25 ft. over 20 years or so.

LM: Is there pedestrian access between greenery and the street?

Henry: We're planning new sidewalks, with an ADA ramp at the city's new crosswalk.

LM: What will the sidewalk be made of?

Henry: We're matching what's currently there – bituminous asphalt.

LM: Any granite curbs?

Henry: Yes, all street-side curbs are vertical granite, inside is sloped granite.

MM: Can we do concrete sidewalks for longevity reasons?

Henry: Sure, we can ask about that – the original intent wasn't about cost, it was just about matching the existing conditions.

LM: We certainly wouldn't mind an upgrade.

Henry: We can certainly look into that.

LM: How about trash receptacles?

Henry: They're not on the plan, but it's going to be one at each entrance. Cumberland Farms likes to keep all their sites well-maintained for reputation reasons, and they have a sort of "secret shopper" program to inspect the stores and reward the employees for good maintenance.

[Further discussion confirming and clarifying details on plan – no new substantive info.]

MM: I'm actually more concerned about the entrance on Rollstone than on Electric. The new roundabout doesn't indicate whether it's going to be raised, so it's not clear if it's obstructed coming out.

AZ: It looks like it's not that section that's raised.

Henry: Yes, it's completely clear as currently proposed, and we'll adjust if the city changes its plans.

LM: Is the right-in-only curb cut a necessity?

Henry: We feel it's important for site circulation, because otherwise anyone coming in from Electric would have to make a hairpin turn to reach the parking spaces.

Beauchemin: I'm concerned that the trees will obstruct visibility when they're in full blossom. Also, on Rollstone, since the new facility might create more traffic, will you be willing to install pedestrian flashers on the crosswalk?

Henry: As I understand it, this rotary plan we got from the city is preliminary – it may be that the city will end up installing those anyway.

MM: So, you're willing to go with concrete sidewalks?

Henry: Sure, there's no engineering issue with it, so we have no issue. As long as the DPW agrees.

LM: If we put it as a condition, it should be fine with them.

Henry: OK then – we just don't want to get stuck in the middle between two authorities.

MM: Yes, I'd like to see that, since it's better for the city to do it right the first time and raise the bar for the future.

Reedy: I think if it's a condition of approval, our clients will approve it.

LM: What amount of clearance will there be below the branches on the trees?

Henry: Our plans indicate there should be 6 ft. of clear height to the lowest branch – that's what the tree people should be installing.

LM: So, what's the timeline?

Henry: We have several projects lined up at any one time, and we do them in an order dependent on other factors including city construction like this rotary. It may be later this year or early next year, but our goal is to get the lot shovel-ready, then begin work as convenient.

AZ: I wonder if, on Rollstone, we could maybe make it left or right in, but right-out only? It looks like it might be an issue to have people cutting across Rollstone as people round the corner on the rotary.

Henry: Actually, if we close that off, it funnels *more* people into the rotary, causing more traffic overall.

AZ: OK, makes sense to me – I just wanted to check into that.

Beauchemin: [Reiterates objection to the second curb cut on Electric.]

NS: I think they already addressed this.

MM: I'd like to remind us that this is an SP for fuel dispensing, not full site plan review.

LM: Yes, but this could affect the operation of the fuel dispensing. If you were to eliminate that access, and use the rear right-of-way, what effect would it have on your operation.

Henry: Given the route the fuel trucks need to take to access the tanks, without that curb cut, maneuvering the trucks would become nearly impossible. Best-practices encourage large trucks to take left-hand turns whenever possible. Also, I don't know, but I have concerns about the legality of using the right-of-way for fuel trucks. Going in through any other access either requires the trucks to take infeasible right-hand turns, or go throughout the entire site to get to and from the fill station.

Hearing Closed:

Deliberations:

MM: In favor, and I think it meets the SP conditions. I'd like a condition that the sidewalks be concrete, not asphalt.

AZ: I'm in favor, and I agree with that condition. I do also feel that it will be beneficial to the neighborhood and the city and won't disrupt traffic, so it meets the SP conditions. I'd also like to comment that the petitioners made a good point about the right-of-way – I can't say for sure, but there's

definitely a strong possibility that using the right-of-way for truck access rather than commuter traffic would overburden the easement. So, I don't feel it would be reasonable to force them to do that rather than use the second curb cut.

AP: I'm in favor, and I think the rotary and the right-in-only address Mr. Beauchemin's issues with traffic.

NS: In favor, and I love the new look.

MM: Also strongly in favor.

LM: In favor, and I'd like to move forward with it.

MM: Motion to approve the Special Permit with plan as proposed, conditions as discussed.

AZ: Seconded.

VOTE: 5-0 (LM, MM, AZ, AP, NS) Approve the Special Permit, with conditions

7:15 PM
ZBA-2017-06
Michail N. Karamanos
9 Cross St.

Petitioner seeks reinstatement of a single-family nonconforming structure.

Joanna Karamanos: We bought the property at the end of November. There were apparently illegal tenants, but it was officially vacant. We did make a small repair to the roof, even prior to permits, because it was leaking and we needed to prevent further damage to the property. We [Joanna and her father, Michail] plan to use it ourselves, though that may change in the future.

[Seeking Information: None, In Favor: None, Opposed: None]

[AZ – confirm location of house]

AZ: What kind of overall repairs are we looking at?

Karamanos: We don't know – until we get this permit, we haven't been able to get any inspectors in to tell us what needs to happen. We'll do whatever has to be done to bring it up to code.

[AP, NS, MM – no questions.]

LM: Any exterior renovations?

Karamanos: We plan to fence in the backyard to keep people from cutting through from Milk, but not really anything else.

Hearing Closed:

Deliberations:

AZ: I'm in favor, and I think it meets the criteria – it's of benefit to the neighborhood to have a run-down building cleaned up and prevent further squatters. I also feel it does have the required architectural merit – with the right clean up, it has the potential to be a gem.

[NS, AP – in favor]

MM: I'm in favor, and I also think that it would have a minimum impact on city facilities. I'm concerned, though, that Zone RC allows for two-family homes as of right, but I really don't think this is a good building for a two-family, even at any point in the future – I'd like to see an express condition on that.

LM: I'm in favor and agree with the condition, which shouldn't impact the petitioners at all.

MM: Motion to approve the Special Permit with conditions as discussed.

AZ: Seconded.

VOTE: 5-0 (LM, MM, AZ, AP, NS) Approve the Reinstatement, with conditions

7:30 PM
ZBA-2017-07
Horne & Associates, LLC
70 & 72 Sheridan St.

Petitioner seeks reinstatement of a double-duplex structure as a four-family.

No one is present after three calls.

MM: Motion to reschedule for next month, time to be noticed to petitioner.

AZ: Seconded.

VOTE: 5-0 (LM, MM, AZ, AP, NS) Rescheduled for March

7:45 PM
ZBA-2016-24
Hannah Wanjiku & Timothy Kihiko
160 Plymouth St.

[Motion made and unanimously approved to rescind the continuance and reopen the case tonight]

Stephen Mansouri (civil engineer) is in attendance with Timothy Kihiko.

LM: To cut to the chase, we have a parking issue, and it's looking like the Board is not willing to entertain the idea of a three-family unless we see a parking plan that has at least 6 adequate parking spaces.

Mansouri: I've looked at some other cities, and based on their average dimensions, I've put together a parking plan that I think works.

[Plan shows six spots at a 60-degree angle, but with below-minimum dimensions.]

AZ: I'd like to jump in before we go any further. The dimensions you're talking about are well below *our city's* minimum dimensions – other cities' requirements don't matter. We aren't going to give this to you based on the judgments that other cities have made for their own communities.

Mansouri: I also looked at the street itself, and there aren't a lot of houses on the nearby street, so there's plenty of on-street parking.

AZ: That doesn't matter – the ordinances require *off-street* parking. On-street does nothing to affect the requirements.

Mansouri: We're just trying to make this work, because if you look at the building, it's an existing structure, and all the floors are laid out identically...

LM: We've been over all this a couple times already – where we're at is that we have an issue with the parking.

AZ: Right, we do understand that the building is *designed* as a three-family. No one is disputing that. But just because it's built that way doesn't mean it's an appropriate use of that lot.

LM: We're trying to take congestion *out* of the city. We want to get parking off the streets, not put more on. So if it can't meet those criteria, then maybe the occupancy needs to be reduced.

MM: So, this driveway is an easement?

Mansouri: It's shared down the middle with the guy across.

MM: Is there any way to expand at all to the rear of the property?

Mansouri: I really did try to look for every possible alternative. [Anecdotal mention of projects in other cities, stacked parking, etc.]

AZ: That's not something we can do – we get that your options are limited, but the result if you can't fit into those limits is that you can't do what you want to do, not that we bend the rules for you.

AP: It's right here in the ordinance. You need six spaces with specific dimensions.

LM: We're reinventing the wheel here. We've been over all this.

Mansouri: The reason I bring in the other cities is because from an engineering point of view, there's the ordinances, but then there's what's feasible.

AZ: Even if you were to convince us that it's entirely sound from an engineering standpoint, our job is to apply the ordinances, not to decide whether or not they're the right rules to have. That's the City Council. Even if you were to go to the Planning Board – which has some authority to give slight parking variances – they're not going to give you from 22 ft. [the requirement] all the way down to 16 ft. [the proposal].

AP: We've had citizens and City Councilors already saying what a congested area it is – we're not going to increase that.

LM: We also had a Councilor [Beauchemin] earlier tonight complaining about trash.

Kihiko: That's on the other side – that's the other person's property.

MM: Look at how much snow we have on the ground – this isn't atypical for Fitchburg. Where do you put all of it? How do you fit cars when part of the lot is covered in snow?

AZ: Yeah, if you have an already undersized lot, and then you cut off more space with snow, where do people park?

Mansouri: I was there earlier, and there's a lot of open space over here [points to plot plan] because the building on the other side...

LM: But is this their property?

Mansouri: Yes.

LM: You can't dump the snow on someone else's property.

AZ: If these are your lot lines, then we have an additional problem. You need a 10-foot buffer strip for multi-family parking between your lot lines and your parking spaces.

Mansouri: This is just an estimation, it's not to scale.

LM: Either way, you can't dump the snow on someone else.

AZ: Even if it's empty space not being used, it's not yours.

LM: So, we've got about two feet of snow – where do you put it? You really need only four spots so that you have a place to put snow.

AZ: So, on this other plot, this is the one with the actual dimensions – so on here, are these your lot lines?

Mansouri: Yes, these here.

AZ: So, OK, still I'm not seeing enough buffer strip – I'm seeing only about a foot of buffer strip. That's yet another dimension requirement that we're not just going to get rid of.

[Cross-talk]

LM: Let me clarify: he wanted a three-family. For a three-family, he needs six conforming spaces. Or, with only four or five spaces, he's looking at a two-family.

Mansouri: So, I do understand, but there's space here on the street...

AZ: The ordinance requires two off-street parking spaces per unit.

Mansouri: Then that makes it impossible for him to do anything. There's a huge difference between buying a three-family and a two-family. Now to lose...

LM: He didn't do his due diligence when he purchased the property. He could have made his offer subject to getting the proper approvals.

AZ: Buyer beware.

LM: This is not on us. This is the fourth time – we're trying to work with your client, but I think we need to move on because we're not hearing anything different. If he wants to change his petition to a two-family down the road, he can come back.

Kihiko: So, what if I make the whole third floor dead space?

Mansouri: What he's asking is whether we can switch to a two-family now, while we're already here.

LM: If you have plot plans that indicate a two-family setup.

Mansouri: He's going to just bite the bullet so he doesn't waste more time and money. But even now, if you go to the Registry page and pull up that building, it comes up as a three-family.

AZ: But that's why we have this reinstatement process – so that we can *reassess* whether the previous use was in the best interests of the city. We're concluding that it wasn't. The fact that it *was used* for that doesn't mean it was ever a good idea.

Kihiko: Here's the layout with the third floor as storage.

Mansouri: The first and second floors can use it for storage.

Kihiko: Or I could make the first and second floor one unit, and the third floor another unit.

LM: How many bedrooms would that be?

Kihiko: Five.

MM: I want to see it only as storage. If you design it as housing, it'll be used as housing.

AZ: If you make a two-floor unit and a one-floor unit, it's effectively the same situation.

[Back-and-forth argument about this issue]

LM: I think what you're hearing from the Board is that we'd like to see is two floors of residency and one floor of storage, with four or five parking spots – period.

Kihiko: I'd like to not knock down the rooms on the top floor, but just close it off and not let tenants access it.

Mansouri: What if we leave it as is and use it as tenant storage?

LM: What we see is that if a floor is laid out for living, it will end up being lived in.

AZ: Like when you first came to us and told us it was a four-family – I believe that it was, but it was *illegally* used as a four-family. If you leave it that way, maybe *you* keep it unoccupied, but eventually someone starts renting it out.

LM: What if you make the second floor a common area?

AZ: As in first floor: unit, third floor: unit, second floor: common facilities.

Kihiko: It will work better if I just close off the top floor and use it for my own storage – no tenant access, and I'll remove the kitchen and bathroom.

AZ: OK – just before you draw up the official new plans, let's be clear, so you don't waste time and money. We need to see a parking plan with four spaces, with conforming dimensions, and a 10-ft. buffer.

MM: So, is there a way we can approve work to go forward on the units, with a review to see a further parking plan?

[Brief discussion, general assent]

AZ: Just as long as you guys understand that *if* you go forward with renovations, and then you *don't* get approved on the parking plan, you won't be able to continue, and we won't be sympathetic to how much money you've invested in the renovations.

Kihiko: We understand.

MM: If we approve, what's the timeline on this?

Kihiko: I'd start right away, and we'd be done in about six months, maximum.

Hearing Closed:

Deliberations:

[All members in favor]

AZ: Motion to approve the Special Permit *as a two-family* with one month review and conditions as stated.

AP: Seconded.

VOTE: 5-0 (LM, MM, AZ, AP, NS) Approve the Reinstatement, with conditions

8:00 PM
ZBA-2017-07
Horne & Associates, LLC
70 & 72 Sheridan St.

Petitioner arrived, after several hours in traffic from Boston.

[Board motioned to reopen, seeing that no citizens had been present to weigh in, so no one would be prejudiced – unanimous approval.]

One unit is a four-bedroom, one is two-bedroom, and two one-bedrooms. Purchased as a HUD property. No structural problems – mostly cosmetic updates. More than enough parking, with a large lot and a garage.

Petitioner is informed that he will need a certified parking plan.

[Some confusion over missing plan details in Board packets – petitioner will bring those as well]

MM: The other thing we should check is that there are a few decks and porches, and it's not clear whether those were permitted.

AZ: That shouldn't be a problem. Since this is a reinstatement anyway, if we approve it then any existing structures will be grandfathered in. I would like to ask, though – will you be doing any exterior beautification? It looks a bit beat up, and might need a coat of paint and some stabilization on the decks.

Horne: Yes, I know the decks need to be shored up, and I'm not opposed to a coat of paint.

MM: So, it looks like you were taking a different approach to rental here?

Horne: Yes, we were hoping to target it towards homeless veterans, though I'm not sure the best way to do that in Fitchburg.

[Brief discussion of outreach programs]

LM: We'll need to continue this, so you can bring the paperwork.

Hearing Closed:

Deliberations:

[All members in favor]

MM: Motion for continuance to March, time TBD.

AZ: Seconded.

VOTE: 5-0 (LM, MM, AZ, AP, NS) Continued to March

4 MISCELLANEOUS

LM: Nominate Anthony Zarrella as Clerk of the ZBA.

AZ: I accept the nomination.

MM: Motion to elect Anthony.

LM: Seconded

VOTE: 5-0 (LM, MM, AZ, AP, NS)

Anthony Zarrella elected as Clerk

LM: Nominate Michael McLaughlin as Vice-Chair.

MM: I accept.

AZ: Motion to elect Mike.

AP: Seconded.

VOTE: 5-0 (LM, MM, AZ, AP, NS)

Mike McLaughlin elected as Vice-Chair

MM: Nominate Lauren McNamara as Chair.

LM: I accept.

MM: Motion to elect Lauren.

AZ: Seconded.

VOTE: 5-0 (LM, MM, AZ, AP, NS)

Lauren McNamara elected as Chair

5 ADJOURNMENT