



Joseph. C. Sullivan
Mayor

Department of Planning & Community Development Zoning Board of Appeals

1 JFK Memorial Drive
Braintree, MA
www.braintreema.gov

Zoning Board of Appeals (ZBA) Meeting Notes May 22, 2017

IN ATTENDANCE: Stephen Karll, Chair
Michael Ford, Member
Michael Calder, Member
Richard McDonough, Associate
Steve Sciasia, Associate

ALSO PRESENT: Jeremy Rosenberger, Zoning Administrator

Mr. Karll called the meeting to order at 7:00pm.

NEW BUSINESS:

- 1) Petition Number: 17-14
Petitioner: Jack Tran
RE: 304 Common Street**

Jack Tran, 77 Birch Street, Stoughton, MA 02184 for relief from Bylaw requirements under Chapter 135, Sections 403, 407 and 701 to demolish existing one-story dwelling (+/- 1,008 sq. ft. building footprint) and construct a new two-story, single family dwelling with attached one car garage (+/- 1,752 sq. ft. building footprint). The applicant seeks a permit, variance and/or finding that the proposed alteration is not more detrimental to the neighborhood. The property is located at 304 Common Street, Braintree, MA 02184 and is within a Residential B District Zone, as shown on Assessors Map 2060, Plot 21, and contains a land area of +/- 7,686 sq. ft.

Notice

Pursuant to notice duly published in a newspaper in general circulation and posted at Town Hall, and by written notice pursuant to G.L. Chapter 40A, Section 11, mailed to all parties in interest, a public hearing was held by the Zoning Board of Appeals at Town Hall, One JFK Memorial Drive, Braintree, MA on May 22, 2017 at 7 p.m. Sitting on this case for the Zoning

Board of Appeals were: Stephen Karll, Chairman; Michael Calder and Michael Ford; and Richard McDonough, Alternate

Evidence

Jack Tran, the petitioner, discussed that he had previously received zoning relief to construct additions to the existing one-story, single family dwelling in October 2016. However, Mr. Tran is concerned, that due to damage by domestic animals and human waste from the former owners, the existing smell/damage will not be remedied without removing all the existing walls and floor joists. As such, he would like to do a complete reconstruction. Mr. Tran would keep the existing foundation, but enlarge and reinforce it. The proposed new dwelling would be the exact same footprint as previously approved ZBA plans. The petitioner has revised the building height to be reduced from 34' to 32'8". Furthermore, Mr. Tran explained the proposed project requires a finding due to an intensification of the existing non-conforming front yard setback, as it is 16.5 ft. from the front yard lot line and 20 ft. is required. The proposed project will reduce the front yard setback to 14.7 ft. The deficiency is the result of a taking by Norfolk County in 1954 for a front portion of the lot to construct a new roadway. The roadway was never constructed. Mr. Tran highlighted the front of the existing dwelling is over 50 ft. from Common Street roadway.

The petitioner's lot is nonconforming, as it contains only 7,686 sq. ft., where 15,000 sq. ft. is required, provides only +/- 72 ft. of lot width, where 100 feet is required and provides only +/- 98 ft. of lot depth, where 100 feet is required. The petitioner's existing single family dwelling is nonconforming as to the front yard setback; the dwelling is located 16.5 ft. from the front yard lot line, while the Zoning Bylaw requires a front yard setback of 20 ft. In addition, the petitioner's existing dwelling is nonconforming as to the left side yard setback; the dwelling is located 9.7 ft. from the left side yard lot line, while the Zoning Bylaw requires a side yard setback of 10 ft. Lastly, the proposed addition will not create any new zoning nonconformity, but will intensify the existing front yard and left side yard non-conforming setbacks. Therefore, a finding pursuant to G.L. Chapter 40A, Section 6 is required.

As grounds for the finding, the petitioner noted the addition will not create any new zoning non-conformity. In addition, the petitioner noted the addition will be similar to the existing neighborhood characteristics, will be well designed and not be more detrimental to the neighborhood. Lastly, the petitioner stated the proposed project has the support of the immediate community, as evidenced in the support letters submitted with his October 2016 zoning petition.

The applicant presented the plan entitled "Proposed Addition Location Plan, 304 Common Street, Braintree, Massachusetts", dated July 9 and September 13, 2016 and prepared by Paul Lindholm, P.E. of Dedham, MA. The applicant also presented floor plans and architectural renderings titled "House Replacement Construction, 304 Common Street", numbered T1, A1-A10, S1-S9, dated March 20, 2017 and prepared by T Design LLC of Milton, MA.

The Planning Board submitted a favorable recommendation. No one else spoke in favor of or opposition to the petition.

Findings

The Board found that the existing lot is pre-existing nonconforming in terms of lot size, width and depth, as noted above. In addition, the Board found that the existing dwelling is pre-existing nonconforming in terms of the front yard setback and left side yard setback. The Board also

found that the proposed reconstruction for a single family dwelling will not create any new zoning non-conformity. The Board further found that the proposed new single family dwelling will be designed appropriately and be comparable in size relative to the existing housing stock. The Board further found the petitioner had demonstrated the proposed addition would not be more detrimental to the neighborhood by providing evidence of abutter support.

Decision

On a motion duly made and seconded, the Board unanimously (3-0) voted to grant the requested finding, pursuant to Bylaw Section 135-40, in accordance with the plans submitted.

- 2) Petition Number: 17-15
Petitioner: Karen Haffner
RE: 45 Town Street**

Attorney Brian Palmucci, on behalf of the petitioner, after discussion with the ZBA, requested to withdraw the petition without prejudice.

On a motion made and seconded, the Board voted 3-0 to grant the petitioners request to withdraw the petition without prejudice.

- 3) Petition Number: 17-17
Petitioner: Stefanie Snow
RE: 39 Howie Road**

Stephanie B. Snow, 39 Howie Road, Braintree, MA 02184 for relief from Bylaw requirements under Chapter 135, Sections 135-403 and 701 to modify approved plans pursuant to Zoning Board of Appeals Decision Case Number 16-39, dated November 22, 2016; petitioner seeks to increase size of second floor addition, within the approved building footprint. The applicant seeks a permit, variance and/or finding that the proposed alteration is not more detrimental to the neighborhood. The property is located 39 Howie Road, Braintree, MA 02184 and is within a Residential B District Zone, as shown on Assessors Map 2061, Plot 08, and contains a land area of +/- 7,817 sq. ft.

Notice

Pursuant to notice duly published in a newspaper in general circulation and posted at Town Hall, and by written notice pursuant to G.L. Chapter 40A, Section 11, mailed to all parties in interest, a public hearing was held by the Zoning Board of Appeals at Town Hall, One JFK Memorial Drive, Braintree, MA on May 22, 2017 at 7 p.m. Sitting on this case for the Zoning Board of Appeals were: Stephen Karll, Chairman; Michael Calder and Michael Ford; and Richard McDonough, Alternate

Evidence

Attorney Warren Baker, representing the petitioner Stephanie Snow, joined by the petitioner's contractor Neil Akusis, explained the petitioner is seeking ZBA approval to modify approved plans pursuant to ZBA Decision 16-39. ZBA Decision 16-39 granted approval to demolish an existing attached 25.8' x 13', one story, one-car garage and construct 36.8' x 13', one car garage with living space of approximately 25.8 x 13' above. Ms. Baler discussed the proposed modification encompasses approximately 117 sq. ft. (9'x13') for a 2nd floor addition above the newly extended garage. The plans approved by the ZBA on November 22, 2016 depicted the

2nd floor addition would be approximately 11 ft. back/offset from the front of the 1st floor garage extension. The petitioner instructed the contractor to construct the addition. The petitioner was unaware such an addition or deviation from the approved plans was not allowed.

Mr. Ford highlighted the contractor should have known that deviating from the approved plans was not allowed without ZBA authorization. In addition, Mr. Ford felt the proposed unlawful extension is out of character with the neighborhood. Furthermore, he discussed approval of an unlawful modification could set an unwarranted precedent to give the impression that building beyond approved ZBA plans is acceptable. Mr. Calder agreed with Mr. Ford's points.

Chairman Karll discussed that he doesn't feel the addition in question is offensive, but does agree with Mr. Ford that what was constructed was in fact much different than the approved plans.

As grounds for the modification of the decision, Mr. Baker noted the petitioner has submitted a petition of support from 33 neighborhood residents. In addition, Attorney Baker highlighted the additional living area will be within the approved building footprint. Lastly, Attorney Baker discussed she is proposing the addition is appropriate and consistent with existing neighborhood architectural characteristics.

The applicant presented the updated architectural/floor plans entitled "Snow Family Addition, 39 Howie Road, Braintree, MA", numbered 1-7, dated March 13, 2017 and prepared by HOMESTYLEdesigns of Weymouth, MA.

The Planning Board submitted a favorable recommendation. The petitioner submitted a letter of support from thirty-three (33) abutters/surrounding residents. Laurie Melchionda of 64 Howie Road opposed the proposed modification due to the fact that it was much too large and out of context with the neighborhood. Linda Kopkind of 78 Acorn Circle, also felt the modification was out of scale with the neighborhood and allowance would be an unwarranted precedent. Liz Paige, of 137 Storrs Avenue, discussed allowance of the unlawful modification would set an unwarranted precedent. No one else spoke in favor of or opposition to the petition.

Findings

The Board found that the petitioner had not demonstrated the need for a modification of the approved plans as granted by ZBA Decision 16-39. Specifically, the Board found that the constructed front 2nd story extension was out of character with the immediate surrounding dwellings. In addition, the Board found the existing home, coupled with the approved addition, was very large as compared to the existing neighborhood. Furthermore, the Board found that an unwarranted precedent could be set by allowing petitioners to build beyond approved plans. As a result, the Board concluded that the requested modification would be detrimental to the public good and would nullify or substantially depart from and derogate the intent and purpose of the Zoning Bylaws.

Decision

On a motion duly made and seconded, the Board unanimously (3-0) voted to deny the requested modification of the approved plans pursuant to ZBA Decision 16-63.

**4) Petition Number: 17-18
Petitioner: Chris Rosinski
RE: 69 Parkside Avenue**

Frank Rosinski, 69 Parkside Avenue, Braintree, MA 02184 for relief from Bylaw requirements under Chapter 135, Sections 135-403 and 701 to demolish existing one story, attached one car garage (11' x 19'), and construct new garage with living space above, within the same building footprint. The applicant seeks a permit, variance and/or finding that the proposed alteration is not more detrimental to the neighborhood. The property is located at 69 Parkside Avenue, Braintree, MA 02184 and is within a Residential B District Zone, as shown on Assessors Map 2038, Plot 05, and contains a land area of +/- 8,340 sq. ft.

Notice

Pursuant to notice duly published in a newspaper in general circulation and posted at Town Hall, and by written notice pursuant to G.L. Chapter 40A, Section 11, mailed to all parties in interest, a public hearing was held by the Zoning Board of Appeals at Town Hall, One JFK Memorial Drive, Braintree, MA on May 22, 2017 at 7 p.m. Sitting on this case for the Zoning Board of Appeals were: Michael Calder, Michael Ford, and Richard McDonough, Members; and Steve Sciascia, Alternate.

Evidence

Frank Rosinski, the petitioner, explained he is seeking to demolish an existing attached single car garage and construct a new attached single car garage with living space above. The living space would include a walk-in closet and storage room. The proposed scope of work would be within the same building footprint as the existing garage. A building permit was issued for a by-right addition to the main dwelling, consisting of reconstruction of the second floor to include a new rear dormer and new front "doghouse" style dormers.

The petitioner's existing lot is nonconforming, as it contains only 8,340 sq. ft., where 15,000 sq. ft. is required, and provides only 60 ft. of lot width, where 100 ft. is required. The petitioner's existing single family dwelling is nonconforming as to the right side yard setback; the dwelling is located 7 ft. from the right side yard lot line, while the Zoning Bylaw requires a side yard setback of 10 ft. The proposed addition will be built within the existing footprint and not create any new zoning nonconformity. Accordingly, a finding is required pursuant to G.L. Chapter 40A, Section 6.

As grounds for the finding, the petitioner noted the addition will be within the existing footprint and not generate any new zoning nonconformity. Secondly, the petitioner noted the addition will be similar to the existing neighborhood characteristics and not be more detrimental to the neighborhood.

The applicant presented the plan entitled "Plot Plan of Land in Braintree, MA", dated April 9, 2017 and revised May 4, 2017, and prepared by John C. Adams, PLS of Brockton, MA. The applicant also presented floor plans and architectural renderings entitled "Construction Drawings-Rosinski Residence", labeled A-1 thru A-5, D-1, E-1 and S-1, dated 11/21/15 and prepared by Brian Bayer of Westwood, MA.

The Planning Board submitted a favorable recommendation. No one else spoke in favor of or opposition to the petition.

Findings

The Board found that the existing lot is pre-existing nonconforming in terms of lot area and width, as noted above. In addition, the Board found that the existing dwelling is pre-existing nonconforming in terms of the right side yard setback. The Board also found that the proposed second floor addition will not create any new zoning non-conformity. The Board further found that the proposed addition will be designed appropriately and be comparable in size relative to the existing housing stock. As such, the Board found the proposed addition will not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

Decision

On a motion duly made and seconded, the Board unanimously (3-0) voted to grant the requested finding, pursuant to Bylaw Section 135-403, in accordance with the plans submitted.

- 5) Petition Number: 17-19**
Petitioner: Abboud Realty Development Trust
RE: 683 Washington Street

Abboud Realty Development Trust, 681 Washington Street, Braintree, MA 02184 for relief from Bylaw requirements under Chapter 135, Sections 135-407, 903, 905 and 908 to install digital LED price changers and accessory signage to existing ground sign and add signage to existing gas island canopy. The applicant seeks variances that the proposed alteration is not more detrimental to the neighborhood. The property is located at 683 Washington Street, Braintree, MA 02184 and is within Residence C District Zone, as shown on Assessors Map 1015, Plot 52, and contains a land area of +/- 7,292 sq. ft.

Notice

Pursuant to notice duly published in a newspaper in general circulation and posted at Town Hall, and by written notice pursuant to G.L. Chapter 40A, Section 11, mailed to all parties in interest, a public hearing was held by the Zoning Board of Appeals at Town Hall, One JFK Memorial Drive, Braintree, MA on May 22, 2017 at 7 p.m. Sitting on this case for the Zoning Board of Appeals were: Stephen Karll, Chairman; Michael Calder and Michael Ford; and Steve Sciascia, Alternate.

Evidence

The petitioner, Ronnie Abboud, explained they are seeking to install digital LED price changers to replace existing manual price changer on an existing ground sign. In addition, the rebranding would include providing small brand signage on the existing gas station canopy. Mr. Abboud stated that he has vastly improved the look and cleanliness of the gas station. Lastly, Mr. Abboud highlighted the request signage is consistent with other gas stations within Braintree.

The petitioner is seeking the following variances/relief:

- Variance from Section 135-903(A)(3): The Braintree Zoning Bylaw states, "Two signs for a permitted hotel use or permitted nonresidential use, neither of which may exceed 20 square feet in area." The petitioner is proposing to replace the existing

ground signage with 39 sq. ft. of signage, including the digital price changer. The petitioner is also proposing four (4) identity signs on the existing gas island canopy, totaling 33.2 sq. ft.

- Variance from Section 135-905: The Braintree Zoning Bylaw states, "Moving, flashing or animated signs are prohibited except for a minimum of sixty-second intervals needed for the functioning of a clock, thermometer or calendar. Automatically or manually continuous changing message signs are not permitted. The source of illumination for any sign shall be a white, steady, stationary light of reasonable intensity, shielded and directed solely at the sign, or a white interior light of reasonable intensity;..." The proposed digital LED price will change when an end-user actively changes the sign via remote control or internet connection. The proposed illumination of digital LED price changers will be an amber/red.

As grounds for the variance, the petitioner discussed the proposed new signage will replace existing approved signage. The proposed new ground signage will not be an increase in square footage on the ground sign. The petitioner noted the canopy signage is small in scale and similar to canopy signage at other locations within Braintree. In addition, the proposed digital LED gasoline price display on the ground sign is consistent with current gasoline price display practices. The petitioner noted the proposed type of display has been approved at other locations within Braintree. He added, signs have been installed in other locations and do not have appeared to cause any detriment to the public good nor have they nullified the intent or purpose of the Zoning Bylaw. Lastly, the signage will provide a benefit to the public by providing real-time gasoline prices.

The petitioner presented a site plan entitled "Plan Showing Proposed Improvements", dated 11/22/1997 and prepared by J.M.G. The petitioner also presented a mortgage plan entitled "Mortgage Inspection Plan", dated 10/2/2006 and prepared by American Survey Company of Boston, Inc. Also, the petitioner presented untitled and undated existing and proposed signage plans.

The Planning Board submitted a favorable recommendation. No one else spoke in favor of or opposition to the petition.

Findings

The Board found that the existing signage and usage is compliant with the plans previously approved by the Zoning Board of Appeals. In addition, the Board found the proposed new signage on the existing ground sign will not be an increase in square footage. The Board also found that the petitioner had demonstrated the need for relief from the Zoning By-law as the proposed digital LED gasoline price display with red/amber lighting has been approved previously at other locations within Braintree by the Zoning Board of Appeals. The Board further found the new displays will provide a benefit to the public by providing real-time gasoline prices and a safety benefit to the employees as they will not need to manual change the gasoline prices on the ground sign. Lastly, the Board found the proposed canopy signage is consistent with canopy signage that has been approved previously at other locations within Braintree by the Zoning Board of Appeals. As a result, the Board found relief can be granted without resulting in a substantial detriment to the public good and will not nullify the intent of the Zoning By-law.

Decision

On a motion duly made and seconded, the Board unanimously (3-0) voted to grant the requested variances from the Bylaw Section 135-903 and 135-905 requirements, pursuant to Bylaw Section 135-407 and 908, in accordance with the plans submitted, and subject to the following conditions:

1.) No sign illumination from 1am-6am, pursuant to Section 135-905;

**6) Petition Number: 17-20
Petitioner: Christine Flaherty (Woolf)
RE: 226 Pond Street**

Christie Flaherty (Woolf), 226 Pond Street, Braintree, MA 02184 for relief from Bylaw requirements under Chapter 135, Sections 135-403, 407 and 701 to convert existing 1.5-story single family dwelling to a 2-story dwelling; all construction/additions to be within the existing building footprint (+/- 961 sq. ft.). The applicant seeks a permit, variance and/or finding that the proposed alteration is not more detrimental to the neighborhood. The property is located at 226 Pond Street, Braintree, MA 02184 and is within a Residential B District Zone, as shown on Assessors Map 1041, Plot 87, and contains a land area of +/- 7,868 sq. ft.

Notice

Pursuant to notice duly published in a newspaper in general circulation and posted at Town Hall, and by written notice pursuant to G.L. Chapter 40A, Section 11, mailed to all parties in interest, a public hearing was held by the Zoning Board of Appeals at Town Hall, One JFK Memorial Drive, Braintree, MA on May 22, 2017 at 7 p.m. Sitting on this case for the Zoning Board of Appeals were: Stephen Karll, Chairman; Michael Calder and Stephen Sciascia; and Richard McDonough, Alternate

Evidence

Christie Flaherty (Woolf), the petitioner, explained she is seeking demolish an existing second floor half story and construct a full story second floor. The existing 1.5 story bungalow-style single family dwelling has a building footprint of +/- 961 sq. ft. Mrs. Flaherty discussed the existing first floor provides a kitchen, dining, family room, bedroom and bathroom. The existing second floor provides a bedroom and closet with storage rooms. The proposed scope of work would reconfigure the first floor to a more open floor plan. The project would move the first floor bedroom to the second floor. The second floor would provide three bedrooms and one bathroom. Lastly, the petitioner highlighted the existing handicap access ramp in the front of the property will be removed.

The petitioner's existing lot is nonconforming, as it contains only 7,868 sq. ft., where 15,000 sq. ft. is required, provides only 86 ft. of lot width, where 100 ft. is required. The petitioner's existing single family dwelling is nonconforming as to the front yard setback; the dwelling is located 7.7 ft. from the front yard lot line on Pond Street, while the Zoning Bylaw requires a front yard setback of 20 ft. The proposed alteration will be within the existing building footprint and not create any new zoning nonconformity. Accordingly, a finding is required pursuant to G.L. Chapter 40A, Section 6.

As grounds for the finding, the petitioner noted the addition will be within the existing building footprint and not generate any new zoning nonconformity. Secondly, the petitioner noted the addition will be similar to the existing neighborhood architectural characteristics and well designed. Therefore, the proposed project will not be more detrimental to the neighborhood.

The petitioner presented the plan entitled "Plan Showing 2nd Floor Addition in Braintree, MA", dated September 19, 2016, and prepared by Miller Survey Services of Quincy, MA. The petitioner also presented architectural and floor plans entitled "Flaherty Residence", labeled A-1 thru A-3, dated April 3, 2017, and prepared by Level Nine Design of Pembroke, MA.

The Planning Board submitted a favorable recommendation. No one else spoke in favor of or opposition to the petition.

Findings

The Board found that the existing lot is pre-existing nonconforming in terms of lot area and width, as noted above. In addition, the Board found that the existing dwelling is pre-existing nonconforming in terms of the front yard setback on Pond Street. The Board also found that the proposed addition would not create any new zoning nonconformity. The Board further found that the proposed project will be designed appropriately and be comparable in size relative to the existing housing stock. Lastly, the Board found the proposed addition will not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

Decision

On a motion duly made and seconded, the Board unanimously (3-0) voted to grant the requested finding, pursuant to Bylaw Section 135-403, in accordance with the plans submitted.

- 7) Petition Number: 17-21
Petitioner: Mod-Tech Homes
RE: 604 Union Street**

Mod-Tech Homes, 600 Plain Street, Marshfield, MA 02050 (Owner: Emidio and Maria Alves) for relief from Bylaw requirements under Chapter 135, Sections 135-403 and 701 to demolish existing 1.5 story single family dwelling (+/- 1,180 sq. ft. building footprint) and construct new 2-story single family dwelling (1,641 sq. ft. building footprint). The applicant seeks a permit, variance and/or finding that the proposed alteration is not more detrimental to the neighborhood. The property is located 604 Union Street, Braintree, MA 02184 and is within a Residential B District Zone, as shown on Assessors Map 3016, Plot 20A, and contains a land area of +/- 11,805 sq. ft.

Notice

Pursuant to notice duly published in a newspaper in general circulation and posted at Town Hall, and by written notice pursuant to G.L. Chapter 40A, Section 11, mailed to all parties in interest, a public hearing was held by the Zoning Board of Appeals at Town Hall, One JFK Memorial Drive, Braintree, MA on May 22, 2017 at 7 p.m. Sitting on this case for the Zoning Board of Appeals were: Stephen Karll, Chairman; Michael Calder and Stephen Sciascia; and Richard McDonough, Alternate

Evidence

Dana Andersen, of Mod-Tech Homes, representing the petitioners, explained he is proposing to reconstruct a new, 2.5-story, modular single family dwelling, with an approximate 1,641 sq. ft. building footprint. An attached, two-car garage, with an unfinished storage space above, will be included. The existing single family dwelling has a 1,180 sq. ft. building footprint. Mr. Andersen discussed the lot is accessed by a relatively long driveway, the majority of which is on Town of Braintree property, most likely the result of a taking for a widening of Union Street. The petitioner is proposing to reconstruct the driveway. As such, Mr. Andersen is seeking a permit from the Town's Highway Department. Lastly, Mr. Andersen highlighted the new single family dwelling will meet all the current zoning dimensional and density requirements except for minimum lot area.

The petitioner's existing lot is nonconforming, as it contains only 11,805 sq. ft., where 15,000 sq. ft. is required. The petitioner's existing single family dwelling is nonconforming as to the front yard setback; the dwelling is located 17.2 ft. from the front yard lot line, while the Zoning Bylaw requires a front yard setback of 20 ft. The new single family dwelling will be larger in both building footprint and cubic content than the former single family dwelling. Accordingly, a finding is required pursuant to G.L. Chapter 40A, Section 6.

As grounds for the finding, the petitioner noted the new single family dwelling will meet all the current setback, building height and coverage/open space requirements. In addition, the petitioner noted the addition will be similar in size to surrounding homes and not be more detrimental to the neighborhood.

The petitioner presented the plot plans entitled "Existing Conditions" and "Plot Plan", dated March 30, 2017 and revised April 21, 2017, and prepared by Grady Consulting, LLC, of Kingston, MA. The petitioner also presented floor plans and architectural renderings entitled "Foundation", "1st Floor Plan", "2nd Floor Plan", "Front Elevation", and "Elevations", and "Floor Plans", labeled 2a, 3, 3a, 5 and 5a, dated December 14, 2016 and revised April 7, 2017 and prepared by Signature Building Systems of PA, LLC.

The Planning Board submitted a favorable recommendation. No one else spoke in favor of or opposition to the petition.

Findings

The Board found that the lot is pre-existing nonconforming in terms of lot area, as noted above. The Board also found that the proposed new single family dwelling will not create any new zoning non-conformity and in fact, meet the current zoning requirements for setbacks, building height and building/lot coverages. The Board further found that the proposed new single family dwelling will be designed appropriately and be comparable in size relative to the existing housing stock. Lastly, the Board found the proposed new dwelling will not be substantially more detrimental to the neighborhood than the former dwelling.

Decision

On a motion duly made and seconded, the Board unanimously (3-0) voted to grant the requested finding, pursuant to Bylaw Section 135-403, in accordance with the plans submitted.

APPROVAL OF MINUTES:

On a motion made and seconded, the Board voted 3-0 to accept the April 24, 2017 meeting minutes.

The Board adjourned the meeting at 9:00 pm.