

APPROVED 6/5/2024

ZONING BOARD OF APPEALS
WEDNESDAY, MARCH 6, 2024
RESOURCE ROOM

Attendance: Chair Dan Heney (remote), vice chair Mike Fitzpatrick, Jim Palmer, Ron Forget, Ken Frasier Building Inspector

Mike Fitzpatrick called the meeting to order 7:04 pm.

1. (0:20 TS) 7:00 PM Public Hearing: Dawn Valentine (#2024-04) 10 Towle Court

Date of Application: 2/6/2024

Decision Date for Special Permit: 90 days after close of public hearing

This request is for a craft consumer professional or commercial service established in a village residential zone district for the establishment of a home base massage therapy business. Mr. Fitzpatrick read under 3.2.1 accessory uses in a residential district: Home occupation as of right, a home occupation may be allowed as of right provided that it under F, does not produce any customers, pupils or client trips to the occupation site and has no-nonresident employees. The question was is this a use variance and are they allowed to grant this. Mr. Frasier stated that he does not see any allowance under that paragraph and neither did Mr. Fitzpatrick. Mr. Fitzpatrick suggested the applicant continue for a month so that the board could gain some clarity and the applicant may be able to find something that shows they can have it. Dan Heney suggested getting Town Counsel's opinion on this.

(7:25 TS) Motion to continue the public hearing to April 3, 2024, at 7 pm made by Jim Palmer, 2nd by Dan Heney. The vote passed unanimously. Roll call vote – Jim Palmer, Ron Forget, Dan Heney, Mike Fitzpatrick all in favor.

2. (9:00 TS) 7:00 PM Public Hearing: Nicholas & Marybeth Mello (#2024-05) 209 SW Main St

Date of Application: 2/6/2024

Decision Date for Special Permit: 90 days after close of public hearing

This request is to reconstruct a single-family home on a pre-existing non-conforming lot.

Margaret Bacon with Allen Engineering representing the applicants, showed, and explained the proposed plans for the home similar in size to the existing cottage. They met the sideline zoning, but they are a little beyond the frontage, and these are the latest plans that the Conservation Commission seems to be satisfied with after some tweaking. This will a year-round structure, but they will be using it as a cottage. Don McCallum stated that it is going to be on piers 3 feet above the ground because it is in the flood plain.

(15:55 TS) Motion to close the public hearing made by Dan Heney, 2nd by Jim Palmer. Roll call vote – Jim Palmer, Ron Forget, Dan Heney, Mike Fitzpatrick all in favor.

(16:25 TS) Motion to approve the project as presented for (#2024-05), plan by Allen Engineering received by the town clerk on February 15, 2024, plan dated October 3, 2023, and final revision dated February 26, 2024, made by Ron Forget, 2nd by Jim Palmer. Roll call vote – Jim Palmer, Ron Forget, Dan Heney, Mike Fitzpatrick all in favor.

Also, submitted was a building plan by Wine Master Home Design, plan number 4505 showing an A-Frame style home.

Discussion:

3. Extension request, 31 Glen St, Special Permit for temporary trailer

Mr. Fitzpatrick read into the record a letter dated January 29, 2024, they received, and describing what has been completed and done on the project so far. Ken Frasier has inspected the progress

and has given the okay to start the inside wiring and plumbing. They are asking for a one-year extension to allow Lauren to live in her trailer while they continue to work to get her in the house. Mr. Fitzpatrick read from the zoning bylaws appendix a page 103 that states for not more than one year living in a trailer. The applicant responded that they have had some delays on outside work due to the weather. Mr. Fitzpatrick suggested that the applicant gets on the agenda so they can get a vote on this, and suggested speaking with Ken Frasier about what they can and cannot do. Murray Bristol 84 Millbury St, Grafton and as an abutter they are curious to see what the timetable is for the project moving forward. Cheryl Dauphinais 35 Glen St would like to know where their wastewater is going; the applicant is having the wastewater pumped from the septic tank for the trailer. Mr. Fitzpatrick asked the applicant to show proof of it being pumped to Mr. Frasier when they go to meet with him. Mr. Fitzpatrick is going to have then put on the agenda for April 3, 2024.

4. (39:10 TS) Meeting Minutes: December 6, 2023 – possible votes
(41:05 TS) Motion to accept the meeting minutes for December 6, 2023, as written made by Dan Heney, 2nd by Jim Palmer. Roll call vote – Jim Palmer, Ron Forget, Dan Heney, Mike Fitzpatrick all in favor.
5. (41:35 TS) North Brown, LLC – update
Mr. Frasier stated that he has not received their monthly inspection report and he will call them tomorrow to find out where that is. He gave an update for what has been done since that last meeting. The board wants Mr. Frasier to make sure the measurements are accurate for the driveways, roads, and sidewalks. There was discussion on whether the plans had a sidewalk in the center of the roads and Mr. Frasier will investigate that as well. They have about 38 units left to build out of 128.

Upcoming Meetings: April 3, 2024 & May 1, 2024

(49:20 TS) Motion to adjourn the meeting made by Ron Forget, 2nd by Jim Palmer. Roll call vote – Jim Palmer, Ron Forget, Dan Heney, Mike Fitzpatrick all in favor.

Respectfully submitted,

Stephenie Gosselin