



*Town of Pepperell*  
**BOARD OF APPEALS**  
One Main Street  
Pepperell, Massachusetts 01463  
(978) 433-0333  
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**Zoning Board of Appeals Meeting Minutes of June 26, 2007**

**PRESENT:** Thomas McGrath, Sherrill Rosoff, Mark Walsh; and Cheryl Lutzca (ZBA Assistant).

**7:00 P.M.** Chairman convenes the hearing. First agenda item is a hearing regarding an application submitted by Paul Wilson requesting a Zoning Board of Appeals SPECIAL PERMIT, under Section 3400 of the Town of Pepperell Zoning By-Law, which if granted, would allow construction of an accessory apartment, for the property located at 75A Hollis Street, Pepperell, MA, as shown on Assessor's Map 15 as Parcel 84.

Clerk reads legal notice into the record.

Applicant, Paul Wilson is present and addressed the Board. Mr. Wilson explained that he would like to help his mother-in-law and father-in-law by adding an accessory apartment at his property for them to reside in. Applicant submits "Affidavit of Owner Occupancy." Applicant paid fees for postage and advertising of Notice of Public Hearing.

Clerk read responses from the following Town Boards/Departments and/or concerned parties into the record:

- Response from Assessor's Office
- Response from Planning Board
- Response from Town Engineer
- Response from Conservation Commission
- Responses (2) from Town Counsel
- Response from Highway Department
- Response from Water Department
- Response from Board of Health

The following discussions ensued between members of the Board and the Applicant:

- Accessory apartment will not have separate utilities
- Main house has three bedrooms
- Accessory apartment to have one bedroom
- There is sufficient parking
- Applicant points out location of septic system, which was not notated on plan submitted.

Chairman inquired if anyone in attendance would like to speak in favor or opposition to application. Discussion ensues among the following members of the audience:

- Peter Parente, 81 Hollis Street, abutter, speaks in favor of application.
- Betsy Lane, 71 Hollis Street, abutter, speaks in favor of application.
- Charley McMaster, 77 Hollis Street, abutter, speaks in favor of application.
- Ellen Blackwell, 15 Whiting Ave, Groton, MA, speaks in favor of application.

Sherrill Rosoff motions to close record. Mark Walsh seconds. All in favor.

Sherrill Rosoff motions to grant relief requested, a Special Permit to allow an accessory apartment. Mark Walsh, seconds. All in favor.

**7:30 P.M.** Second agenda item is a hearing regarding an application submitted by Greta L. Donahue, requesting a Zoning Board of Appeals SPECIAL PERMIT, under Section 3400 of the Town of Pepperell Zoning By-Law, which if granted, would allow an accessory apartment in the existing structure, for the property located at 43 Park Street, Pepperell, MA, as shown on Assessor's Map 14 as Parcel 125.

Clerk read legal notice into the record.

Applicant, Greta Donahue is present and addressed the Board. Ms. Donahue and explained that when she purchased the house, which has 2,000 square feet of living space, in 1989, and at that time she resided there with three family members. Applicant further explained that she is currently living at the house alone. She would like to have an accessory apartment to rent out to ease the cost of increasing bills for utilities and taxes.

Clerk read responses from the following Town Boards/Departments and/or concerned parties into the record:

- Response from Assessor's Office
- Response from Conservation Commission
- Response from Water Department
- Response from Town Engineer
- Response from Town Counsel
- Response from Highway Department
- Response from Board of Health
- Response from Planning Board
- Response from Building Inspector
- Letter from Town Counsel – 6/14/07
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Chairman inquired if anyone in attendance would like to speak in favor or opposition to application. No abutters were present either in support or opposition to the application.

The following discussions ensued between members of the Board and the Applicant:

- The property was a two-family residence when purchased in 1989.
- If accessory apartment is approved, owner would live in front section of home.
- Accessory apartment would be on the second floor and would have a front entrance with staircase to second floor.
- Overall square footage of accessory apartment would be approximately 590 square feet in size.
- Applicant will have to work out egress issues with the Building Inspector.
- Discussion regarding location of closets and windows.
- Applicant believes property was converted to a single-family home in 1992.
- Board questions as to whether two-family use was actually abandoned, and whether or not Applicant actually is in need of a Special Permit for an accessory apartment, or could the home be returned to a two-family status.
- Board would like to know how the Assessor's Office views the property, i.e., as a two-family or single-family residence.

- Board makes recommendation to continue hearing to allow Applicant time to speak with Assessor's Office and Building Inspector to inquire if two-family status was actually abandoned. Board also requests that the Applicant present a more detailed floor plan at the continuation hearing.

Sherrill Rosoff motions to continue hearing to Tuesday, July 10, 2007 at 7:00p.m. at Town Hall, Conference Room A. Mark Walsh seconds. All concur.

Applicant, Greta L. Donahue, signs an Extension Agreement to continue hearing to July 10, 2007.

**Old and New Business:**

- Discussion ensued among Board members regarding Pepperell's Affordable Housing Plan. Board would like to know what affect this plan would have on a new or amended Bayberry Estates application. Board would like to know if the Affordable Housing Plan has been submitted to the state and if the Town will have more leverage. Cheryl Lutcza to speak with Town Counsel and Bob Hanson regarding the above.
- Discussion ensued among Board members regarding the fact that Suzanne Shaw has not returned to the Board with a final landscaping plan for 91 Harbor Street. Said landscaping plan was part of Condition No. 5, in the ZBA's Decision of September 19, 2006, granting Ms. Shaw a Variance. Board would like to send a letter to Ms. Shaw instructing her to present such landscaping plan at either the July 10, 2007 or July 24, 2007 ZBA meetings. Cheryl Lutcza to speak with Town Counsel regarding how the Board can proceed on this matter. *(Note: Ms. Shaw did present a Final Landscaping Plan to the Board at their February 6, 2007 meeting, indicating what she intended to plant in the 40-foot restricted green space. The Board informed Ms. Shaw that they did not request a "planting plan" and instructed Ms. Shaw to have a new plan done that would delineate and identify what currently exists in the 40-foot restricted green space buffer, and that such plan is to detail the existing vegetation. The Board informed Ms. Shaw that they need to know what is there now. Board members further explained that restricted green space is to be left undisturbed, with no new plantings. Ms. Shaw informed the Board that she could have the requested plan ready by the next scheduled ZBA meeting of March 27, 2007. Ms. Shaw later contacted Cheryl Lutcza, ZBA Assistant, via phone, and said that she would not be able to attend the March 27, 2007 meeting, and would contact the Board when the plan was ready. To date, Ms. Shaw has not contacted the Board regarding submission of said landscaping plan. )*

Sherrill Rosoff motions to adjourn meeting. Mark Walsh seconds. All concur.

Meeting Adjourned at 9:05P.M.

ZBA Minutes of June 26, 2007 filed with Town Clerk: July 11, 2007

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**Cheryl Lutcza**  
**Assistant, Zoning Board of Appeals**

cc: Town Clerk  
Building Inspector  
ZBA Application File  
ZBA Minutes file  
ZBA Members