



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 15, 2011

PRESENT: Mark Walsh, Annette McLean, Sean McCaffery, Bruce Roberts and Cheryl Lutcza (ZBA Assistant). Not Present: Sherrill Rosoff.

7:01P.M. Mark Walsh opened the meeting and announced that he will be acting Chair for tonight's meeting, in the absence of Sherrill Rosoff. Mr. Walsh informed those in attendance that the first agenda item is a hearing regarding an application submitted by Albert W. Patenaude, Jr., requesting a Zoning Board of Appeals **VARIANCE** under Section 7321 of the Town of Pepperell Zoning-By-Law, which if granted, would allow a variance of minimum lot size from 30,000 sq. ft. to 15,942.96 sq. ft., to allow 3 dwelling units in the existing premises located in the Commercial District. Subject property is located at 38-40 Groton Street, Pepperell, MA, as shown on Assessor's Map 26 as Parcel 25-0.

Applicant, Albert W. Patenaude, Jr. is present. There are no abutters present at the public hearing.

Clerk read the Notice of Public Hearing into the record.

Applicant paid postage fee of \$43.07 and legal advertising fee of \$136.00.

Mr. Walsh invited the Applicant to address the Board regarding the relief being requested. Applicant addressed the Board as follows:

- Subject property is a pre-existing two-family unit, with a third unit in the back of the building that is zoned commercial space. Applicant explained that in discussions with Inspector of Buildings (Harry Cullinan), it was suggested that it may make sense, given the economy, to apply for a permit to allow the option for this third unit to be used as a residential/rental unit in future.

- Subject property has been completely cleaned up and renovated and an old garage was removed near abutter's property line.

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

- Board of Health
- Town Engineer
- Water Department
- Town Counsel
- Planning Board
- Letter of Support from George Clark

Applicant responded to comments from Water Department and explained that concerns have been addressed as follows:

- Replaced existing line
- Added a second line

Mark Walsh asked for details about third unit. Applicant responded that he added an additional unit (third unit), which is currently being used as commercial space. There are two residential units on the first floor and the third unit (commercial) is in the back of the building. Applicant shows Board floor plans of the units and gives an overview.

Mark Walsh inquired if the Applicant intends to keep using the third unit as a commercial space. Applicant responded that he would continue to use the third unit as commercial space, however would like to have option to use as residential, and reminded Board that this was at the recommendation of the Inspector of Buildings, Harry Cullinan.

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Mark Walsh asked Applicant to address some of the concerns raised in Town Counsel's letter to Board. Applicant responded as follows, giving an overview/description of abutting properties:

- Abutting property next door is an old lawyer's office, consisting of eight units.
- There are a couple of three-family dwellings down the street
- There is a five-six family dwelling down the street
- There are multiple units in an old laundromat
- There are a couple of single-family homes

Applicant further explained that the subject property has a nice backyard and doesn't crowd any of the abutting properties. An old garage was removed on the subject property, which provided more space.

Bruce Roberts inquired as to where the Applicant will put all the snow in winter. Applicant responded that there is plenty of room for snow removal.

Applicant explained that he has corrected drainage issues.

Mark Walsh inquired if there was anyone in the audience who would like to speak in favor of, or opposition to the application. There were no abutters present and only member of the audience was a reporter (Luke Steere) from the *Pepperell Free Press*,

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Annette McLean motioned to close the hearing and record. Sean McCaffery seconds. All concur.

Board entered into discussions and deliberations.

Sean McCaffery motioned to grant the requested relief, a Variance under Section 7321 of the Town of Pepperell Zoning-By-Law, which if granted, would allow a variance of minimum lot size from 30,000 sq. ft. to 15,942.96 sq. ft., to allow 3 dwelling units in the existing premises located in the Commercial District. Subject property is located at 38-40 Groton Street, Pepperell, MA, as shown on Assessor's Map 26 as Parcel 25-0. Annette Mclean seconds motion. All concur.

Old and New Business:

- Annette McLean motioned to approve the ZBA Meeting Minutes of March, 23, 2011. Sean McCaffery seconds. All concur.
- Bill Schedule for office supplies is approved.
- Associate Board Member, Bruce Roberts, has asked not to be reappointed to ZBA, and will be leaving Board effective June 30, 2011.

Sean McCaffery motioned to adjourn the meeting. Annette McLean seconds. All concur.

Meeting Adjourned at: 7:46 P.M.

ZBA Minutes of June 15, 2011 filed with Town Clerk: September 26, 2011

Respectfully submitted by:

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

cc: Town Clerk
Inspector of Buildings
Town Counsel
ZBA Minutes file
ZBA Members
ZBA Application File(s)