

Town of Wilmington
Board of Appeals
Minutes – July 12, 2017

The Board of Appeals held a meeting in Room 9 at the Town Hall, 121 Glen Road, Wilmington, MA. The meeting was called to order at: 7:00 p.m. Daniel Veerman, Anthony Barletta, Thomas Siracusa, Jacquelyn Santini and Raymond Lepore were present.

The next regularly scheduled Board of Appeals meeting will be August 16, 2017, at 7:00 p.m. in Room 9 at the Town Hall, 121 Glen Road, Wilmington, MA.

The Board reviewed and approved the minutes from May 10, and June 14, 2017.

Continued from June 14, 2017

Case 20-17

Michael Welch

Map 88 Parcel 93

To acquire a variance from Standard Dimensional Regulations (Table II) §5.2.3, to construct a new dwelling on a lot having insufficient lot width for property located on 5 High Street.

Anthony Barletta recused himself from this hearing. Attorney Michael Newhouse had submitted supporting documentation to the Board and he felt it addressed the concerns some members had regarding the driveway. He stated that any engineering on the lot before approval from Mass DOT would be cost prohibited. He submitted an aerial photo showing the lot in 1986 with a curb cut on Middlesex Avenue. Raymond Lepore was concerned about the existing fence and the sight line along Middlesex Avenue. He also suggested that there was a regulation about how far a curb cut could be from an intersection. After further discussion on the hardship, unique circumstances and elevations, Thomas Siracusa made a motion to approve the variance from Standard Dimensional Regulations (Table II) 5.2.3 to construct a new dwelling on a lot having insufficient lot width subject to the condition that the driveway to the premises be constructed either (1) off High Street by way of an easement across Lot 38 for that purpose; or (b) off Middlesex Avenue, with an appropriate turnaround, in accordance with written approval from the Massachusetts Department of Transportation-Highway Division, further the existing fence on the property abutting Middlesex Avenue shall be removed and no further fence shall be constructed thereon without approval from the appropriate Town Department. Raymond Lepore seconded, voted 4-0 - 1 abstain, Anthony Barletta.

NEW

Case 21-17

James Bischoff

Map 10 Parcel 1G

To acquire a Special Permit in accordance with S6.6.7.7 Ground Water Protection District for property located at 9 Leonard Lane.

James Bischoff was presented and stated that he wanted to construct a garage addition to the rear of the dwelling. He is in the Ground Water Protection District and with this proposal would bring the total impervious to 18.3%. When the dwelling was constructed, the developer put in two infiltrators. He plans on tapping into the existing system. No abutters made comment. The Planning Board recommended approval. Thomas Siracusa made a motion to approve the Special Permit in accordance with Sec. 6.6.7.7 Ground Water Protection District, Jacquelyn Santini seconded. Voted unanimously.

Case 22-17

Mullane Construction LLC

Map 53 Parcel 20

To acquire a Special Permit in accordance with S6.1.6.4 (to demolish and reconstruct a single family dwelling 11.5 feet from Rhodes Street and 22 feet from Glen Road when 30 feet is required) for property located on 94 Glen Road.

Steve Mullane was present. He stated that he came in front of the Board back in 2015 with a proposed dwelling, a cape style house. He was approved and he recorded at the Registry of Deeds. After some discussion with his excavator, he decided to change the style of the house to a split level. Abutters John and Dana Anderson had no concerns about the dwelling, but the sight line coming out of Cypress was blocked by overgrown brush and trees. The Planning Board recommended approval. Anthony Barletta felt that the split entry home was better suited for the lot, but did not feel that the drawings accurately represented what the final appearance would be. The grading needed for the addition of a 'garage under' and the need to raise the grade for a septic system did not appear to be represented in the drawings. He did acknowledge and appreciate that the change from a cape to a split entry was made by the builder after review of the site conditions and determination that it would be better suited for the lot. The applicant offered to remove the garage, Mr. Barletta stated that there was not enough information in the documents submitted to determine if that was

necessary. Raymond Lepore stated that he would not consider any dwelling larger than the original dwelling's footprint as this was a small lot containing only 6,900 square feet of area. Jacquelyn Santini stated she would like to see the dwelling at least 13 feet from Rhodes Street. Anthony Barletta made a motion to approve the Special Permit in accordance with Sec. 6.1.6.4 to demolish and reconstruct a single family dwelling 11.5 feet from Rhodes Street and 22 feet from Glen Road when 30 feet is required, no more detrimental to the neighborhood than the existing nonconforming dwelling. Thomas Siracusa seconded. Voted 3, Daniel Veerman, Anthony Barletta, Thomas Siracusa -2, Jacquelyn Santini, Raymond Lepore. Denied

Case 23-17

Gregg Roberts, Trustee

Map R1 Parcel 118

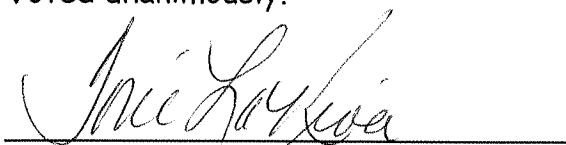
To acquire a Special Permit in accordance with §6.6.7.7 Ground Water Protection District for property located at 319A Andover Street.

Andy Pojasek and Gregg Roberts were present. They are proposing a second building on the lot along with updating the parking lot. All storm water will stay on the lot and will be treated with infiltrators. The Planning Board stated that Site Plan Review was not completed. Daniel Veerman suggested to the applicant that he might want to wait until after the review is complete before making his presentation. Raymond Lepore made motion to continue to August 16, 2017, Jacquelyn Santini seconded. Voted unanimously.

Re-organization - Anthony Barletta nominated Daniel Veerman for Chairman, Raymond Lepore seconded. So voted. Jacquelyn Santini nominated Anthony Barletta, Vice Chairman, Thomas Siracusa seconded. So voted.

Daniel Veerman also updated the Board on their unanimous request for Land Planning Manuals. The Town Manager ordered two copies, one for the Chairman and one to be shared but the Board Members.

Motion to adjourn at 9:35 by Raymond Lepore, seconded by Jacquelyn Santini. Voted unanimously.



Recording: Toni La Rivee, Secretary
Board of Appeals