

Town of Wilmington
Board of Appeals
Minutes – September 13, 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 October 11, 2017, at 7:00 p.m. in Room 9 at the Town Hall, 121 Glen Road, Wilmington, MA.

Continue to October 11, 2017

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.

Andrew Pojasek submitted a letter requesting a continuance to the meeting in October. Thomas Siracusa made a motion to continue the hearing to October 11, 2017, Jacquelyn Santini seconded. Voted unanimously.

NEW

Case 24-17

Robert McDonald

Map 8 Parcel 74C

To acquire a Special Permit in accordance with §6.6.7.7 Ground Water Protection District for property located at 4 Elwood Road.

Kristen Costa was present along with Robert McDonald. He is constructing an addition meeting all the setbacks. He is in the Ground Water Protection District and the addition brings him to 18.2% impervious. He is installing a subsurface roof drain to infiltrate the ground water bringing the lot into compliance. The Planning Board recommended approval. The Town Engineer recommended compliance and has reviewed the proposed infiltration plan. Thomas Siracusa made a motion to approve the Special Permit in accordance with §6.6.7.7, Jacquelyn Santini seconded. Voted unanimously.

Case 25-17

David McCue

Map 70 Parcel 21

To acquire relief in accordance with M.G.L. Ch. 41 §81E and 81Y, for the issuance of a permit for the erection of a building on a lot not in a subdivision approved under the subdivision control law and on a lot not on a way placed on or made part of the Official Map.

Kristen Costa was present along with David McCue. He has purchased the property and was proposing to demolish the existing structure and build a new dwelling meeting all the setback requirements. West Jamaica Avenue is not on the Official Map, therefore, he is required to seek relief from the Board of Appeals in order to build on the lot. Abutters Ms. Disarra and Paul Sheldon had questions about the Official Map relief. Ms. Disarra wanted fencing installed by the builder. Daniel Veerman explained that the building of the dwelling was not under the jurisdiction of the Board, only relief from the Official Map. This was further discussion between the Board and members of the audience about the requirements. The Planning Board and Town Engineer recommended the applicant apply to the Planning Board for an 81G. Anthony Barletta and Thomas Siracusa questioned if this was a requirement of their relief. Daniel Veerman stated no. The applicant stated that there was pavement in front of the house, in fact all of West Jamaica was paved. They would be installing a water line to the dwelling and that was the only disturbance to the roadway. Jacquelyn Santini made a motion to approve relief in accordance with M.G.L. Ch. 41 Sec 81E and 81Y, for the issuance of a permit for the erection of a building on a lot not in a subdivision approved under the subdivision control law and on a lot not on a way placed on or made part of the Official Map, with the condition the applicant apply to the Planning Board for 81G, Anthony Barletta seconded for discussion. The Board discussed whether it was fair that the applicant must go to the Planning Board under 81G. Anthony Barletta and Thomas Siracusa stated that an addition or renovation would not send the applicant to the Planning Board, why would this construction be any different. Jacquelyn Santini stands by her motion, there was no second - motion failed.

Anthony Barletta made a motion to approve relief in accordance with M.G.L. Ch. 41 Sec 81E and 81Y, for the issuance of a permit for the erection of a building on a lot not in a subdivision approved under the subdivision control law and on a lot not on a way placed on or made part of the Official Map, Thomas Siracusa seconded. Voted 4 yes - 1 No-Jacquelyn Santini. Motion passed.+

Case 26-17

M. & T. Reed c/o R. Peterson Esq

Map 16 Parcel 2B

To acquire a Special Permit in accordance with §6.1.6.4 (to construct a two story addition 25.5 feet from the front lot line, existing dwelling is 19.5 feet from the front lot line, when 40 feet is required) for property located on 55 Chestnut Street.

Attorney Robert Peterson was present along with Mr. & Mrs. Reed. He stated that they were seeking a Special Permit to construct a two-car garage with a floor above. The existing dwelling is 19.5 feet from the front lot line, the proposed garage will be 25.5 feet from the front at the closest point, no further forward than the existing dwelling. Attorney Peterson submitted photos of the lot and the back yard, which drops off about 5 feet, so pushing the garage back would be costly and require filling of the back yard. The Planning Board recommended redesigning the addition and pushing it back. Thomas Siracusa has no problem with the proposal and feels it is not detrimental to the neighborhood. No abutter made comment. Anthony Barletta made a motion to approve the Special Permit in accordance with §6.1.6.4 to construct a two-story addition 25.5 feet from the front lot line when 40 feet is required, Thomas Siracusa seconded. Voted unanimously.

Case 27-17

299 Main St Offices LLC

Map 42 Parcel 22K

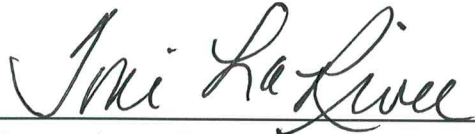
To acquire a variance from Standard Dimensional Regulations (Table II) §5.2.4 to extend the entryway 2.8 feet from the front lot line when 20 feet is required for property located at 299 Main Street.

Stephen Jensen was present. He stated that he was the new owner of the property and wanted to put his chiropractic business on the second floor. This building must now meet ADA & AAB accessibility requirements. He stated that extending the entryway towards the street was the only feasible solution. He received a variance from the state to install a wheelchair accessible incline lift approved by the State. The proposed vestibule would be 2.8 feet from the front lot line and the building would be accessed from the side. No abutters made comment. The Planning Board recommended approval. Jacquelyn Santini made a motion to approve the variance from Standard Dimensional Regulations (Table II) §5.2.4 to extend the entryway 2.8 feet from the front lot line when 20 feet is required as stated and presented, Raymond Lepore seconded. Voted unanimously.

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Minutes
September 13, 2017

The Board reviewed and approved the minutes from July 12, and August 16, 2017.

Motion to adjourn at by, seconded by. Voted unanimously.

A handwritten signature in cursive script, reading "Toni La Rivee", is written over a horizontal line.

Recording: Toni La Rivee, Secretary
Board of Appeals