



## **ZONING BOARD OF APPEALS**

TOWN OFFICES/BUCKLEY CENTER  
AVON, MASSACHUSETTS 02322-1496  
TEL. (508) 588-0414 - FAX (508) 559-0209

### **PUBLIC HEARING MINUTES - April 17, 2018**

Case #18-3 2 Milford Street, Avon, MA E6/2/6

Public Hearing was called to order at 7:33 p.m.

The Public Hearing is the result of the Petition of Mr. Grant Hopkins, 2 Milford Street, E6/2/6, Avon, Massachusetts.

The following were present: Appeal Board Members- Kevin Foster, Charles Comeau, Edward Mekjian, Christopher Canducci.  
Visitor's- Diane Hopkins

The members of the board and visitors introduced themselves and the board noted that the Public Hearing Notice(s) had appeared in the The Enterprise and the Moneysaver in the Legal Notice section.

#### **Case #18-3 2 Milford Street, Grant Hopkins**

All business conducted regarding this Petition will here and forever be known as Town of Avon, Board of Appeals Case # 18-3 Grant Hopkins will be referred to as the "**Petitioner**".

**Notice is hereby given that a Public Hearing will be held in the Town Offices, Town of Avon, Buckley Center, 65 East Main Street, Avon, MA on April 17, 2018 at 7:30 p.m. to hear the following petition requesting a Variance from the Avon Zoning Bylaws. Case #18-3, Petitioner, Grant Hopkins of 2 Milford Street, Avon, MA request a Variance as required by Section 6-4 "Dimensional and Density Regulations Table" of the bylaw requiring a minimum lot 15' side yard setback for a residential zone A, has requested a variance for a 12' side yard setback for the property located at 2 Milford Street, Avon, Massachusetts, Assessors Map E6/2/6. The Board of Appeals further advised the attendants that all abutters, as certified by the Town Board of Assessors, to the property located at 2 Milford Street, E6/2/6, Avon, Massachusetts and concerned parties had been notified of the intent of this hearing. All**

the requirements had been met with reference to notifications, publications, and postings, as mandated by Laws Governing the action of Public Hearings and the Board of Appeals (*Massachusetts General Laws, Ch. 40A § 11*); and, Town of Avon Board of Appeals Procedures for Applicant(s)/Petitioner(s), effective January 1, 2001.

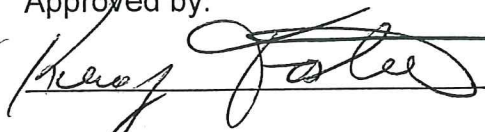
The Board of Appeals advised the attendees of the format of the Public Hearing as follows:

1. Petitioner's Presentation
2. Comments, Open Discussion, Questions and Answers
3. Decision and Vote of the Board of Appeals

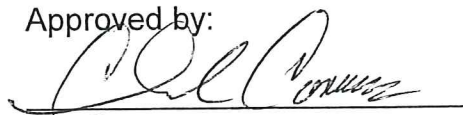
1. Petitioner's Presentation: The Acting Chair, Kevin Foster recognized the Petitioner, Grant Hopkins who requests a Variance per Section 6-4 "Dimensional and Density Regulations Table". The members of the Board of Appeals introduced themselves. Grant Hopkins presented his plan to request a Variance for side yard setback of 12' to build a 26' x 26' 2-car garage on his property.
2. Comments, Open Discussion, Questions and Answers: The Board of Appeals reviewed the plans and requested clarification as to the property line and the amount of overhang on the home. Charles Comeau asked about the septic system and Mr. Hopkins stated that the system was just installed and it is a three-bedroom system. Kevin Foster did note that all abutters were notified and that none have attended the meeting.
3. Decision and Vote of the Board of Appeals: Charles Comeau made a motion to grant relief from the side yard setback from 15' to 12' thereby reducing it 3' and the overhang on the building be allowed to encroach 1' into that setback. Charles Comeau clarified by stating that the setback is 12' on the foundation and 11' for the roof overhang for the setback, seconded by Edward Mekjian. All in favor. Voted Unanimous.

**VOTED: to grant the Variance, as stipulated.**

Approved by:

  
Kevin Foster

Approved by:

  
Charles Comeau



**The Commonwealth of Massachusetts  
Norfolk County  
Board of Appeals**

Tuesday, April 17, 2018

**Certificate of Granting of Variance(s) and/or a Special Permit(s)  
(General Laws Chapter 40A, Section 11)**

The Board of Appeals of the Town of Avon hereby certifies that Variance(s) and/or a Special Permit(s) have been granted:


To: Grant Hopkins  
Owner: Grant P. and Diane J. Hopkins  
Address: 2 Milford Street E6/2/6  
City or Town: Avon, MA 02322

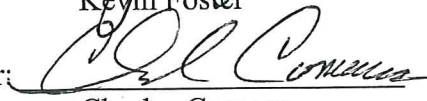
Affecting the rights of the owner with respect to land or buildings at  
2 Milford Street E6/2/6

(As specified in Case #18-3Public Hearing Minutes,  
Dated: 4/17/2018)

And the said Board of Appeals further certifies that the decision attached hereto is a true and correct copy of its decision granting said variance(s) and/or special permit(s), and that the copies of said decision, and of all plans referred to in the decision, have been filed with the planning board and the town clerk.

The Board of Appeals also calls to the attention of the owner or applicant that General Laws, Chapter 40A, Section 11 (last paragraph) provides that no variance or special permit, or any extension, modification or renewal thereof, shall take effect until a copy of the decision bearing the certification of the town clerk that twenty-one days have elapsed after the decision has been filed in the office of the city or town clerk and no appeal has been filed or that, if such appeal has been filed, that it has been dismissed or denied, is recorded in the registry of deeds for the county and district in which the land is located and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title. The fee for such recording or registering shall be paid by the owner or applicant.

Member:   
Kevin Foster

Member:   
Charles Comeau