



ZONING BOARD OF APPEALS

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

PUBLIC HEARING MINUTES-February 23, 2015

Case#15-1

82 West Spring Street, Avon, MA

Petitioner-Rose Y. Guerra

Owner: Rose Y. Guerra

The Public Hearing was called to order at 7:07 P.M. by Board of Appeals Chairman, Peter Crone

The Public Hearing is the result of the Petition of Rose Y. Guerra, CASE# 15-1, 82 West Spring Street, Avon, MA

The following were present: Appeals Board Members- Peter Crone, Edward Mekjian, Charles Comeau, Kevin Foster Absent: Gerald Picardi

Visitors- Alex Pisalidis, Rose Guerra, Building Inspector, Robert Borden.

The members of the board noted that the Public Hearing Notice(s) had appeared in the Moneysaver Publication on Wednesdays, January 14th & 21st 2015.

CASE #15-1, 82 West Spring Street, Avon, Massachusetts

All business conducted regarding this Petition will here and forever be known as Town of Avon, Board of Appeals Case #15-1 and Rose Guerra, 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, Massachusetts on Monday, February 23, 2015 at 7:00 P.M. to hear the following petition(s) requesting a Variance from the Avon Zoning By-Laws.

Notice is hereby given that a Public Hearing will be held in the Town Offices, Buckley Center, Avon, Massachusetts on **February 2, 2015, at 7:00 P.M.** to hear the following petition requesting a Variance from the Avon Zoning By-Laws. **Case # 15-1** Petitioner- **Rose Y. Guerra** of **82 West Spring Street, Avon, Massachusetts** request relief in the form of a **Variance** under Section VI Dimensional and Density Regulations 6-4 "Dimensional and Density Regulations Table" for Lot Area for the pre-existing non-conforming lot from the currently required 25,000 square feet to the existing 6,750 sq. ft. Frontage from the required 150 linear feet to the existing 67.5 linear feet. Side yard setback on the East side from the required 15 feet to 11 feet. Front yard setback from the required 25 feet proposed 11.4 feet to the structure and 8.3 feet to the front

Approved Copy of Minutes: The Petitioner(s), Town Clerk Patricia Bessette, Building Inspector Robert Borden, Planning Board, Appeals Board Case File(s).

stairs. At the property located and known as 82 West Spring Street, Avon, Massachusetts. Prose

The Board of Appeals further advised the attendants that all abutters, as certified by the Town Board of Assessors, to the property located at 82 West Spring Street, (Map,D5/3&4) 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.

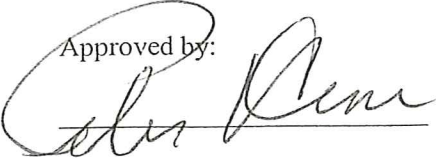
The Board of Appeals advised the attendees of the format of the Public Hearing as follows:

1. Petitioner's Presentation
 2. Comments, Open Discussion, Questions and Answers
 3. Decision and Vote of the Board of Appeals
-
1. Petitioner's Presentation: Mr. Alexis Pisalidis proposed construction of 7'x14-1/2' addition to the front and 13'x14' open deck to the rear of existing structure. Requesting a Variance of the requirements of Section 6-4 "Dimensional and Density Regulations Table" at 82 West Spring Street, Avon Massachusetts.
 2. Comments, Open Discussion, Questions and Answers: The Board of Appeals reviewed the plans. Mr. Comeau asked if the rear deck could be moved more along the rear of the house and made larger so that stairs would not encroach on the side setback. Mr. Pisalidis explained that due to recent septic update there was a 5 1/2 foot retaining wall and septic that prevents them to have an access, and there are wetlands in the back. Mr. Pisalidis stated that this is an existing house that had a porch which they enclosed for living space. Mr. Borden stated the reason he denied the application was the existing house was a one story structure with a farmer's porch, which now is a two story addition. It's also so close to the street. There was discussion that because it's so tall it looks different, but it's the same footprint that was there.
 3. Decision and Vote of the Board of Appeals: Mr. Comeau made a motion to grant the "Variance" for proposed setback as shown on the plans. Variance Dimensional Relief as shown on plan: Front Yard Setback: 25' Required, 12.4' Existing (to foundation), 11.4' Requested (to proposed addition), Front Yard Setback 25' Required, 8.3 existing (to steps), Front Yard Setback 25' Required, 11.4' Requested (to proposed porch), Side Yard Setback 15' Required, 14.8'existing (to Dwelling), 13.8' Requested (to Proposed porch), Side Yard Setback 15' Required, 11.0' Requested (to Proposed Deck) Seconded by Edward Mekjian. All in favor. The vote was unanimous.
 4. Mr. Comeau made a motion to grant a "Variance" for Construction on Pre-existing Non-Conforming lot containing 6,700 Square Feet to vary 25,000 Square Feet required. Seconded by Edward Mekjian. All in favor. The vote was unanimous.

VOTED: to grant the Variance, as stipulated.

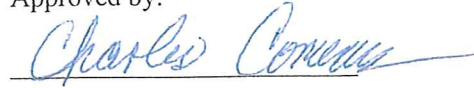
ADJOURNMENT: Motion was made by Mr. Comeau to adjourn the Hearing known as Board of Appeals Case #15-1. Motion was seconded by Edward Mekjian, and it was unanimous.

Approved by:

A handwritten signature in black ink, appearing to read "Peter Crone", written over a horizontal line.

Peter Crone, Chairman

Approved by:

A handwritten signature in blue ink, appearing to read "Charles Comeau", written over a horizontal line.

Chuck Comeau, Acting Clerk