

TOWN OF AVON

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TOWN CLERK



# TOWN OF AVON, MASSACHUSETTS

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BUCKLEY CENTER, Avon, MA 02322

Telephone: 508-588-0414

## *Avon Zoning Board of Appeals- Meeting Minutes*

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**Date:** November 09, 2015

**Members Attending:** Peter Crone, Gerald Picardi, Kevin Foster, Charles Comeau, Edward Mekjian

**Absent:** NONE

**Visitors Forum:** Kathleen Rota & Daniel Rota, Brian Barthelmes, Robert Borden, Building Commissioner

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Kevin Foster called the Zoning Board of Appeals meeting to order at 7:10 P.M. and read the Public Hearing Notice into the minutes.

**PUBLIC HEARING APPOINTMENTS-** Case#15-5 – 27 Pinewood Road, Avon Massachusetts & Case#15-4- (Continued Hearing) – Lot 30, Leo Lane

Notice is hereby given that a Public Hearing will be held in the Town Offices, Buckley Center, Avon Massachusetts on **November 9<sup>th</sup>, 2015, at 7:15 P.M.** to hear the following petition requesting a **Variance/ Special Permit** from the Avon Zoning By-Laws. **Case # 15-5** Petitioner- **Kathleen & Daniel Rota** of **27 Pinewood Road, 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 Side Yard and Rear Yard Setbacks for residential use. Side: required 15 feet requested 6 feet. Rear required 30 feet requested 7 feet. **"Special Permit"** Section 9-2 "non-conforming uses structure, lots: extension and alteration" for your residential use property in a business district. Variance sought to fit garage onto property (detached from house) and still allow for parking in the driveway. Also garage will be used as a buffer from the neighbor's property, located on property known as 27 Pinewood Road, Avon, Massachusetts.

### **BOARD DISCUSSION-**

- (A) Mr. Kevin Foster asked the Petitioners of Case#15-5 for their abutter's list receipts. After review and discussion it was voted to grant the Special Permit and Variance. Please see Case#15-5 –decision for details.
- (B) Mr. Kevin Foster asked if there were any visitors for Case#15-4, Continued Public Hearing for Lot 30, and Leo's Lane. Mr. Brian Barthelmes was present.

After checking to see if anyone else was present Mr. Foster opened up the discussion on Case#15-4. Mr. Chuck Comeau stated, "Why this Variance was granted to begin with." When Lot was drawn up, the reason relief was granted is due to the layout of the lot for a 50 foot roadway access which would then provide the correct frontage required if a road were in fact built. Leo's Lane fit into property 50 feet is what we required for frontage. Could create roadway with correct frontage. Call it a road, can get frontage. Subdivision of land caused this hardship. Zoning did not.

- (C) If a Variance is for frontage and it was given out for renewal moving along and deny this variance. You would need to go to the Planning Board for waivers for site plan review.
- (D) If the abutters would like to go forward with original but would look to do what needs to be if denied.
- (E) Have to create frontage.
- (F) Roadway layout.
- (G) If withdrawn may be better than a denial which takes two years before coming back.

Applicant is requesting a Continuance of Public Hearing #15-4 Lot 30 Leo Lane, Avon Massachusetts. Mr. Comeau made a motion to continue Public Hearing for #15-4, Lot 30 Leo Lane seconded by Mr. Picardi. All in favor, Mr. Mekjian abstained.

**CORRESPONDENCE-** Reviewed

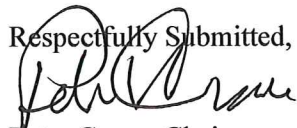
**NEW BUSINESS-** None

**OLD BUSINESS-** None

Next Board of Appeals Meeting to be determined. Mr. Brain Barthelmes was told by the Zoning Board of Appeals to get in touch when he was ready to continue Public Hearing #15-4 Lot 30 Leo's Lane.

**ADJOURNMENT-** Meeting adjourned at 9:00 P.M. A motion was made by Mr. Foster, seconded by Mr. Picardi. All in favor.

Respectfully Submitted,



Peter Crone, Chairman  
AVON BOARD OF APPEALS