



TOWN OF AVON
2018 JAN -9 A 7:43
TOWN CLERK

ZONING BOARD OF APPEALS

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

PUBLIC HEARING MINUTES-August 7, 2017

Case# 17-4- 30 McCoy Street, Avon, Massachusetts
Petitioner- Michael Gallagher

The Public Hearing on August was called to order at 7:45 P.M. by Board of Appeals member Kevin Foster.

The Public Hearing is the result of the Petition of Michael Gallagher - Case #17-4

Present –Kevin Foster, Chuck Comeau, Peter Crone, Gerald Picardi

Visitors- Michael Gallagher

The members of the Board noted this Public Hearing in which the Public Hearing notices had appeared in the Brockton Enterprise on July 24th, 2017 and July 31st 2017 in the Legal Notice section. Receipts were presented to the Zoning Board by the Petitioner.

CASE # 17-4 – 30 McCoy Street, Avon, Massachusetts

All business conducted regarding this Petition will here and forever be known as Town of Avon, Board of Appeals Case #17-4 and Michael Gallagher, 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, Massachusetts on **August 7, 2017 at 7:30 P.M.** to hear the following petition requesting a **Special Permit/Variance** from the Avon Zoning By-Laws. **Case #17-4 , Petitioner, Michael Gallagher** of 30 McCoy Street, Avon, Massachusetts request a “Variance” as required by Section 6-4 “Dimensional and Density Regulations Table” in regards to the area of land required for two dwelling units in a residential “A” Zone. For property located at 30 McCoy Street, Avon, Massachusetts. Assessors Map, C-5-Block 8-Lot 15.

The Board of Appeals further advised the attendants that all abutters, as certified by the Town Board of Assessors, to the property located at 30 McCoy Street, Avon, Massachusetts, (Map C-5-Block 8 – Lot 15.) 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 Chair recognizes the Petitioner, Mr. Michael Gallagher- Mr. Gallagher stated that he had a permit to expand, for In-Law for Mom & Dad. He also stated that he needed to make his home a two family so that he can rent out for the income to stay in his home. Mr. Gallagher was asking for a "Variance".
2. **Comments, Open Discussion, Questions and Answers**: Mr. Foster stated that the development was only for a variance & Special Permit for an In-law, and that the land cannot do a two family. Mr. Foster also stated that what he does with your own dwelling is your business. Mr. Gallagher stated that he will have to do what he needs to do, and walked out of the meeting.
3. The Board states that Mr. Gallagher left the Public Hearing.
4. **Decision and Vote of the Board of Appeals**: On August 7, 2017 Motion was made by Ed Mekjian – to vote to Deny the "variance" The motion was seconded by Mr. Chuck Comeau, vote was 4/0 not in favor.

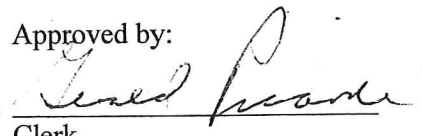
VOTED: to Deny Variance, as stipulated.

ADJOURNMENT: Motion was made by Mr. Crone to adjourn the Hearing known as Board of Appeals Case #17-4, Motion was seconded by Mr. Mekjian and it was unanimous.

Approved by:


Chairman
Peter Crone

Approved by:


Clerk