



TOWN OF AVON  
2022 DEC -9 A 9:05  
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 - November 15, 2022**

Case # 22-8, Lynne and John McKenney, Jr. – 7 Gill Street, Avon, MA

The Public Hearing was called to order at 9:28 p.m. by Chair, Kevin Foster.

The Public Hearing is the result of the Petition of Lynne and John McKenney, Jr. of 7 Gill Street, Avon, MA 02322.

The following were present: Appeal Board Members- Kevin Foster, Chair; Chuck Comeau, Edward Mekjian, Peter Crone, Peter Marinelli

Visitor's- Robert Borden, Building Inspector, Lynne McKenney, Recording Secretary

The members of the board and visitors introduced themselves and the board noted that the Public Hearing Notice(s) had appeared in The Brockton Enterprise on October 31, 2022 and November 7, 2022 in the Legal Notice section.

Case # 22-8, Petitioner: Lynne and John McKenney, Jr.

All business conducted regarding this Petition will here and forever be known as Town of Avon, Board of Appeals Case # 22-8, Lynne & John McKenney, Jr. 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 Tuesday, November 15, 2022, at 7:00 p.m. to hear the following petition(s) requesting a Special Permit from the Avon Zoning By-Laws. The hearing will be conducted via hybrid participation. The meeting can be found at <https://www.avon-ma.gov/node/63/agenda/2022>.



**Case # 22-8** Petitioner, Lynne and John McKenney, Jr. of 7 Gill Street is requesting relief in the form of a Special Permit under Section 255-7.5 for Temporary Additional Living Quarters at the residential property located and known as 7 Gill St., Avon, Massachusetts. Plans may be viewed by appointment prior to the hearing at Town Offices or found on the Town Website. <https://www.avon-ma.gov>. The Board of Appeals further advised the attendants that all abutters, as certified by the Town Board of Assessors, to the property located at 7 Gill Street, Avon, Massachusetts, Map D5 / Lot 25 / Block 1 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 recognized the Petitioner, Lynne McKenney who is requesting relief in the form of a Special Permit under Section 255-7.5 for Temporary Additional Living Quarters at the residential property located and known as 7 Gill Street, Avon, MA. The Petitioner is requesting the living space that is above the garage be used as additional living quarters for Lynne and John McKenney, Jr. The Petitioner explained that the living quarters is 768 square feet which is under the 775 square feet by-law for additional living quarters. Ms. McKenney is requesting a special permit for the temporary additional living quarters for herself and husband. The second floor of the garage will be converted into a living space. The request is due to her son and family moving into her residence.
2. Comments, Open Discussion, Questions and Answers: Zoning Board members clarified the size and location of the additional living quarters, (which cannot exceed 775 square feet.) The Zoning Board of Appeals received a letter from the Board of Health that states that as long as the number of bedrooms does not exceed four, the Board of Health does not have any objection to the request. The septic system is designed for no more than four bedrooms. Mr. Borden, Building Inspector discussed that the space meets the square footage of the Temporary Living Quarters bylaw. He explained that when it is recorded at the registry of deeds, both names are required to be listed. Special Permits for temporary additional living quarters expire at the departure of the person for whom the permit is issued or after 5 years whichever comes first.



3. Decision and Vote of the Board of Appeals: Chuck Comeau made a motion to grant the Special Permit, Zoning Bylaw Section # 255-7.5, Temporary Additional Living Quarters at the residential property located and known as 7 Gill Street, Avon, Massachusetts to not exceed 775 square feet for Lynne and John McKenney, Jr., seconded by Edward Mekjian. No discussion on the motion. A roll call vote was taken. Vote unanimous. The motion carries.


**VOTED: to grant the Special Permit, as stipulated.**

Approved by:

A handwritten signature in cursive script, appearing to read "Kevin Foster", written over a horizontal line.

Kevin Foster, Chairman

Approved by:

A handwritten signature in cursive script, appearing to read "Chuck Comeau", written over a horizontal line.

Chuck Comeau, Member

