

TOWN OF ASHBURNHAM
ZONING BOARD OF APPEALS
LOWER LEVEL MEETING ROOM – TOWN HALL
October 12, 2012, 7:30 PM

In attendance – David Perry, Chair, Joe Daigle, Clerk, Cheryl Anderson, Terry Girouard and Rich Archer

Absent: Mark Carlisle

**Hearing # 12-06 Section 4.2 Variance
Ronald Day and Brenda Mildish
16 Indian Point Drive
Map 46/Parcel 58 RB Zone**

At 7:32 p.m. David Perry called Special Permit Hearing #12-06 to order.

1. Perry opened public hearing, introduced Board members, explained rules of hearing, explains 4 points of variance and explains 5 member board.
2. Ronald Day explains request.
3. Joe asks if building would be attached.
A. No
4. Cheryl expresses interest in Section 5.1
A. Much discussion on section regarding section 5.1
5. Terry inquires about measurements
A. Height 16'
B. Distance to Road 26'
6. David asks if Appellant needs more height
A. Height 18'
7. David asks abutters for input
A. Jim Keefe speaks to sideline setback
B. Asks about construction type
8. Discussion on side set back distance to Mr. Keefe's property.
9. David asks abutter if set back would trouble him if structure was 24' rather than 25'?
A. No

10. Terry asks abutter if he is opposed to project.
 - A. No
11. David closes hearing at 8:03 PM
 - A. Explains rules of appeals
 - B. Explains need to register with registry of deeds
12. Board enters deliberation at 8:07 PM
 - A. Cheryl makes motion to grant variance to section 4.2 and 5.1 with conditions.
 - Hardship-Septic system in the way
 - B. Dave Perry seconded the motion
 - C. Deliberation
 - D. Conditions:
 1. 26` to road
 2. 24` to left side of lot line
 3. 18` maximum height
13. The vote was unanimous to grant variance with conditions

10/12/2012 8:15 PM
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Hearing #12-07 Section 1.4 and 1.42 Special Permit
Harold and Elisa Dandy
44 Hilltop Drive
Map 56/Parcel 78 RB Zone

1. David opens hearing @ 8:15 PM
 - A. Explains rules required for Special Permit
 - B. Picture of land submitted #???? 1 of 1
2. Attorney George Watts speaks for Mr. Dandy.
 - A. Explains situation of buildings across boundary line
 - B. Requests to move buildings with crane in tack to a distance

3. Ms. Ficarra speaks to moving buildings
 - A. Afraid of fire from canopy building and gas grill
 - B. Raised portion of land causes wet area on her land
4. David asks Ms. Ficarra what she wanted to happen.
 - A. Asked Attorney Watts when his client found his buildings were not on his land.
5. Attorney Watts speaks to issue.
 - A. Mr. Dandy did not fill neighbors land
 - B. Built Buildings with permits
6. Ms. Ficarra stated that her husband built their shed 10' more or less from their line
7. Cheryl discusses tax card and dates on it.
8. Discussion by Cheryl, neighbor, Appellant and David with Attorney Watts regarding fence.
9. Attorney Watts states shed roof would be turned away from neighbor
10. Mr. Dandy when asked about canopy roof stated he would put gutter on same and direct the water away from the neighbor.
11. Cheryl asks neighbor if she has an issue with fence along line.
 - A. Not if its attractive
12. Neighbor asks why she has to obey laws and not others.
13. David speaks to continuing hearing until 10/24/2012 at 8:15 PM.
14. David makes motion to continue the hearing to 10/24/2012 @ 8:15 PM
 - A. Seconded by Terry Girouard
 - B. Vote unanimous to continue the hearing to 10/24/2012 at 8:15 PM at Town Hall Lower Level Meeting room.
15. Joe Daigle makes motion to adjourn at 9:00 PM
 - A. David Perry seconded the motion
 - B. The vote was unanimous to adjourn the meeting.

Respectfully submitted,

Joseph Daigle
Clerk

10/24/2012 8:15 PM
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