

TOWN OF MENDON
ZONING BOARD OF APPEALS
20 Main Street
Mendon, Massachusetts 01756

James P. Carty, Chairman Patrick
Guertin - Member
John Vandersluis - Member
Thomas Merolli – Alternate
John D’Amelio - Alternate

Minutes
July 21, 2022

Members present Jim Carty, Patrick Guertin, John Vandersluis, Alternate John D’Amelio, Alternate Thomas Merolli.

Appeal 106 Millville St. (con’t)

The continued hearing was opened at 7:00pm. Mr. Carty read the hearing notice.

Attorney Jay Talerman was present for the appellants Mark and Kathy Alexander. Attorney Ernest Horn was present representing the owner.

Mr. Carty reminded the attendees of the rules of the hearing.

Mr. Talerman began by noting that the Board of Health letter determined that there was an illegal commercial operation at the site. This should have triggered a Site Plan review. He would like the ZBA to conclude that the Site Plan Review is needed. He added the site needs to be stabilized.

Mr. Horn agrees, with the exception of the presence of a commercial operation. They have retained an engineer from Goddard Associates and the engineer will be present at the next Conservation Commission meeting scheduled for August 11, 2022.

Mr. Carty read the Board of Health letter aloud. He concluded that there was clearly an illegal commercial operation being conducted.

Mr. Merolli asked what does the plaintiff want? Mr. Talerman responded that they would like enforcement for the property owner to remedy the site. They would like to keep this hearing open while the Conservation Commission works with the owner/engineering firm.

K. Alexander, an abutter, asked that the wetlands behind the house be addressed as well. Mr. Carty responded that Conservation should be looking at that. Mr. Horn stated he tell the engineer to look at that.

On a motion from Mr. Vandersluis, seconded by Mr. Guertin, the motion to continue until August 18, 2022 at 7pm passed unanimously.

Mr. Vandersluis made a motion to adjourn, P. Guertin seconded. The meeting was adjourned at 8:22pm.

13A Asylum St.

Mr. Carty read the hearing notice.

Taniel Bedrosian, representing Nightview, LLC, is seeking to renew a variance for reduced frontage originally granted in 2013 that had lapsed on 13 A Asylum St. He wishes to build a single-family home. The variance was recorded at the Worcester registry of Deeds but never acted on.

The Board noted that there was no plan showing the proposed home. Mr. Bedrosian stated he doesn't know where it will be yet, since he has to access the lot. He merely seeks a renewal of the original variance for reduced frontage and submitted identical paperwork. When asked, Mr. Bedrosian said the entire property was uplands, no wetlands.

Abutter John Villa at 15 Asylum questioned whether the owner created his own hardship. The reply was no, he was not the original owner.

Abutter Justin Schwartz stated that they deserve more information that what was presented. He stated the lots aren't buildable.

Mr. D'Amelio stated that boards often grant variances for reduced frontage to prevent a road going in and adding even more houses.

Mr. Vandersluis stated he had no problem renewing this variance.

On a motion by Mr. Vandersluis, seconded by Mr. Guertin the board unanimously voted to grant the variance for reduced frontage to build a single-family home.

51 Kinsley Ln.

Mr. Carty read the hearing notice.

Kathleen and Christopher Howard represented themselves at the hearing. Mr. Howard presented his plan to build a single-story garage to house a car. Currently there is a small shed at the site. Since the lots on Kinsley Ln. are so small, he will need a variance from the side and front setbacks.

Two abutters sent in letters of support for this variance. Mr. Carty read the letters.

The Board was satisfied with Mr. Howard's plan and had no further questions. On a motion by Mr. Vandersluis, seconded by Mr. Guertin, the variance passed unanimously.

101 A-D Blackstone St.

Mr. Carty read the hearing notice.

Andrew Fiske and his attorney Ernie Horn were present. Mr. Fiske first noted that lots on the plan he submitted were mislabeled. Mr. Carty asked him to bring a corrected copy to the Town Clerk's office.

Mr. Fiske stated in 2017 he was awarded a variance for reduced frontage on the 4 lots. He said he made a mistake and did not leave enough frontage for himself to access the back of his property where he keeps his equipment. He seeks to have the frontage reduced further on lots 101A,B,C and increase the frontage on 101D, which is his own lot. He said that the three remaining lots already were approved for a common driveway and that he left enough frontage to meet the requirements for one. He states that a telephone pole location creates an access hardship for him.

Mr. Guertin asked about wetland crossings. Mr. Fiske said there were.

Mr. Crump, an abutter, asked if the shared driveway will have enough room for two cars to pass. The answer was yes.

An abutter at 104 Blackstone St. questioned the granting of 13 feet of frontage for 3 lots. Current bylaws require driveways to be 18 feet. The reply was that shared driveways are common.

There was no further discussion. On a motion by Mr. Vandersluis, seconded by Mr. Guertin, the variance was granted as written.

Minutes:

On a motion by Mr. Vandersluis, seconded by Mr. Guertin the minutes from April 21, 2022 and June 16, 2022 were accepted. Mr. Carty abstained.

Adjourn:

On a motion by Mr. Vandersluis, seconded by Mr. Guertin the meeting was adjourned at 8:27 pm.

Approved 8/18/22