

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**  
**April 29, 2021**

Members present: James Carty, John Vandersluis, Patrick Guertin, Alternate John D'Amelio, Alternate Thomas Merolli.

Due to COVID-19 guidelines for public meetings, this meeting was held in person and public access was available remotely.

**19 Asylum St**

Hearing was opened at 7:00pm. Chairman Carty read the hearing notice and nature of relief.

The applicant was represented by Byron Andrews. The applicant's representative explained that the applicant wants to build a detached garage. Due to variables on the property the only location is in the front of the property. The septic is on the left side of the property and there is not enough setback to attach it to the right of the property. The applicant seeks a 20.1 ft. variance from front setback.

Mr. Vandersluis inquired as to whether this was a one-story or two-story structure. The applicant replied it is one story.

Mr. Guertin asked if the side setbacks were compliant with zoning. The answer was yes.

There was no further comment from the public.

J. Vandersluis made a motion to approve the application as written. P. Guertin seconded. The motion passed unanimously. 7:09pm

### 32 Vincent Rd.

David Cushing, representing himself, asks the Board to consider a variance from the front setback to build a family room in the front of the house to better see the children's play areas and provide additional living space.

Mr. Carty states there is no hardship listed on the application. There is ample room on the right side of the house to put the addition without a variance. Mr. Cushing stated this would not be ideal.

Mr. Merolli asked what the specific hardship was. Mr. Cushing replied that the other locations would be more expensive.

Mr. Vandersluis asked about the setback. It would be reduced to 37.4 ft.

Mr. D'Amelio asked about an existing covenant. Mr. Cushing was unaware of one. Mr. Carty said there is a covenant, and the applicant should have described a hardship in his application.

Mr. Carty stated there were several letters of concern from abutters who are opposing the variance. Mr. Carty strongly suggested that the applicant go back and reconsider the location of the addition.

The hearing was opened for public comment. Jane Metzger, an abutter, has a copy of the covenant. She believes the proposed addition would not be in the spirit of the covenant which maintains certain esthetics should be upheld and additions are not "out of place". A picture of the proposed addition was passed around.

Deb Perro, an abutter, addressed that the home and play equipment are already very close to the road which is a safety concern. She also mentioned concern that property values would be affected as it is unlike any other addition in the neighborhood.

Mr. Vandersluis gave the applicant the opportunity to withdraw the application without a decision. This would preserve the right to come back within two years for any further variance. Mr. Carty suggested that it would be beneficial to have the neighbors agree with the plan.

Mr. Cushing withdrew his application at 7:40 pm. No decision was rendered.

### Other Business

On a motion from J. Vandersluis, 2<sup>nd</sup> by P. Guertin the minutes from 3/25/21 and 4/1/21 were approved as written. 7:42 pm

E. Agro requested the board review the current fees being charged for Variance Applications. The application fee is \$250 but after and audit of the last year's submissions it was found that the fees were not covering the administration costs associated with holding a public hearing. After some discussion, it was proposed that the fees be raised to \$350 pending approval of the Select Board. J. Vandersluis made a motion, seconded by P. Guertin. Passed unanimously. 7:47pm

E. Agro will bring the proposed fee increase to the Select Board at one of their future meetings.

J. Vandersluis made a motion to adjourn, P. Guertin seconded. Unanimous 7:48pm

Approved July 8, 2021