

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**  
**August 18, 2022**

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

**Appeal 106 Millville St. (con’t)**

The Mr. Jay Talerman, attorney for the appellant requested a continuation via email at the request of his client. There appears to be progress at the site and they will re-evaluate in September.

**7 Taft Ave. Variances**

The applicant was represented by his attorney David Bertonazzi. Mr. Bertonazzi presented Mr. Lamber’s plan to build a 24’ x 26’ two-car, detached garage on the property. He seeks relief from the front and side setbacks: Front setback from 50’ down to 20’ and side setback from 20’ down to 11’. The structure will be single-story. Mr. Bertonazzi stated because of the pre-existing, non-conforming size of the lot, it is a hardship to build using the literal enforcement of the zoning dimensional requirements. There would be no safety hazards to pedestrians or the general public.

Additionally, the wrap around deck requires relief from the side setbacks from 20’ down to 1.2’ Since the pre-existing, non-conforming lot is only 50 feet wide, literal enforcement of the zoning bylaw would preclude the applicant from adding any sized deck.

Mr. Carty did not see the advantage of wrapping the deck to the side as they would be staring at the neighbors.

An abutter, Mr. Paul Clements, was opposed to the variances because he would suffer diminished daylight privacy and quality of views. He also felt the applicant did not meet the requisite hardship and saw this as overbuilding on a small lot without compelling evidence to support it.

Mr. Vandersluis replied that this board has granted many variances like this. Mr. Carty does not want to stop homeowners from bettering their land because a neighbor may not like the view.

There was no further discussion.

On a motion by Mr. Vandersluis, seconded by Mr. Guertin both variances were granted unanimously.

### **Dumpster Regulations**

The Board was asked to review and provide comment to proposed dumpster regulations put together by the board of Health. Mr. D'Amelio thinks they are overly restrictive and believes there are already laws in place that allow the BOH to act on violations. He does not like the idea of permitting and it is cost prohibitive for many. Mr. Guertin thought they should enforce the regulations they have now.

Mr. Carty asked Mr. D'Amelio to put together a memo and forward to Ms. Agro to be given to the BOH.

### **Minutes:**

On a motion by Mr. Vandersluis, seconded by Mr. Guertin the minutes from July 21, 2022 were accepted.

Adjourn:

On a motion by Mr. Vandersluis, seconded by Mr. Guertin the meeting was adjourned at 7:33 pm.

Accepted 9/15/22