

APPROVED

James P. Carty, Chairman
Patrick Guertin - Member
John Vandersluis - Member
Thomas Merolli - Alternate

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

Minutes
21 Bates St
79 Hartford Ave East
44 Hartford Ave East
179 Blackstone St
August 6, 2020

Members present: James Carty, John Vandersluis, Patrick Guertin, Alternate Thomas Merolli

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

21 Bates St

Hearing was opened at 7:00pm. The public hearing notice was read by Chairman Carty. A letter from the Water Commission was also read advising the applicant that no town water would be available if the variance is granted.

Joseph Antonellis and John Nenart were the applicant's representatives. Mr. Antonellis stated the applicant feels this lot can help the town provide more modest, affordable homes. Applicant stated many other homes on the road were also non-conforming lots.

Tom Merolli asked if those non-conforming homes were granted variances. Answer, the lots were established prior to the zoning laws.

Jim Carty read portions of a letter sent to the board from Robert and Sandra Neilan, abutters. The Neilans are opposed to granting this variance due to:

1. The request is more than a 50% reduction in lot size requirements
2. There is currently an issue with water run-off and adding another home with septic and a well would possibly make those issues worse.
3. A safety concern for an already hazardous traffic flow.

Mr. Nenart disagreed with the water concerns.

Applicant is willing to put deed restrictions in place to limit access to property behind this lot.

Jane Lowell (40 Millville St) voiced concerns that deed restrictions go away once the property is sold. Mr. Antonellis did not agree with that statement.

A resident (name unavailable) of 18 Bates St. questioned the set backs as shown on Mr. Nenart's plans.

Bruce Howe 5 Joseph Rd. did research on the properties and said that 9 of the abutters' lots were larger than the proposed lot and 7 abutters had smaller lots.

Beth Cutler 29 Bates St expressed concern that granting these variances is setting a precedent and others will attempt to divide non-conforming lots. Chairman Carty advised that the Board decisions do not set precedent.

Mike Merolli 31 Bates St said that zoning was created to stop packing in houses. Newer houses built on the street are on conforming lots.

Anne Mazar 50 Pleasant St. asked where is the hardship?

J. Vandersluis motioned to grant variance with a restriction on it being a 2 bedroom home and no cut through to other properties. Applicant must also address the water issues.

No second was given, by default the variance was denied. 8:02pm

79 Hartford Ave. East

Hearing opened at 8:04pm. Chairman Carty read the public hearing notice and reviewed the hardship as stated by the applicant.

Frank Niro representing the applicant. He restated the applicant's hardship.

P. Guertin asked about the wetlands.

J. Vandersluis asked about dimensions as the map is very small and hard to read.

Chairman Carty wants to see the proposed house and the abutter's in proximity to the proposed house.

Mr. Niro does not have that plan with him.

Chairman Carty would like all future plans to have the proposed property showing the abutter's.

J. Vandersluis stated they need to see uplands on the plans which includes the Mill River.

Chairman Carty suggested the hearing be continued to August 20, 2020 at 7:40pm to give the applicant time to provide an adequate plan. 8:16pm

44 Hartford Ave East

Hearing opened at 8:17 pm. Chairman Carty read the application and nature of relief.

Bob Poxon, representing the applicant, noted the application had a typo but the drawings are correct. Requested relief from frontage should be Lot A from 220 ft down to 103.16 ft, Lot B from 200 ft down to 103.00ft. The applicant is seeking relief from frontage and from driveway restrictions. Applicant would like a shared driveway in order to minimize multiple crossings of wetlands/gasline easement. The gas company likes crossings to be at a 90 degree angle.

Karen Brenneman of 40 Hartford Ave. E expressed her concerns that 1) the lot is not suitable even for one home 2) the location of the driveway is dangerous as it is across from the entrance to Bellingham St. and is on a blind curve. No traffic study has been done and 3) the location of the septic appears to be in violation of the wetland protection by-law.

J. Vandersluis stated the applicant would have to go in front of Conservation Commission and Planning Board to proceed further. This variance is just the first step.

J. Vandersluis made a motion to accept the application as written, seconded by P. Guertin. Motion passed unanimously. 8:44 pm

179 Blackstone St

Hearing was opened at 8:46pm. Chairman Carty read the application and nature of relief. The Board did not feel the applicant had suitable plans drawn up. They would like to see driveway locations, abutters, and uplands.

Chairman Carty requested this hearing be continued until August 20, 2020 at 8:00pm. Applicant, Keith Usher, was present as well as Eli Leino, representative for the applicant. 8:55pm

Other business – John D’Amelio met with the Board to express his interest in the alternate vacancy. The Board thanked him for his interest. The Select Board will appoint him on September 1, 2020.

J. Vandersluis made a motion to adjourn, P. Guertin seconded. Unanimous 9:01pm

Next meeting – August 20, 2020, at 7pm

Minutes approved December 3, 2020