

Mendon Town Hall
20 Main Street
Mendon, Massachusetts 01756

36 Taft Avenue

February 18, 2016

Present and voting members: Jim Carty, Chairman, Patrick Guertin, John Vandersluis, Lawney Tinio, alternate member & Sherry Grant, alternate Alt and Administrative Assistant.

Applicant: Brian Grady, homeowner with Fred Lapham, engineer for Shea Engineering and Surveying, Inc.

7:30 pm

J. Carty opens the hearing and reads the public hearing notice that was properly advertized twice consecutively in the Milford Daily news prior to the hearing. All abutters were duly notified of the hearing through the postal service.

Fred Lapham, engineer for the applicant, presents to the Board the Variance requested by the applicant. A conceptual plan was presented demonstrating the proposed addition measuring $14' \times 22.4'$. A variance is needed for the 2.9' side lot distance to the abutter. The engineer states that the property owner would like to expand his family and stay in the neighborhood. Also stated, which does not need a variance is a 10×20 porch and a single story shed. The existing deck will be part of the living room with the deck in front. The deck will be 5' wide.

J. Vandersluis inquires if bedrooms with be added in which the engineer replied, no.

- J. Vandersluis asks if there will be a full cellar and foundation in which the homeowner replied, yes.
- P. Guertin questions the well distance in which the engineer stated that the well will be 13' to the structure. The engineer informs the Board that the applicant will need to get a variance from the Board of Health as the well distance needs to be 25' from a structure.

Brian Grady states that he had spoken with the abutter next door, the Flaherty's, and that they had no issues with the addition and the distance to side lot. The Flaherty's were not present at this hearing.

- F. Lapham states that the stockade fence separating the properties has long since been considered the lot line. This fence is just beyond the legal lot line that separates the Grady's property from the Flaherty's property.
- J. Vandersluis motioned to approve the 36 Taft Ave variance as written in the application in which the proposed addition will reside 2.9 ft' from side lot. P. Guertin seconded the motion motion passed unanimously.
- J. Vandersluis motioned to close the hearing. P. Guertin seconded the motion motion passed unanimously.

Minutes Approved: 7/9/15



Mendon Town Hall
20 Main Street
Mendon, Massachusetts 01756

59 Asylum Street

May 19, 2016

Present and voting members: Jim Carty, Chairman, Patrick Guertin, Lawney Tinio, alternate member and Sherry Grant, alternate member.

Applicant: Alan and Phyllis Tetreault – 28 Asylum Street, Mendon, MA Representing Counsel: Joseph Antonellis

8:00 pm

J. Carty opens the hearing and reads the public hearing notice that was properly advertized twice consecutively in the Milford Daily news prior to the hearing. All abutters were duly notified of the hearing through the postal service.

Joseph Antonellis, Counsel for the applicant, demonstrates a conceptual plan with a proposed structure on the plot of land represented in the hearing. J. Antonellis states that the property conforms to the current town's requirement by 9.78 percent out of 10. He states that the proposed house would act as a buffer to the abutters.

Cheryl Ann Connolly – 57 Asylum Street reads her letter of concerns to the Board. She stated that the lot was to be a buffer from the noise and odor to her property from the neighboring zoo. She states that she and her husband purchased the home knowing that the lot would always act as a buffer to her own. She was also told the lot was unbuildable due to its lot size. Ms. Connolly also questions the hardship that the applicants have presented to the Board.

- J. Antonellis states that there are only 19 square feet of wetlands on the lot and that the lot has enough upland to build.
- P. Guertin questions the probability of well and septic setback issues with respect to wetlands.
- J. Antonellis state that a perc test had not been performed yet and that they will acquire what is needed through the Board of Health

Alan Tetreault states that white oak and maple trees will act as a buffer and will only cut down what is needed.

J. Antonellis states that the lot is significantly wooded.

After much discussion, L. Tinio motions to approve the 52,715 square foot lot variance as presented in the application for 59 Asylum Street. P. Guertin seconded the motion – motion passed unanimously.

L. Tinio motions to close the hearing. P. Guertin seconded the motion – motion passed unanimously.

Approved Mins: 2/18/16



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

> 47 Milford Street Taylor Rental

May 19, 2016

Present and voting members: Jim Carty, Chairman, Patrick Guertin, Lawney Tinio, Sherry Grant, alternate.

Applicant: Bruce Spinney 71 Potter Road, Grafton, MA with Norman Hill, engineer for Land Planning, Inc.

7:30 pm - 47 Milford Street/Sign

J. Carty opens the hearing and reads the public hearing notice that was properly advertised twice consecutively in the Milford Daily news prior to the hearing. All abutters were duly notified of the hearing through the postal service.

Norman Hill, engineer for the applicant, presents to the Board the Variance requested by the applicant. A conceptual plan was presented demonstrating the LED illuminated sign. N. Hill states that the sign will be 311 square feet, 24 feet tall and digital on the bottom portion. Also stated, is that the proposed digital portion of the sign will be multi-colored and that the digitalized portion will be 10 feet off the ground. The engineer states that the sign will not impede on the sight distance. Current bylaws state no more that 50 square feet with a white backlit color. N. Hill states that all the competitors have changeable wording on their signs. He also states that the sign will be shut down at night by 9 pm and will be turned on by 6:30 am. N. Hill continues to state that the property has thick layer of woods all behind the property.

- L. Tinio state that other businesses in town wanted LED lights as well and that only one other (church route 140) has the LED sign that came before the current zoning bylaws.
- B. Spinney speaks about the other towns that have strict sign bylaws as well.
- N. Hill suggests that he and the applicant draw up a letter of restrictions for the next meeting and asks the Board not to vote tonight. The Board voices no objection to this request.
- L. Tinio asks the applicant to drop the sign 4 feet.

Pat Ghelli, 42 Milford Street, suggests that the sign be of a colonial design. P. Ghelli states that many residents in the area are concerned about the size of the sign and the illumination.

- B. Spinney states that he wants to use the sign for seasonal items and that the sign would remain static for about 2 weeks.
- J. Carty motions to continue the hearing on June 16, 2016 at 7:30 PM. L. Tinio seconded the motion motion passed unanimously.

Min Approval: 2/18/2016



CONING BOARD OF APPEALS Mendon Town Hall 20 Main Street Mendon, Massachusetts 01756

101 Blackstone Street

June 16, 2016

Voting members: John Vandersluis, Lawney Tinio and Sherry Grant.

8:00 PM: 101 Blackstone Street - Varsity Wireless, LLC, 346 Congress Street, Suite 703, Boston, MA 02210

Varsity Wireless, LLC requests an extension of no more than (6) months to the variance that was granted July 9, 2015 to construct a cell tower on the property owned by Andrew Fiske. Mr. Francis Parisi, attorney representing Varsity Wireless, LLC states that they are currently finishing up with the Mendon Planning Board and working with the Environmental Species Act. Mr. Parisi states that at this time (6) months should be a sufficient amount of time for an extension.

J. Vandersluis motions to grant the (6) months extension. L Tinio seconded the motion – motion passed unanimously.

Meeting unanimously adjourned.



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

47 Milford Street Taylor Rental

June 16, 2016

Present and voting members: John Vandersluis, Lawney Tinio and Sherry Grant Applicant: Bruce Spinney 71 Potter Road, Grafton, MA.

7:30 pm - 47 Milford Street Business/Residential

L. Tinio opens the hearing and reads the public hearing notice that was properly advertized twice consecutively in the Milford Daily news prior to the hearing. All abutters were duly notified of the hearing through the postal service.

Bruce Spinney stated that he would like to utilize the entire lot to conduct business. He also, states that the back 200 feet zoned residential contains wetlands and that the back lot read side boundary prohibits access to the rear of lot, making development impossible.

Board discusses specifically the intended use for the back portion in which Mr. Spinney stated he would be better able to conduct his rental business with the available room to do so.

No abutters were present and no objections were noted on file.

- J. Vandersluis motions to extend the business zone into the residential zone as drawn on plan. L. Tinio seconded the motion, motion passed unanimously.
- L. Tinio motioned to close the hearing. J. Vandersluis seconded the motion motion passed unanimously
- J. Carty motions to continue the hearing on June 16, 2016 at 7:30 PM. L. Tinio seconded the motion motion passed unanimously.

7:45 PM: 47 Milford Street - Sign

Present and voting members: John Vandersluis, Lawney Tinio and Sherry Grant.

Applicant: Bruce Spinney 71 Potter Road, Grafton, MA.

Before the opening of the public hearing, Bruce Spinney states to the Board that he would like to continue the public hearing to another date in August/2016.

A date to continue was not set this evening and will be picked at a later time that the applicant requests.

L. Tinio motions to continue the public hearing scheduled for tonight for the sign use at 47 Milford Street to a later date in August at the request of the applicant.

J. Vandersluis seconded the motion – motion passes unanimously.

Meeting unanimously adjourned.



Mendon Town Hall
20 Main Street
Mendon, Massachusetts 01756

7 Bates Street

August 25, 2016

Present and voting members: Jim Carty, Chairman, Patrick Guertin, and Sherry Grant, alternate member.

Petitioner: Marcus Wenger 164 North Street Bellingham, MA Owner: Robert and Pamela Burke 7 Bates Street, Mendon, MA

Engineer: Robert Poxon Guerriere and Halnon, Inc.

7:30 pm

J. Carty opens the hearing and reads the public hearing notice that was properly advertized twice consecutively in the Milford Daily news prior to the hearing. All abutters were duly notified of the hearing through the postal service.

Robert Poxon, engineer for Guerriere and Halnon states that the home to be recolated on Cape Road is somewhat historical and in rough shape. He states that the building is to either be knocked down or moved. Mr. Poxon states that Mr. Burke owns 90,000 square feet – sufficient to build a duplex with current town zoning. He states that Mr. Burke want to make 2 lots. The house to be moved would be on town water and private septic. The location to move the house is a mostly clear lot and then would reside in the residential zone instead of the business zone.

P. Guertin asks questions about the abutting house to the left of the proposed house in which the engineer demonstrates the house on the displayed plan.

- J. Carty states that he would like to see the abutting house on the plan.
- J. Vandersluis questions the distance to the closest abutter in which the engineer states not closer than 15 feet.
- P. Guertin guestions the locations of the homes across the street.
- B. Poxon, engineer, states that the houses across the street are at least 65 feet set back per zoning at that time.
- B. Poxon states that the lot that the house to be moved is on is located on 9 acres and is zoned business house needs to be rezoned or torn down.

Sherwood Wiganowske, 7 Edward Road, states that he is concerned about the slope of the lot because he has run-off and a high water table. He is concerned about the septic running off towards the street. He is concerned about the drainage and the septic that will be located in close proximity to his house. He states that he is also concerned about the frontage and the setbacks.

Ted Wood, 19 Edwards Road, questions the frontage and setbacks as well. He states he is concerned about the house on Cape Road will be torn down and that a road will be built behind the Edward Road homes.

Victor Loronga, 2 Edward Road, states that he lives in the house across the street and states that the house to be moved is not in good shape. Mr. Laronga also stated a concern about the intersection if there were to be a street made in the area. He also states a concern over lead paint dust that may blow into his yard and garden.

R. Poxon states that the house will be restored and the Mendon Historical Commission approached the petitioner to have the house restored. Mr. Poxon also states that a site plan review would have to be performed on any proposed intersection — if any.

Bruce Howe, 5 Joseph Road, questions the square footage on the assessor's card. He also questions the Board why the town has rezoning at all. He sates that towns make zoning bylaws for a reason.

J. Vandersluis states that property owners can not make two non-conforming lots and that other zoning bylaws restrictions ex: non metal structures.

Robert Burke states that he is working with Mr. Wenger and that he would rather see the house moved then demolished. He states that the house would fit in

with the character of the neighborhood and would have legal frontage. He states the variance is for lot size not setbacks or frontage.

Kathy Schofield, 135 Blackstone Street, Historical Society Member, states that they society approached Mr. Wenger about the house proposed to be moved. She states that the Historical Society wants to restore and retain the homes in the area and suggested salvaging the house.

Sandra McSweeney, 6 Bates Street, questions if the house can be moved elsewhere.

M. Wenger states that the Historical Society could not find any other parcels for the house to be moved to.

Sherwood Wiganowske, 7 Edward Road, questions the Historical Society as to why they are so concerned over this house to be moved and not the other homes in the area.

Jane Lowell, 40 Millville Road, Historical Society Member, states that Mr. Kempton was not cooperative about preserving another house in the area of the soccer field. Ms. Lowell states that this home is unique in its structure. Ms. Lowell describes the home in detail.

Mike Sullivan, 21 Edward Road, questions the historical significance of the home and who will renovate the home. He states that he is concerned about the home being an "eye-sore".

- B. Burke, 7 Bates Street, states that he does not want the home to be an eyesore as it will reside next to his property. Mr. Burke states that Mr. Wenger will be funding the half mile move to its new location.
- J. Carty questions the renovation timeframe. Mr. Wenger states that the renovation will take between 9-15 months from start to finish and that he will start renovations as soon as the house is moved to its new foundation.

Kathy Schofield, states that the house belonged to the Bicknells, Bates & Thayers and has historical significance to the town. Ms. Schofield continues with the historical details.

Gerald Bulock, 9 Edwards Road, questions the standards that the Historical Society for older homes.

Jane Lowell states that Mr. Wenger can approach the town to use CPA funds loaned to him at a low or no interest rate to repair home – this would have to be town approved.

Sherwood Wiganowske asks what other variance will be coming. Bob Poxon replies, none.

B. Poxon states that the variance does not guarantee that the lot is buildable. He states that a perc test will have to be performed as well as all other town regulations.

Gerald Bulock questions the plans for the house to be moved once it is in its new location.

Marcus Wenger states that he will be keeping the integrity of the home in relation to its circa and year. He states that he has his own funds to restore the home.

Jane Lowell states that the CPA funds are not guaranteed – just an option for Mr. Wenger.

Eric Hodge, 3 Bates Street, questions whether this will be a residence for someone or restored for a town landmark.

Bob Poxon states that the home will be restored and sold and will not be used as a museum.

Bruce Howe asks the Board as to why would they allow a non-conforming lot?

J. Carty states the function of a Zoning Board of Appeals. He states that there are many non-conforming lots in town.

Bob Burke states that he was disappointed to see the other surrounding homes torn down.

Edward Sullivan, 21 Edwards Road, asks the board that is the variance is approved and other permitting allowances for the home do not, will variance be null and void? J. Carty replies yes – with this particular project

Robert Poxon states that the house to be moved will be a 3 bedroom home with an attached garage.

Sandra McSweeney questions how much of the historical part of the home will be retained.

Jane Lowell states that there is no guarantee that the historical aspects of the home will be retained but that Mr. Wenger is co-operating with the Historical Society.

Bob Poxon states that where the home will be town down or moved will be maintained as a business.

Marcus Wenger states that there are no specific plans for the lot for business.

Bob Poxon states that any business for the lot would be difficult without town water or sewer. He states that any big business would be difficult.

Bob Burke states that he does not have plans to build another home if the variance is not approved.

- J. Vandersluis states that the ZBA must be fair to all sides of the parties involved.
- J. Carty states that the ZBA is willing to put items listed in the decision as to what areas could be possibly preserved.

Eric Hodge is concerned over the access where the house will be torn down.

J. Vandersluis states that any road needs to go through a site plan review – commercial lot and that it will be a driveway and not a road.

Mary Leone, 8 Bates, questions the real hardship of the application.

P. Guertin suggests a site visit of the property.

Bob Poxon states that he will stake out the location of the propose house.

A site walk is planned for September 1, 2016 at 5 PM and continue the hearing for September 15, 2016 at 7 PM.

J. Vandersluis motions to adjourn the meeting. P. Guertin seconds the motion – motion passed.

Town of Mendon 20 Main Street Mendon, MA 01756

Petitioner: Omar Wenger 7 Bates Street Mendon, MA 01756

Public Hearing: Petitioner Marcus Wenger, 164, North Street, Bellingham, MA requested relief from the Mendon Zoning Bylaws on Article II, Sec. 2.01, Table 1, a minimum lot size of 60,000 SF. The applicant sought a Variance to allow a lot size of 30,085 SF to relocate an existing historic house to the subject lot allowing the existing house to remain in the same neighborhood. The lot is located at 7 Bates Street, Mendon, MA and owned by Robert J. and Pamela J. Burke. Assessor's Map # 14-107-7

J. Carty opens the public hearing on September 15, 2016 and reads public letters from abutters with concerns:

Sherwood Wiganowski 7 Edward Road Doanld and Laurette Pilkinton 13 Bates Street Benigno Leone 8 Bates Street Gerald and Patricia Bulock 9 Edward Road

Many resident and abutters again stated their concerns about the house being located onto Mr. Burke's property. Concerns consisted of: setting precedence on dividing property and creating a non-conforming lot, no "real" hardship, not keeping in with character and integrity of the neighborhood, frontage and setback concerns, small lot, and questions of real historical value on the home to be moved, along with septic runoff and traffic.

Mr. Wenger states that the exterior of the home will be maintained. The inside of the home however would be to be gutted.

Kathy Schofield, Historical Commission stated that the home dates back to the late 1800's and that the home is very solid structurally.

L. Tinio feels that the applicant is creating a hardship.

Kathy Schofield asks about Mr. Wenger using the access road to his back lot instead of moving home. Mr. Wenger states that the back lot is privately owned by the car wash company.

With much discussion between the petitioner, the owner of 7 Bates Street, the residents and the abutters, a motion was made and unanimously passed to deny the application.

John Vandersluis motioned to deny the variance, as written in the application and not allow the lot to be subdivided. Patrick Guertin seconded the motion and the motion passed unanimously by the Board. The hearing was then unanimously adjourned and closed.

ZBA Business;

59 Asylum Street & 47 Milford Street minutes were unanimously approved.

Town of Mendon 20 Main Street Mendon, MA 01756

Minutes 60 Uxbridge Road

Applicant: Mark Benoit 60 Uxbridge Road November 17, 2016

- J. Vandersluis motioned to open the public hearing. P Guertin seconded the motion. Motion passed unanimously.
- J. Carty read the Public Hearing notice.

The petitioner addressed the Board and stated that he would like to have a shed delivered to his property measuring 12'x24'. The only location to place the shed is 3.4 feet from left side property and 20 feet from front of property due to ledge on the property.

J. Carty opened the hearing to the audience. No opposition from the audience was witnessed nor voiced.

After discussion, John Vandersluis motioned to approve the variance as written and approve the side and front setbacks as stated. Motion was seconded by Patrick Guertin, motioned passed unanimously by the Board and the hearing was closed by a unanimous vote.

Town of Mendon 20 Main Street Mendon, MA 01756

1 Nipmuc Drive Applicant: Meehan Realty Management, Corp. 32 Hastings Street Mendon, MA 01756

Petition of Meehan Realty Management Corp., 32 Hastings Street, Suite 203, Mendon, MA. The applicant requests a Variance of relief from the Mendon Zoning Bylaws on Article II, Sec. 2.01 Lot Size: requesting a variance from 40,000 SF to 23,353 SF, Front Yard Set-back: requesting a variance from 50 ft to 21.61 ft, Lot Depth: requesting a variance from 200 ft to 103.49 ft, Lot Width: requesting a variance from 200 ft to 186.78 f & Article II, Sec. 2.03(c)(ii) 1: Parking: requesting a variance from 20 ft distance of a parking area to street right of way or property line where the abutting property is zone or used for residential purpose to 1 ft. The lot is located at 1 Nipmuc Drive, Mendon, MA Assessor's Map # 10-188-1 and the property is owned by Jason, LLC, 8 Uxbridge Road, Mendon, MA

J. Carty opens the public hearing on November 17, 2016 and reads public hearing notice Advertising, posting of notice and mailing public hearing notifications to the abutters was performed. The petitioner's counsel and engineer verbally expressed his client's reasoning for applying for the variances. Counsel and engineer stated that the proposed building will be used as a small office building to serve the adjacent function hall. The lot was demonstrated by its uniqueness stating that the lot is oddly shaped with affected corners by highway takings and lot separation of route 16. Due to the uniqueness and severe topography, variances for lot size, front yard set-back, lot depth and width, along with parking are needed. The lot would be rendered useless otherwise.

There was no opposition by those present during the hearing.

After thorough discussion, John Vandersluis motioned to approve the 70x40 foot proposed building on the property of 1 Nipmuc Drive as well as all variance requested as written. Motion was seconded by Patrick Guertin, motioned passed unanimously by the Board and the hearing was closed.

ZBA Business:

Meeting minutes approved from 09/15/16, 8/25/2016, 06/16/16, 05/19/16, and 05/07/15

Town of Mendon 20 Main Street Mendon, MA 01756

Minutes
32 Blackstone Street
11/17/2016
Applicant: Justin Harshaw
33 Julia Drive
Uxbridge, MA 01569

- J. Vandersluis opened the public hearing. P. Guertin seconded the motion. Motion passed unanimously.
- J. Carty read the public hearing notice in the meeting.

The petitioner's engineer demonstrated a conceptual plan stating that the applicant would like to build a single family home and reside on the property.

The applicant stated that he would like to build the house just behind the row of trees in the front of the property. Current zoning requires 200 feet of frontage in which the applicant has 101.05 feet of frontage.

The engineer stated that the applicant want to maintain the historical use of the property as agricultural. This lot #34 was originally part of lot #32.

The Board chairman opened the hearing to the public

The owner of lot #34 stated their concern that the applicant owns a paving company and was concerned of the esthetics of a long paved driveway looking like a road.

The applicant stated that he would be keeping a gravel driveway at this point but the width of a driveway per zoning regulations was allowable

After discussion, Patrick Guertin motioned to approve the variance as written with a frontage opening of 101.05 feet. Motion was seconded by John Vandersluis, motioned passed unanimously by the Board and the hearing was closed unanimously.

Cape Rd Hearing – 12/21/16

Jim Carty John Vandersluis Patrick Guertin Lawney Tinio – Alternate

- -Open Hearing 7:00PM
- -JC read the hearing notification and explained the rules of the meeting

Paul Braza

- -Explained corp structure
- -Discussed plans for construction
- JC Asked for clarification on materials stored
 - -Stone / Loam / Gravel
- JV Asked about fuel storage
 - -1K Gallon Portable
- PG Asked about traffic
 - -Minimal Impact 7A Arrival then back out on the road with a return 3-345 return
- Jane Lowell Millville Rd
 - -What is the hardship
 - -Number of cars
- -Don Keller Cape Rd
 - -It shouldn't be changed to a commercial use
 - -The area is very wet

Bruce Howe

- -Doesn't want a construction company
- -Furi Podge Bates ST
 - -Only want rural in that area

Kevin Rudden

-Spoke in favor of the project

Time Aicardi – Mowry St (Building Inspector)

- -Explained that Construction Company was accidently omitted
- -Explained the Planning Board must do site plan review.

Derek Kurz - Hartford Ave

- -Can we limit storage in permit
- -How big is paved area in rear portion
 - -About 2000 square feet

Sandra McSweeney

- -Are there legal issues
- -How is the ZBA guided by hardship
- -Lives close by

Victor Loronga

-Can we limit material storage hight

JC Motion to approve

- -20' Hite limit on piles and bin coverings
- -No visible debris (Possible word this a little better)
- -Vehicle & Equipment Inside
- -Trailers to be stored in rear of building

Mins approved 8/29/16 & 9/15/16

Submitted by Lawney Tinio