

Approved: August 26, 2021

TOWN OF LANCASTER
BOARD OF APPEALS
Remote Meeting Via Zoom
June 24, 2021

Present: Acting Chair Matthew Mayo, David Stadtherr, Hannah Meyer, and Rob Alix.

Absent: Scott Miller, Frank Sullivan, Ryan Aldrich and Jeanne Rich

Staff Present: Debra Dennis, Planning & Community Development

List of Documents:

- Agenda- June 24, 2021
- Special Permit Application-Amendment of Special Permit David Murphy
- Minutes April 22, 2021

There being a quorum present, Acting Chair Matt Mayo called the meeting to order at 7:00 PM.

Recognition of Scott Miller and Hannah Meyer for service to the town

The Board members thanked Scott and Hannah for all the years of service on the Board of Appeals.

Minutes

Minutes- April 22, 2021-These were tabled until the next meeting.

Public Hearing:

7:00 PM-Petition by David Murphy, (applicant and owner), 36 Vincent Ave. Lancaster MA to amend a Special Permit decision of the Board of Appeals pursuant to Section 220-52 of the Lancaster Zoning Bylaw.

Acting Chair Matt Mayo read the public hearing notice into the record thereby convening the public hearing. He said the voting members will be Rob Alix, Hannah Meyer, David Stadtherr and Matt Mayo.

David Murphy explained he is seeking the removal of the restriction from his special permit dictating where he is restricted to not have windows facing South or East. He said his addition is restricted to only have windows on one side. He said there is a stairway which blocks one side. He commented that the objection on the east facing windows didn't come from the owner of the property. Regarding the south side windows, he pointed out that the space on windows would be 29 feet from the property, which is within the setback requirements, so I don't even know if that is covered under the Board of Appeals.

He said there is no other way to put a window in the sewing room for his wife and is seeking elimination of the restriction of no windows.

David Murphy said the new addition is pretty much 90% in the existing footprint of the structure that we demolished, by extending a little further back the existing garage is five feet from the rear property line. The wood shop was about eight feet from the property line. The breezeway will be more than 20 feet from the abutter's property.

Matt Mayo said you're proposing two windows on the east side. Dave Murphy said yes. The Board reviewed the plan submitted with the proposed windows.

Acting Chair Mayo said the amended special permit application states only the east windows which were the ones that had the most objections from the abutter but as Mr. Murphy brings up that the structure is within the set back.

Rob Alix said he remembers at the last meeting being cordial and coming up with a resolution that everyone seemed to be happy with and here we are two months later you are asking for an amendment at a meeting where none of those individuals are present. They thought their issue had been taken care of.

David Murphy said he feels that this is a reasonable request and there's been no bait and switch here. The abutters were notified by certified mail, so they had every opportunity.

Hannah Meyer said in her opinion she doesn't see a substantial need for the east side windows.

Rob Alix said he would be okay with amending the eastern side windows.

Dave Stadtherr said he was wondering why he voted a condition preventing anybody from putting a window anywhere in their house.

David Murphy said the person who complained about the windows on the east side is a tenant and not the owner of the property.

Mary Ellen Larkin-Root said she doesn't have any objections.

Matt Mayo said there are some questions the members have concerning if the abutter notice was sent to the resident who complained at the first meeting. The advertisement of this meeting was published on time. He said he thinks by the sound of it that it might be a split decision and you might be better off to continue.

Dave Murphy requested a continuance to the next meeting.

Rob Alix said he doesn't want to decide and go back and say he didn't do his due diligence.

A motion to approve the applicants request for a continuance to the next meeting in July was made by David Stadtherr and seconded by Rob Alix. Roll Call Vote: Rob Alix yes, Hannah Meyer yes, David Stadtherr yes, and Matt Mayo yes.

A motion to adjourn was made by Rob Alix and seconded by David Stadtherr. Roll Call Vote: David Stadtherr yes, Rob Alix yes, Hannah Meyer yes and Matt Mayo yes.

The meeting was adjourned at 8:06PM.

Respectfully submitted:

Debra Dennis