

TOWN OF LANCASTER
BOARD OF APPEALS
Lancaster Community Center
Thursday, August 25, 2016

Present: Scott Miller, Chair; David Stadtherr, Robert Baylis, and Hannah Meyer

Absent: Jeanne Rich, Vice-Chair; Sarah Gulliver, Matthew Mayo, and Frank Sullivan

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

Chair Scott Miller went over the agenda for the evening's meeting.

General Business

Minutes from July 28, 2016 Meeting

The Board reviewed the minutes from July 28, 2016.

Ms. Hannah Meyer had a minor correction to the minutes.

At 7:01 PM Ms. Hannah Meyer made a motion to approve the minutes as amended. Mr. Bob Baylis seconded. No discussion VOTE: 3-0-1, Mr. David Stadtherr abstained.

Chair Miller asked the applicant, Mr. Maurizio Varano if he would like to hold both hearings at the same time.

Mr. Maurizio Varano stated that he would like to have both hearings heard at the same time.

Public Hearing, Special Permit – Maurizio Varano – 98 Prescott Street

Present: Philip Duffy, Representative and Maurizio Varano, Owner

At 7:08 PM Chair Scott Miller read aloud a Notice of Public Hearing thereby convening a public hearing for the purpose of considering a petition by Maurizio Varano, 82 Chestnut Street, Clinton, MA (applicant) and U.S. Bank Trust, N.A. (trustee for Volt 201-NPL1 Asset Holding c/o Caliber Home Loans, Inc.), 13801 Wireless Way, Oklahoma City, OK 73134, for a Special Permit, Section 6 Finding or other zoning relief under Section 220-51 (Nonconforming Buildings) of the Lancaster Zoning Bylaw for the expansion of a four-family home. The property is located in the Residential and Multi-Family Zoning Districts at 98 Prescott Street, Lancaster, MA, and is identified on the Lancaster Assessor's Map 37 as Parcel 134. (Abutters within 300 feet were notified via Certified Mail (return receipt) and interested parties were notified via First Class Mail. This matter was publicized in *The Item* on August 5, 2016 and August 12, 2016.

Public Hearing, Variance – Maurizio Varano – 98 Prescott Street

Present: Philip Duffy, Representative and Maurizio Varano, Owner

At 7:09 PM Chair Miller read aloud a Notice of Public Hearing thereby convening a public hearing for the purpose of considering a petition by Maurizio Varano, 82 Chestnut Street, Clinton, MA (applicant) and U.S. Bank Trust, N.A. (trustee for Volt 201-NPL1 Asset Holding c/o Caliber Home Loans, Inc.), 13801 Wireless Way, Oklahoma City, OK 73134, for a Variance or other zoning relief under Section 220-22.B(4) (Yard Dimensions; Side and Rear Yard Setback) and Section 220-12.A (Building Dimensions; Building or Structure Height) of the Lancaster Zoning Bylaw for the expansion of a four-family home. The property is located in the Residential and Multi-Family Zoning Districts at 98 Prescott Street, Lancaster, MA, and is identified on the Lancaster Assessor's Map 37 as Parcel 134. This matter was publicized in *The Item* on August 5, 2016 and August 12, 2016.

Chair Miller stated that only four members of the Zoning Board of Appeals are present at the meeting and stated that all four members must vote to approve the Special Permit and variance. Chair Miller asked Mr. Varano if he wished to continue with the hearing or to have the hearings continued until more members could be present at the meeting.

Mr. Philip Duffy stated that he was hired as the architect for the project which is for the renovation of an existing four unit dwelling located on Prescott Street. Mr. Duffy stated that the home had been bank owned for some time. Mr. Varano wishes to clean up the property fix the existing fire damage to the home renovate the home to create four townhouse style apartments. Mr. Duffy stated the existing building height is 34 feet but the requirements state that they must be 33 feet. A variance is also request for the side setback to allow for the construction on a stairway to allow for second from of egress for the apartments. Mr. Duffy stated that the parking for the apartments will require a few trees to be removed and have plans for eight parking spaces two per unit.

Mr. Duffy stated that the Special Permit is to allow alterations to an existing no conforming property.

Mr. Maurizio Varano stated that when he purchased the property he noticed that there were six meters on the side of the house. He went on to state that the dwelling needs to be remodeled due to a fire and would like to put in four townhouse style units.

The Board had a discussion regarding the parking for the proposed apartments and stated concern with the layout that is proposed for 8 cars.

Mr. Varano stated that he has other properties where he states in the lease that there are only two cars allowed per unit and has no issue with placing similar language in the leases for the units at this property.

Chair Miller asked what type of market Mr. Varano was hoping to rent too.

Mr. Varano stated that he was hoping to get young families for with the college nearby college students.

Mr. Robert Baylis asked if the Fire Department had any concern with the proposed project.

Mr. Varano stated that the units will have sprinklers.

Mr. Hannah Meyer stated that the proposed plans will improve the house and are not more detrimental to the property.

Mr. Robert Baylis stated that the proposed plans to the property are a great improvement to the existing.

Chair Miller asked if any other number of units in the building were concerned.

Mr. Varano stated that to have anything less the four units in the building would not be economically feasible for the project.

At 7:42 PM Mr. Robert Baylis made a motion close the Special Permit hearing for 98 Prescott Street. Mr. David Stadtherr seconded. No discussion. VOTE: 4-0-0.

At 7:43 PM Mr. Robert Baylis made a motion close the Variance hearing for 98 Prescott Street. Mr. David Stadtherr seconded. No discussion. VOTE: 4-0-0.

At 7:43 PM Mr. Robert Baylis made a motion issue the Special Permit for 98 Prescott Street with a two car restriction per unit. Mr. David Stadtherr seconded. No discussion. VOTE: 4-0-0.

At 7:45 PM Mr. Robert Baylis made a motion grant the Variance requested for 98 Prescott Street. Mr. David Stadtherr seconded. Chair Miller stated by allowing the variance an additional form of egress will be provided. VOTE: 4-0-0.

There being no further business to come before the Board, the meeting was adjourned at 7:48PM.

Respectfully submitted,

Heather Hampson
Office Manager