

TOWN OF LANCASTER
BOARD OF APPEALS
Lancaster Community Center
Thursday, September 28, 2017

Present: Scott Miller, Chair; Jeanne Rich, Vice-Chair; Sarah Gulliver; Matthew Mayo; Hannah Meyer; Bob Baylis

Absent: David Stadtherr, 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.

Chair Miller stated that all five members will be voting members for the items on the agenda this evening.

Public Hearing, Variance, 131 Sylvan Road

Present: Tom and Marsha Forhan, Owners

At 7:02 PM Chair Scott Miller read aloud a Notice of Public Hearing thereby convening a public hearing for the purpose of considering a petition by Thomas and Marsha Forhan, 131 Sylvan Road, Lancaster, MA 01523 (applicant and owner), for a Variance under the Lancaster Zoning Bylaw Section 220-11 (A) (Front yard setback) in order to construct a front porch that is less than 30 feet from the property line, and Section 220-11 (B) (Side and rear yard setback) in order to construct a detached garage that is less than 20 feet from the property line. The property is located in the Residential Zoning District at 131 Sylvan Road, Lancaster, MA, and is identified on the Lancaster Assessor's Map 37 as Parcel 63. This matter was publicized in *The Item* on September 8, 2017 and September 15, 2017.

Tom and Marsha Forhan appeared before the Board to seek a variance for setbacks for a garage addition that is (19) feet off the side property line, and a front porch addition that is (28) feet from the edge of the road.

Mr. Forhan stated that they have lived in the home for 33 years and wish to continue living in the home through their retirement. The house was built in 1948 and is very typical of all of the homes on Sylvan Road and built around the same time period, being mostly small capes and ranch-style homes. The proposed improvements remain fully in line with the neighborhood landscape and will not detract from its character.

There is an immediate need to upgrade and improve the home entry access to provide covered/safe access that does not exist today. All of the homes entry points are uncovered and open to the elements. All entrances show signs of deterioration associated with 69-year-old construction and require repair.

The current one-car garage is very typical for its era and cannot be used as intended due to its restricted size in relationship to the size of the two full-size vehicles. There is also a full-size motorcycle that also needs shelter. The expanded garage will allow for two of the vehicles and the motorcycle to be sheltered, while also providing sheltered/safe access into the home.

The porch size will be (8) feet deep x (28) feet with a (24) foot ridge, bringing it (1) foot inside the side yard setback. The garage will be an extension of the current garage, and will continue to be sited on the left side of the home as that is the location of the current entrance to the house into the dining room. The right side of the home of the home does not enter the home as that side has a raised foundation. A rendering was provided.

At 7:12 PM Jeanne Rich made a motion to close the public hearing for the Variance requests for 131 Sylvan Road. Sarah Gulliver seconded. No discussion. VOTE: 5-0-0.

At 7:13 PM Jeanne Rich made a motion to grant an (8) foot variance from Section 220-11 (A) for the front porch, and to grant a (1) foot variance from Section 220-11 (B) of the Lancaster Zoning Bylaw. Robert Baylis seconded. No discussion. VOTE: 5-0-0.

The decision will be drafted within two weeks and submitted to the Town Clerk for a 20-day appeal period.

Public Hearing, Variance, 17 Ivy Court

Present: Christine Cassidy, Owner

At 7:16 PM Chair Scott Miller read aloud a Notice of Public Hearing thereby convening a public hearing for the purpose of considering a petition by Christine Cassidy, 17 Ivy Court, Lancaster, MA 01523 (applicant and owner), for a Variance under the Lancaster Zoning Bylaw Section 220-11 (B) (Side and rear yard setback) in order to construct an attached garage that is less than 20 feet from the property line. The property is located in the Residential Zoning District at 17 Ivy Court, Lancaster, MA, and is identified on the Lancaster Assessor's Map 41 as Parcel 139. This matter was publicized in *The Item* on September 8, 2017 and September 15, 2017.

Christine Cassidy appeared before the Board to seek a variance for a side yard setback for a (18) feet by (38) feet one-car attached garage that is (16) feet off the side property line. She stated that the current house has no garage, and she would like to shelter her car, as well as provide additional storage space as the existing shed will need to be removed in order to provide room for the garage. The lot is long and thin, with a steep embankment at the rear of the house. The only room on the lot is to place the garage on the right side that will encroach into the side yard setback of (20) feet by (4) feet. The side entrance to the house is on the right and will remain in place. This will now become a sheltered entrance into the home from the garage.

The house was built in 1973 and is very typical of all of the homes on Ivy Court and built around the same time period, being mostly small capes and ranch-style homes. The proposed improvements remain fully in line with the neighborhood landscape and will not detract from its character.

The garage size will be (18) feet x (28) feet, bringing it (4) feet inside the side yard setback. A rendering was provided.

Roger and Marilyn Fleming of 121 Parker Road were present at the hearing and stated they had no issues with the garage addition.

At 7:29 PM Jeanne Rich made a motion to close the public hearing for the Variance request for 17 Ivy Court. Sarah Gulliver seconded. No discussion. VOTE: 5-0-0.

At 7:30 PM Jeanne Rich made a motion to grant an (4) foot variance from Section 220-11 (B) of the Lancaster Zoning Bylaw. Sarah Gulliver seconded. No discussion. VOTE: 5-0-0.

The decision will be drafted within two weeks and submitted to the Town Clerk for a 20-day appeal period.

Discussion, Escrow Account Closures

Chair Miller recused himself from the discussion as he is a direct abutter to one of the subject properties. Matt Mayo stepped in as Chair for this discussion.

Noreen Piazza stated that she went through all the open escrow accounts that the Board of Appeals currently holds that have balances. These projects have either been completed or never were constructed. The list of accounts was circulated, and includes Fieldcrest Estates for \$2,732.06, Sandy Hollow for \$4,131.11, and Grand Oaks for \$1,882.62.

At 7:35 PM Jeanne Rich made a motion to close the three accounts as mentioned and issue refunds of the remaining balances. Sarah Gulliver seconded. No discussion. VOTE: 5-0-0.

Chair Miller stepped back into the meeting.

General Business

Minutes from May 25, 2017 Meeting

The Board reviewed the minutes from May 25, 2017.

At 7:40 PM Bob Baylis made a motion to approve the minutes from the May 25, 2017 meeting as presented. Hannah Mayer seconded. No discussion. VOTE: 4-0-2 (Jeanne Rich, Sarah Gulliver abstaining).

Fourth Quarter Meeting Schedule

The Board reviewed the meeting schedule for October through December 2017. The dates are set at October 26, November 30, and there will be no December meeting.

There being no further business before the Board, the meeting was adjourned at 7:45 PM.

Respectfully submitted,

Noreen Piazza, Planning Director