

BOARD OF APPEALS

Calendar year 2010 proved to be a productive year for the Lancaster Board of Appeals. A wide range of activities occurred, ranging from variance and special permit applications to Chapter 40B comprehensive permit applications. The Board of Appeals reviewed several significant applications in 2010, the highlights of which are listed as follows:

Comprehensive Permits

- Curt Plante, Blue Heron Pond, off of High Street Extension
Amendment to Comprehensive Permit for re-assignment of market- and affordable-rate units
Approved: 2/25/10
- Muirfield Development, Jones Crossing, off of Deershorn Road
Amendment to Comprehensive Permit for 32 single-family detached homes
Approved: 3/25/10
- Muirfield Development, Jones Crossing, off of Deershorn Road
Extension for Comprehensive Permit
Extended to September 25, 2011: 5/27/10

Variances

- Jason and Kate Engelhardt, 157 Centerbridge Road
Variance for Section 220-9 (D) (In-home occupation, no more than one employee)
Withdrawn without prejudice: 3/25/10
- Project Kars 007, Bouchard Automotive, Old Union Turnpike
Variance for Section 220-28 (B) (Permitted forms of illumination)
Variance for Section 220-29 (B) (Freestanding signs)
Variance for Section 220-29 (C) (Attached signs)
Approved: 8/26/10
- Peter Moran, Lot off of Woodruff Road
Variance for Section 220-20 (A) (Lot area) and Section 220-10 (B) (Lot frontage)
Withdrawn without prejudice: 10/28/10
- Raymond MacDonald, 16 Burbank Lane
Variance for Section 220-11 (B) (3) (Side and Rear Yard Setback)
Approved: 10/28/10
- Nicole Grivakis, 808 Main Street
Variance for Section 220-8.5 (A) (Retail sales) and Section 220-29 (B) (Freestanding signs)

Approved: 10/28/10

- Nashoba Regional School District, 103 Hollywood Drive
Variance for Section 220-27 (B) (Motion) and Section 220-29 (B) (Freestanding signs)

Approved: 10/28/10

Special Permits

- Albert Gould and Karen Joyce, 1357 North Main Street
Extension for Special Permit for Section 220-51 (A) (Non-conforming buildings – continuance, alteration, extension)
Extended to July 7, 2010: 1/28/10
- Jason and Kate Engelhardt, 157 Centerbridge Road
Amendment to Special Permit for Section 220-9 (D) (Office space greater than 300 SF)
Approved: 3/25/10
- McGovern Brook Estates and Lancaster Parcel B LLC, Lancaster Marketplace, Lunenburg Road
Amendment and Extension to Special Permit for Section 220-8.5 (A) (Retail sales) and Section 220-8.5 (D) (Sales of motor vehicles)
Extended to May 27, 2015: 5/27/10
- Albert Gould and Karen Joyce, 1357 North Main Street
Extension for Special Permit for Section 220-51 (A) (Non-conforming buildings – continuance, alteration, extension)
Extended to January 6, 2011: 6/24/10
- T-Mobile Northeast LLC, Cell Tower at 696 Fort Pond Road
Special Permit for Section 220-43 (Modification to existing PWS facility)
Approved: 10/28/10
- David and Lowrissa Hovasse, 77 Connor Lane
Special Permit for Section 220-9 (G) (Accessory apartments)
Approved: 10/28/10
- Nashoba Regional School District, 103 Hollywood Drive
Special Permit for Section 220-27 (D) (Signs on Town property) and Section 220-28 (A) (Illumination of signs)
Approved: 10/28/10

Appeals

- Brian and Cheryl DiPietro, 123 Chace Hill Road

Appeal of Cease and Desist Order for Section 220-8.1 (EE) (Outdoor storage in side and rear yards)

Denied: 1/28/10

- Town of Clinton, Massachusetts
Appeal of Cease and Desist Order for Section 220-8.3 (D) (Other active outdoor recreation facilities in a predominantly natural setting)

Denied: 2/4/10

Other Business

In January 2010, the Board re-organized and re-elected Scott Miller as Chair, Robert Marshall as Vice-Chair and Francis Sullivan as Clerk.

The Lancaster Board of Appeals is an eight-member appointed board whose charge is to ensure compliance with a wide array of land use and zoning regulations in Lancaster. The Board of Appeals meets on the fourth Thursday of each month at 7:00 PM in the Town Hall Auditorium. All citizens are welcome to join the Board for these meetings and public involvement is always encouraged.

The Community Development and Planning office coordinates all meeting schedules and is open Monday through Thursday, 9:00 AM to 4:00 PM. As always, this office welcomes citizen's questions, comments or suggestions. Please feel free to contact us at 978-368-4007, npiazza@lancasterma.net or lmichalak@lancasterma.net. The Board acknowledges the professionalism and support offered by the Community Development and Planning office in completing this year's work.

Respectfully submitted,

Scott Miller, *Chair*

Robert Marshall, *Vice-Chair, Alternate Member*

Francis Sullivan, *Clerk, Alternate Member*

Jeanne Rich

Eugene Christoph

David Stadtherr

Sarah Gulliver

John Parsons, *Alternate Member*