

BOARD OF APPEALS

Calendar year 2013 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 2013, the highlights of which are listed as follows:

Comprehensive Permits

- Muirfield Development, Jones Crossing Development, off of Deershorn Road
Amendment to Comprehensive Permit, request to waive BOH regulation
Approved: 4/25/13
- CHAPA, Blue Heron Pond Development
First right of refusal on 550 Blue Heron Drive
Voted Not to Purchase: 9/26/13

Variances / Special Permits / Other Zoning Relief

- Ventas Realty, Trustee for Kindred Nursing and Rehab, 1675 Main Street
Zoning relief pursuant to Sections 220-28(A) (Illumination), 220-31 (Size), 220-27(C) (Setbacks and corner clearance) and 220-29(B) (Freestanding signs)
Approved: 1/10/13
- Borrego Solar, 267 Brockelman Road
Special Permit pursuant to Section 220-8.4(A) (Underground or overhead services)
Approved: 1/10/13
- Shawn Corbett, 39 Brockelman Road
Special Permit pursuant to Section 220-9(G) (Accessory apartment)
Approved: 2/28/13
- Lancaster Little League, Fields at Mill Street Extension and Packard Street
Special Permit pursuant to Section 220-30(A) (Temporary signs)
Denied: 4/25/13
- Paul and Rita LeBlanc, 108 Fire Road 12
Special Permit and Section 6 Finding pursuant to Section 220-51(A) (Non-conforming buildings)
Approved: 4/25/13
- William Putnam, 225 Kaleva Road
Special Permit and Section 6 Finding pursuant to Section 220-51(A) (Non-conforming buildings)
Approved: 4/25/13

- 214 Main Street Realty Trust, 214 Main Street
Zoning relief pursuant to Sections 220-8.5(C) (Retail, service and office uses), 220-11(A) (Yard dimensions) and 220-27(C) (Sign setbacks and corner clearance) and 220-28(A) (Illumination)
Approved: 7/25/13
- Ronald and Linda Abreu, 31B Mountain Laurel Lane
Special Permit and Section 6 Finding pursuant to Section 220-51 (A) (Non-conforming buildings)
Approved: 7/25/13
- Robert and Linda Martineau, 15 Mountain Laurel Lane
Special Permit pursuant to Section 220-51(A) (Non-conforming buildings)
Withdrawn without Prejudice: 9/26/13
- Lori Silva, 779 Main Street
Zoning relief pursuant to Section 220-8.5(A) (Retail, service and office uses)
Approved: 9/26/13
- Richard Burgoyne, 122 Rigby Road
Special Permit pursuant to Section 220-9(G) (Accessory apartment)
Approved: 9/26/13
- 214 Main Street Realty Trust, 214 Main Street
Amendment to Special Permit pursuant to setbacks (gas pumps, island, canopy)
Approved: 9/26/13
- Charlene Cabral and Joseph Gleason, 309 Mill Street
Variance pursuant to Section 220-10(A) (Lot area) and 220-10(B) (Lot frontage)
Withdrawn without Prejudice: 10/24/13
- Project Kars 07 LLC, 500 Old Union Turnpike
Zoning relief pursuant to Sections 220-29(C) (Attached signs) and 220-31 (Sign exceptions)
Approved: 10/24/13
- Michael Lancelotta, 14 Kinnear Avenue
Section 6 Finding pursuant to Sections 220-51(A) (Non-conforming buildings) and 220-51(B) (Non-conforming lots)
Approved: 10/24/13
- Eugene and Betty Ann Ogborn, 597 South Meadow Road
Section 6 Finding pursuant to Section 220-51(A) (Non-conforming buildings)
Approved: 10/24/13

Appeals

- Elephant Realty Trust, 415 Center Bridge Road
Appeal of Cease and Desist Order for Sale, Rental and Repair of Vehicles
Denied: 2/28/13
- Elephant Realty Trust, 415 Center Bridge Road
Appeal of Denial of Issuance of a Business Certificate for Automotive Repair
Approved: 4/25/13

Other Business

In January 2013, the Board re-organized and re-elected Scott Miller as Chair, Robert Marshall as Vice-Chair and Francis Sullivan as Clerk. Member John Parsons also stepped down in 2013. The Board thanks him for his years of service to the Town and to the Board.

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 Lancaster Community Center. 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 978-365-3326 x1311, npiazza@lancasterma.net or jgalliardt@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*

Francis Sullivan, *Clerk, Alternate Member*

Eugene Christoph

David Stadtherr

Sarah Gulliver

Jeanne Rich, *Alternate Member*