

The Office of the Zoning Board of Appeals
THE TOWN OF MERRIMAC
Massachusetts, 01860

COMMITTEE: ZBA
MEETING DATE: February 22, 2016
Meeting Place: Merrimac Town Hall
School Street, Merrimac, Ma 01860

Members present: Chairman Josh Jackson, Arthur Amirault, Ed Mills, Gordon Broz, and Steve Elwell
Members excused: Ron Dandurant
Non Members present: Bob Sinibaldi, Inspectional Services, Phillip Parry, Abutter Jason Edic

7:01 PM

Chairman Jackson opened the meeting

7:01 PM

Board members reviewed escrow account for Village at Merrimac. The total is \$51,300. \$5,000 will remain in the account for one year Oct 2017. This money is being held for any paving issues that might arise. At the March, 2016 meeting board members will sign warrant to release funds.

7:02 PM

Board reviewed previously paid payroll

7:04 PM

Arthur Amirault made a motion to approve the November, 2015 meeting minutes, Edward Mills 2nd the motion. Vote: 5:0

7:05 PM

Petitioner: Waterhouse Realty Trust 74 East Main Street, Merrimac Ma 01860

This property is located in both the Rural Highway (RH) Zone and the Agricultural Residential Zone (AR). The Petitioner seeks a Special Permit to correct deficiencies in the mapping of the Water Resource Protection District relating to section 14.5.1 of the Merrimac Zoning Bylaw and in accordance with Massachusetts General Law ("G.L.") Chapter 40A, 10, whereby the petitioner seeks to correct a mapping issue. The Board heard information presented by Phillip Parry, Attorney. It is determined that the burden of proof be placed upon the applicant. A professional will need to be engaged to work on the mapping issue as there is confusion with district boundaries. It is necessary to determine where the resource area starts and ends. A list of engineering companies will be generated and sent to Phil (completed 3/16). The wetland engineering needs to be updated. It is 16 years old. The petitioner will need to do this. Gordon Broz made motion to continue hearing to March 14, 2016 so that petitioner can contract with an engineering firm regarding wetland engineering. Chairman Jackson 2nd the motion Vote: 5:0. This item will be continued to March 14, 2016.

7:49 PM

Owner: Estate of Charles Gove 4 Sawyer Street, Merrimac, Ma 01860 Applicant: Mary Cormier Inc.

This property is located in the Village Residential Zone. The Petitioner seeks a Special Permit for a rear yard setback pursuant to Article 23.5 of the Merrimac Zoning Bylaw and a finding of fact Special Permit pursuant to Article 3.3.4 that the proposed new reconstruction, alteration or extension of a pre-existing nonconforming single family residence by the Petitioner will not result in a substantial increase in the nonconforming nature of said structure and such reconstruction, alteration or extension will not be substantially more detrimental to the neighborhood than the existing nonconforming structure and in accordance with Massachusetts General Law ("G.L.") Chapter 40A, 10, whereby the petitioner seeks to build a two-family residence on the premises. Attorney Phillip Parry representing the petitioner. Parry will speak to applicant about the possible plan for a single family home on this lot. Abutters were present and voiced concern about a 2 family home being built on this lot. Gordon Broz made the motion to continue this hearing to March 14, 2016. Steve Elwell 2nd the motion Vote: 5:0.

8:20 PM

Chairman Jackson made a motion to adjourn the meeting, Gordon Broz 2nd the motion. Vote 5:0

Meeting adjourned.