

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

COMMITTEE: ZBA  
MEETING DATE: May 9, 2016  
Meeting Place: Merrimac Public Library  
86 West Main Street Merrimac, Ma 01860

Members present: Chairman Gordon Broz, ( sitting in for Chairman Josh Jackson) Arthur Amirault, Ed Mills, Elle Janelli , Steve Elwell

Members excused: Ron Dandurant, Chairman Josh Jackson

Non Members present: Andy Street, Shane Wakeen

**7:00 PM** Open the meeting

**7:01 PM**

Ellen Janelli made a motion to approve the April 2016 meeting minutes, Steve Elwell 2<sup>nd</sup> the motion.  
Vote: 5:0

**7:04 PM**

Petitioner: Top Notch Homes, LLC

Legal Ad 4/25/16 5/23/16

The Zoning Board of Appeals held a public hearing on May 9, 2016 at 7:05PM at the Merrimac Public Library, 86 West Main Street, Merrimac, Massachusetts, under General Laws, Chapter 40A, as amended on the application of Shane Wakeen-Topnotch Homes, LLC, concerning the premises located at 10 Orchard Street, Merrimac, Massachusetts. This property is located in the Village Residential Zone. The Petitioner seeks a variance from Article 4; Section 4.6 and Section 4.6.8 of the Merrimac Zoning Bylaw and in accordance with Massachusetts General Law ("G.L.") Chapter 40A, 10, whereby the petitioner seeks to permit the recently constructed single family home.

Chairman Broz recognized Andy Street, Civil Design Consultants, at which time he was given the opportunity to speak on behalf of the proposed project. The petitioner seeks a variance from Article 4 Section 4.6 and Section 4.6.8 of the Merrimac Zoning Bylaws.

All those were given an opportunity to speak for and against the project.

Ellie Janelli made the motion to grant the petitioner a variance under Article 4 ; Section 4.6 and Section 4.6.8 according to the Merrimac Zoning Bylaws to exceed the 25 foot maximum front yard setback and allow the home to be set back from the road to its current location of 55.1 feet from the front yard boundary utilizing Section 25.13.1.2 stating desirable relief maybe be granted without substantial detriment to the public good. The variance also does not nullify nor substantially derogate from the intent of purpose of the Bylaw.

Edward Mills 2<sup>nd</sup> the motion, made by Elle Janelli. The Board vote four votes in favor, no dissenting votes. Arthur Amirault abstained.

The applicant reports that some plantings have been put in (Lot 12) to assist the abutters. The sidewalk will combine both lots 10 and 12 when it is put down.

**7:14PM**

Meeting Adjourned Arthur Amirault made a motion to adjourn the meeting, Ellen Janelli 2<sup>nd</sup> the motion.