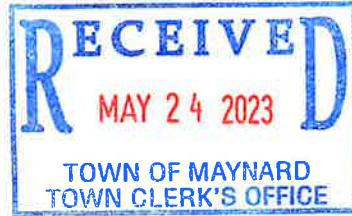




**TOWN OF MAYNARD
Zoning Board of Appeals
Office of Municipal Services**



195 Main Street
Maynard, MA 01754
Tel 978-897-1302

OMS@TownofMaynard.net www.townofmaynard-ma.gov

Findings and Decision

Project Name: 30 Roosevelt Street
Petition No: ZBA 23-04
Petition Type: Special Permit Request
Property Owner/Applicant: Rhiannon Roberts, 30 Roosevelt Street, Maynard, MA 01754
Description of Request: Special Permit
Map & Lot # Map 20, Lot 17
Current Zoning: General Residence Zoning District (GR)
Lot Size: 6,925 Square Feet
Application Date: April 24, 2023

Description of Request: The applicant requested a Special Permit to allow an extension of a non-conforming structure that will add a deck to the dwelling. The subject property is a pre-existing non-conforming structure on a non-conforming lot. The non-conformity is failure to meet the required 25' (south) front setback and 15' (west) side setback as well as failure to meet 7,000 square foot lot requirement.

I. Procedural History

- a. Pursuant to Massachusetts General Law Chapter 40A, Section 10, an application for a Special Permit from the Maynard Zoning By-laws was submitted by the above-referenced owner and filed with the Zoning Board of Appeals (ZBA) on April 24, 2023.
- b. A public hearing on the Special Permit application was scheduled for May 22, 2023. The Legal Notice was placed in the MetroWest Daily News on May 8 and May 15, 2023, and was sent via certified mail to interested parties (Exhibit "A").
- c. The application documentation and other submitted material were reviewed by Town Staff.

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- d. The application documentation and other submitted material were reviewed by Town Staff. There were no staff objections to the application.
- e. At the public hearing, there were no public comments in opposition to the application.

II. Regulatory Framework and Determination of Consistency

Section 10.4.2 of the ZBL states that to grant a Special Permit, the Board must make a finding that the adverse effects of the proposed use will not outweigh its beneficial impacts to the Town or the neighborhood, in view of the characteristics of the site, and of the proposal in relation to that site. The determination included consideration of the project's impact on each of the following:

- a. Social, economic, or community needs which are served by the proposal. *The ZBA determined the project benefits the neighborhood.*
- b. Traffic flow and safety, including parking and loading. *The ZBA determined there are no impacts.*
- c. Adequacy of utilities and other public services. *The ZBA determined there are no impacts.*
- d. Neighborhood character and social structures. *The ZBA determined the project maintains community character.*
- e. Impacts on the natural environment. *The ZBA determined there are no impacts.*
- f. Potential fiscal impact, including impact on town services, tax base, and employment. *The ZBA determined the project will benefit the tax base.*

III. Vote of the Board and Decision

The ZBA deliberated and determined that the request meets the criteria as detailed above in Section II:

Leslie Bryant made a motion to approve a Special Permit allowing an extension of a non-conforming structure as proposed in the petitioner's application. The motion was seconded by Jerry Culbert, with the following condition:

1. The existing deck and foundation located on the west side of the subject property shall be removed.

The Board voted as follows ("Y" to approve):

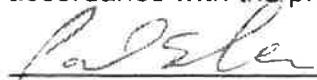
Paul Scheiner	Y
Leslie Bryant	Y
Jerry Culbert	Y
Page Czepiga	Y
Brad Schultz	Y

Recording of Decision:

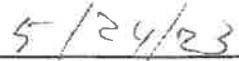
The Applicant shall file a certified copy of this Decision with the Middlesex South District Registry of Deeds (or Land Court if registered land) and a copy of the Decision, stamped with the recording information (Book/Page or Land Court document number) shall be provided to the Building Department.

Appeals

Appeals shall be made within twenty (20) days of the date of filing this decision in the Office of the Town Clerk directly to a court of competent jurisdiction in accordance with the provisions of M.G.L., Chapter 40A, Section 17.



Paul Scheiner, Chair
For the Zoning Board of Appeals



Date

****NOT VALID UNTIL CERTIFIED BY THE TOWN CLERK OF MAYNARD****

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