



**Office of the
T O W N C L E R K
195 Main Street – Town Building
Maynard, Massachusetts 01754
Telephone (978) 897-1300**

July 24, 2017

Re: Decision of the Zoning Board of Appeals

Petition Number: ZB 17-01

**Property Location: 1 Summer Street
Maynard, MA 01754**

**Petitioner: Town of Maynard (Fire Department)
Maynard, MA 01754**

Date of Decision: February 27, 2017

I hereby certify that this decision and any authorized signatures are true copies of the original and that 20 days have elapsed from the filing date of the decision and that no appeal has been filed in this office.

Attest: A True Copy

Michelle L. Sokolowski, Town Clerk

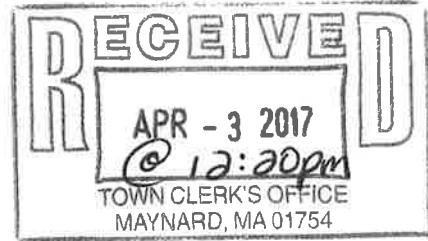
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**Registry of Deeds, South Middlesex District
208 Cambridge Street
East Cambridge, Ma 02141
(617) 679-6300**



Zoning Board of Appeals

Town Office Building
195 Main Street
Maynard, MA 01754



FINDINGS AND DECISION

Petition of the Town of Maynard (Fire Department) requesting a Variance for a reduced side setback of approximately 7 feet (15 feet required) and a reduced rear setback of approximately 1 foot (15 feet required).

Property Location: 1 Summer Street, Maynard, Ma.
Date of Decision: February 27, 2017
Petition Number: ZB 17-01

I. Procedural History

- a. On January 17, 2017, the applicant filed a petition with the Maynard Zoning Board of Appeals (ZBA) requesting a Variance from Section 4 of the Zoning By-laws to provide relief for a temporary structure at the Maynard Fire Station which would allow:
 - a reduced side setback of approximately 7 feet (15 feet required).
 - a reduced rear setback of approximately 1 foot (15 feet required).
- b. "Parties in Interest" were verified by the Maynard Property Assessor's Office. Notice of Public Hearing was mailed to the "Parties in Interest" and said notice was published, all according to statute.
- c. A public hearing was held on February 27, 2017 as scheduled and advertised. The Board considered the petition in the light of statutory criteria and requirements of the Maynard Zoning By-laws and the Massachusetts General Laws. No one spoke in opposition to the request. The ZBA confirmed the frontage of the subject property was Summer Street and that required setbacks for the proposed temporary structure should be and were based on this configuration.
- d. The Variance application was accompanied by a justification statement, site plan (Exhibit "A") and description with photo of the temporary structure.

II. Petition Details

- a. The subject property has a lot area of approximately .37 Acres (16,117.2 sf +-) and a zoning designation of "Business" (B).
- b. In order to utilize a federal grant, the Town acquired an aerial ladder fire truck to be delivered in the summer of 2017. The vehicle is too large to fit into the existing fire station and the purpose of the temporary structure is to house the truck until a new permanent structure is built on the current site or another location. The temporary structure cannot meet required setbacks of the district. This requires a Variance from the Dimensional Schedule, per Section 5.1.4 of the Zoning By-laws. Exhibit "A" depicts the proposed layout for the temporary structure.
- c. The Town is currently engaged in a search for a suitable location to build a new fire station.

III. Findings

The ZBA finds:

- a. The topography and unique shape (small, irregular size) of the subject property does not generally affect other properties in the zoning district in which it is located. This makes conformity with setback requirements impossible for the proposed temporary structure.
- b. The subject property is the town Fire Station and as such, provides a specific function. Not granting a variance creates a hardship for the Town, as there is currently no other location large enough on the premises to store this apparatus. Moving the truck to another location while the Fire Department remains on site is not conducive to proper emergency response practices.
- c. There would be no substantial detriment to the public good or derogation from the intent or purpose of the By-law by granting the Variance. This request provides a public good and is consistent with the Zoning By-laws; specifically Section 1.1, which states the intent of its regulations, is to promote the general welfare of the Town.

IV. Motion

A motion was made by Leslie Bryant and seconded by Marilyn Messenger finding that the criteria for a Variance has been met, and to issue a Variance for the property located 1 Summer Street that will allow a temporary structure, consistent with the design depicted on the application, that will have:

- a reduced side setback of approximately 7 feet (15 feet required).

- a reduced rear setback of approximately 1 foot (15 feet required).

This Variance shall be valid for a period of two-years from its effective date.

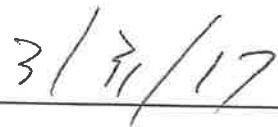
Record of Vote

The Zoning Board of Appeals voted 5-0 to grant the Variance:

Voted:

Paul Scheiner	Yes	Jerry Culbert	Yes
Marilyn Messenger	Yes	John Courville	Yes
Leslie Bryant	Yes		Yes


Paul Scheiner, Chair
For the Zoning Board of Appeals


Date

Filed with the Town Clerk on: 3/31/2017

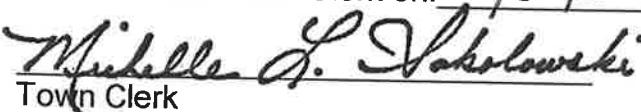

Town Clerk

Exhibit “A”

