



Zoning Board of Appeals

Town Office Building
195 Main Street
Maynard, MA 01754



FINDINGS AND DECISION

Application of Edward McLaughlin, for a Special Permit allowing an Accessory Family Dwelling Unit in a Residential (S-2) Zoning District

Property Location: 20 Michael Road
Date of Decision: September 29, 2014
Petition Number: ZB 14-04

Procedural History

1. On August 15, 2014, the Petitioner filed an application with the Maynard Zoning Board of Appeals for a Special Permit pursuant to Maynard Zoning By-Laws, Section 8.1 an Accessory Family Dwelling Unit in an S-2 Zoning District. "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. The mailing included abutters in the Town of Stow.
2. A public hearing was held on September 29, 2014 as scheduled and advertised. The Board considered the request in the light of statutory criteria, and requirements of said by-law. No one spoke in opposition to the request.
3. The application for an Accessory Family Dwelling Unit is accompanied by building plans date-stamped August 20, 2014.
4. The Town Planner, the Building Commissioner and the Zoning Board of Appeals (ZBA) reviewed the plans and other submission material. Throughout its deliberations the ZBA has been mindful of the statements of the applicants and comments of the general public, all made at the public hearing.

Findings

1. The applicant is requesting to construct a 600 square foot Accessory Family Dwelling Unit at 20 Michael Road.
2. The .46-acre subject property has a zoning designation of S2. The site abuts similar residences of three sides with the rear of the property abutting Stow. The applicant is proposing constructing the Accessory Family Dwelling Unit for his parents to occupy.
3. The principal structure is served by a private driveway and has adequate parking for additional vehicles.

Accessory Family Dwelling Unit Standards

Section 8.1 of the Zoning By-laws provides standards that must be met for Board approval of Accessory Family Dwelling Units.

1. Such additional family living unit shall at the discretion of the Zoning Board of Appeals accommodate up to a maximum of three (3) persons, provided that the owner of record of the structure is a resident of the structure which includes the Accessory Family Dwelling Unit. The existing house shall accommodate an additional family unit only if a member of the additional family is related by blood, marriage or adoption to the Owner of the premises. There shall be no other living unit on the lot upon which an accessory unit is to be located.

The proposed occupants of the accessory unit are related by blood to the owner (parents).

2. Adequate provisions, as determined by the Building Commissioner, shall be provided for separate ingress and egress to the outside of each unit. To the extent possible, exterior passageways and access ways shall not detract from the single family appearance of the dwelling. An interior doorway shall be provided between each living unit as a means of access for purposes of supervision and emergency response. All stairways to additional stories shall be enclosed within the exterior walls of the structure.

The exterior of the dwelling shall not be altered in any way to give the appearance of its exterior, other than as a single family dwelling, except for an exterior door on the side of the dwelling. The Building Commissioner has reviewed the proposed design of the Accessory Family Dwelling Unit and has no objection.

3. Such accessory unit shall be limited to a maximum of six hundred (600) square feet in floor area.

The proposed Accessory Family Dwelling Unit shall consist of 600 square feet.

4. Provisions for off-street parking of residents and guests of both units shall be provided in such a fashion as is consistent with the character of the neighborhood, as determined by the Zoning Board of Appeals, which shall seek advice from the Building Commissioner.

Off-street parking, in excess of Section 6.1.5 of the By-laws (parking Space Requirements) currently exists at the subject property for the vehicles of the accessory unit occupants. The driveway parking is consistent with the character of the neighborhood. The Building Commissioner has reviewed the proposed plan and has no objection.

Specific Findings

1. The ZBA has determined the applicant's request meets the required standards and intent for Accessory Family Dwelling Units as contained in Section 8.1 of the Zoning By-laws.

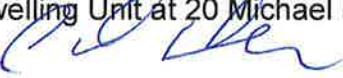
Decision

In view of the forgoing, the Zoning Board of Appeals hereby grants, with a 5-0 vote, the requested Special Permit Accessory Family Dwelling Unit.

All the terms and conditions as required by Section 8.1 of the Zoning By-laws remain in effect.

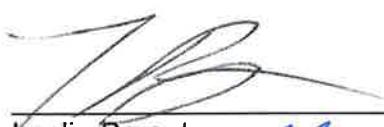
Record of Vote

The following members of the Zoning Board of Appeals vote to approve the request by Edward McLaughlin for a Special Permit allowing an Accessory Family Dwelling Unit at 20 Michael Road.


Paul Scheiner, Chair

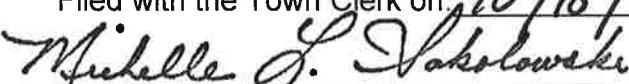

John Edson


Carlos Perez


Leslie Bryant


Marilyn Messenger

Filed with the Town Clerk on: 10/16/14


Town Clerk

CC: Edward McLaughlin Jr.
 Edward McLaughlin Sr.
 Lisa Mead, Town Attorney
 Kevin Sweet, Town Administrator
 Andrew Scribner-MacLean, Town Administrator
 Bill Nemser, Town Planner